

大日本帝國政府

外務省 第二局
普通法第七二號

昭和十九年三月三十一日

在フイリピン
特命全權大使 村岡省

附屬の添付

外務大臣 重光 奏 殿

比律連共和國官報第廿一年十一月號送付ノ件
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追隨同種重要記事左記ノ通り
日比同種條約ニ關スル大統領布告
官吏ノ席次ニ關スル大統領令
本使御任任狀持呈ノ際ニ於ケル外務省發表
本使口上書英譯
本使口上書ニ對スル大統領答辭
大東亞會議ニ關スル日比側發表

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大日本帝國政府

大東亞會議ニ於ケル大統領發言
大東亞共同宣言
大東亞會議ニ關スル大統領聲明
東京ニ於ケル大統領對外放言「マキスト」
「パリ、モウ」國家代表歡迎宴ニ於ケル大統領挨拶
「ボト」首班歡迎宴ニ於ケル大統領挨拶
同席上ニ於ケル「ボト」首班挨拶

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REPUBLIC OF THE PHILIPPINES

Official Gazette

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The Official Month

A GREEING with two statements of General Hideki Tozjo, Premier of Japan, that "the nations of Greater East Asia, while mutually recognizing their autonomy and independence, must, as a whole, establish among themselves relations of brotherly amity," and that the spiritual essence of the culture of Greater East Asia must be developed and refined in order that mankind might be saved from the clutches of a materialistic civilization, the delegates to the Greater East Asia Congress held from November 5 to 6, 1943—President Jose P. Laurel, the representative of the Republic of the Philippines, among them—unanimously approved on November 6 in Tokyo, Japan, a Joint Declaration.

THE Joint Declaration as adopted envisions the stability of every East Asian nation, the construction of an order of common prosperity and well-being based upon justice, the respect of each member-nation's sovereignty and independence, mutual assistance and amity; respect of each nation's traditions and development of the faculties of each race; the acceleration of economic development upon a basis of reciprocity and the promotion of the general prosperity of their region; and the abolition of racial discrimination and the promotion of cultural intercourse throughout the world.

IT was these basic principles that impelled President Laurel upon his arrival in Manila from the Congress to say that the Joint Declaration, judged as a whole or taken separately is a notable instrument, a great human charter. Asked the President: "Why should there not be a sphere of common prosperity, a league of independent states bound together by racial, cultural, and geographical ties, and governed in their dealings by the spirit of brotherhood and the principles of moral justice? Why should not the nations of East Asia live harmoniously with each other on a broad basis of mutual respect of one another's sovereignty and independence? Is there any better way than this? Why cannot the East, the cradle of human civilization, enhance its own culture and once again shed light to all the world? Closely cooperating with one another on the basis of reciprocity, should not the economic development of the entire sphere bring about the prosperity of all? And, what else could be more desirable than equality among God's creatures, the abolition of racial discrimination, and with it and through it, progress, peace and harmony among all the peoples of the earth?"

IT was the same basic principles which also prompted him at the dinner he gave in honor of His Excellency, Subhas Chandra Bose, Head of the Provisional Government of India on November 23 to recall that at the Greater East Asia Congress the delegates "uttered only one voice—the voice

of Asia; meaning, the liberation of oppressed Asian peoples and the unification of the peoples of Greater East Asia." In reply, Mr. Subhas Chandra Bose linked the destiny of India with the destiny of Asia. He said, "the individual often must die if the nation has to live. And speaking for ourselves, we feel every day and every moment of our lives that who lives if India dies, who dies if India lives? That is the feeling that inspires us today and will inspire us tomorrow. We are prepared for a long and hard struggle. We are conscious at last of our historic part which India and the Indian people have to fulfill for themselves and for Asia and for India."

FURTHER strengthening the relations of Japan with the Philippines, Ambassador to the Philippines Syozo Murata on November 29 presented his Letter of Credence to President Laurel. In his *note verbale*, the Japanese Ambassador said: "Being conscious of the honor bestowed upon me as the first Japanese Ambassador to the Philippines, I am firmly determined to exert my best efforts for the complete execution of the Five Basic Principles (of the Joint Declaration) and the Pact of Alliance, with a view to promoting friendship and concord between our two countries, contributing in this manner to the establishment of Greater East Asia." For his part, President Laurel declared that the norms of conduct inherent in the Five Basic Principles, "particularly the principle of respect for each other's independence and sovereignty and the principle of economic cooperation upon the basis of reciprocity, shall guide my Government in its relations with all nations, and shall, I am certain, encourage my people to develop that confidence in their own powers and that faith in their own destiny which alone can make them sincere and diligent builders of the Co-Prosperity Sphere."

THE other highlight in this month's happenings is the exposition of national unity by the President when speaking at the New Luneta, Manila, on National Heroes' Day he beseeched his countrymen to follow the object-lessons taught by Filipino heroes and martyrs. These are: (1) to love the native land, (2) to love each other, (3) to help in the reconstruction of the Philippines. "Now, of all times, we must help one another so that the Republic of the Philippines can survive," he said. Comparing the independent Philippines to a tree planted by Filipino heroes, President

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Laurel propounded the duties all Filipinos must render to their country. "What we should do is to take care of that tree, pull the weeds, keep away roving animals, especially now that it is bearing fruit. The duty of all Filipinos is never to permit the tree to die, remembering always that it grew in structure by the sweat and blood of our heroes." He appealed to his countrymen to help those who are at the head of the government to make the Republic lasting and real. "We who have been chosen to lead the country," he said, "ask nothing of you but your cooperation; we should join forces and pull together. We should not divide. We should feed the hungry, instead of depriving them of food."

His message read at the memorial service in honor of Filipino heroes held at the Mount Samat Cemetery, Bataan, on the same date carried a similar sentiment.

DEEPLY believing in the idea that independent nationhood would be meaningless and illusory if the Filipinos refused to work out their economic salvation, President Laurel issued Ordinances Nos. 1 and 2. The first deals with the control of the distribution of rice and corn, while the second provides for the cultivation of all available lands for the production of food

crops. As supplements to the two ordinances, the Ministry of Agriculture and Commerce issued Ministry Orders Nos. 32, 33, 34 and 35, all of which refer to the control and distribution of such essential commodities as rice and its by-products, corn and its by-products, tiki-tiki, mungo, peanut, and fresh coconuts and the territorial application of Ordinance No. 1. The Kalibapi, as part of its food production drive, issued General Circular No. 12-2, a plan to devote home yards and rice lands after harvest to a cultivation of corn and root crops like camote, gabi, and tugi; fruits, beans, and vegetables in season.

PUTTING into effect his often-repeated desire to perfect the administrative organization of the Government, President Laurel appointed Guillermo B. Francisco as Vice-Minister of Home Affairs and Director of the Constabulary, Dr. Gabriel Mañalac as Acting Minister of Education, Health, and Public Welfare, Jose G. Sanvictores as Acting Executive Secretary, Antonio Horrilleno as Justice of the Supreme Court, Arsenio Luz as Acting Assistant Director-General of the Kalibapi, Juan L. Lanting as Director of the Bureau of Employment, and Manuel D. Sumulong as Director of the Bureau of Animal Industry.

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PROCLAMATIONS, EXECUTIVE ORDERS, ADMINISTRATIVE
ORDERS AND ORDINANCES BY THE PRESIDENT

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
MANILA

BY THE PRESIDENT OF THE REPUBLIC
OF THE PHILIPPINES

PROCLAMATION No. 4

MAKING THE TREATY OF ALLIANCE
CONCLUDED BETWEEN THE RE-
PUBLIC OF THE PHILIPPINES AND
THE EMPIRE OF JAPAN PUBLIC, AND
CALLING UPON EVERY CITIZEN TO
COMPLY WITH THE PROVISIONS OF
THE SAID TREATY.

WHEREAS, a Treaty of Alliance, between the Republic of the Philippines and the Empire of Japan was concluded and signed by their respective Plenipotentiaries at Manila on the 14th day of October, 1943, the original of which Treaty, as well as the Terms of Understanding attached thereto, being in the French language, is word for word as follows:

"PACTE D'ALLIANCE ENTRE LES
PHILIPPINES ET LE JAPON

"Le Président de la République des Philippines et Sa Majesté l'Empereur du Japon,

"Le Japon ayant décidé de reconnaître les Philippines comme un Etat indépendant;

"Désirant que les deux pays, en respectant mutuellement comme bons voisins leur indépendance autonome, établissent, en collaboration étroite, une Grande Asie Orientale basée sur la justice pour contribuer ainsi à la paix générale du monde, et désirant éliminer à fond, avec une volonté ferme et irréductible, toutes les mauvaises influences faisant obstacle à ce but, ont résolu de conclure un Pacte à cet effet, et ont nommé pour leurs Plénipotentiaires respectifs, savoir:

"Le Président de la République des Philippines;
"Son Excellence Monsieur Claro M. Recto, Ministre d'Etat;

"Sa Majesté l'Empereur du Japon;
"Son Excellence Monsieur Shōzō Murata, Zyusanmi, Ambassadeur extraordinaire et plénipotentiaire;

"Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes:

"ARTICLE 1

"Il y aura à jamais les relations de bon voisinage et d'amitié entre les Hautes Parties Contractantes sur la base du respect mutuel de leur souveraineté et de leurs territoires.

"ARTICLE 2

"Les Hautes Parties Contractantes s'assureront une collaboration étroite d'ordre politique, économique et militaire afin de poursuivre la guerre de la Grande Asie Orientale jusqu'à la victoire complète.

"ARTICLE 3

"Les Hautes Parties Contractantes collaboreront, d'une façon mutuelle et étroite, pour la construction d'une Grande Asie Orientale.

"ARTICLE 4

"Les détails nécessaires à l'exécution du présent Pacte seront déterminés entre les autorités compétentes des Hautes Parties Contractantes.

"ARTICLE 5

"Le présent Pacte entrera en vigueur des le jour de la ratification des Hautes Parties Contractantes.

"ARTICLE 6

"Le présent Pacte sera ratifié le plus tôt possible. L'échange des instruments de ratification aura lieu le plus tôt possible à Manille.

"En foi de quoi, les Plénipotentiaires respectifs ont signé le présent Pacte et y ont apposé leurs cachets.

"Fait en double exemplaire, à Manille, le 14 octobre 1943, correspondant au quatorzième jour du dixième mois de la dix-huitième année de Syōwa.

"(Seal) (Sgd.) CLARO M. RECTO
"(Seal) (Sgd.) SHOZO MURATA
"In Japanese characters"

"TERMES D'ENTENTE ANNEXÉS AU PACTE
D'ALLIANCE ENTRE LES PHILIPPINES
ET LE JAPON

"AD. ARTICLE 2

"Il est entendu que la modalité principale de la collaboration étroite d'ordre militaire afin de poursuivre la guerre de la Grande Asie Orientale stipulée dans cet article sera comme suit:

"Les Philippines donneront toutes les facilités pour les opérations militaires qu'entreprendra le Japon; en outre, les Philippines et le Japon collaboreront, d'une façon mutuelle et étroite, pour sauvegarder l'intégrité territoriale et l'indépendance des Philippines.

"En foi de quoi, les soussignés, dûment autorisés à cet effet par leurs Gouvernements respectifs, ont signé les présents Termes d'entente.

"Fait en double exemplaire, à Manille, le 14 octobre 1943, correspondant au quatorzième jour du dixième mois de la dix-huitième année de Syōwa.

"(Sgd.) CLARO M. RECTO
"(Sgd.) SHOZO MURATA
"In Japanese characters"

(NOTE: The English translation is hereto attached.)

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WHEREAS, the National Assembly of the Philippines, by its Resolution No. 4 of October 18, 1943, did concur in the conclusion of the said Treaty and Terms of Understanding; and

WHEREAS, the Treaty and Terms of Understanding above referred to have been duly ratified by both Governments and the ratifications were exchanged at Manila on the 28th day of October, 1943;

Now, THEREFORE, be it known that I, Jose P. Laurel, President of the Republic of the Philippines, hereby cause the said Treaty and Terms of Understanding to be made public to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the Republic of the Philippines and the citizens thereof.

In testimony whereof, I have hereunto set my hand and caused the Seal of the Republic of the Philippines to be affixed.

Done in the City of Manila, this 18th day of November, in the year of Our Lord, nineteen hundred and forty-three, and of the Republic of the Philippines, the first.

(SEAL) (Sgd.) JOSE P. LAUREL
President of the Republic
of the Philippines

By the President:

(Sgd.) JOSE GIL
Acting Executive Secretary

PACT OF ALLIANCE BETWEEN THE PHILIPPINES AND JAPAN.

The President of the Republic of the Philippines and His Majesty the Emperor of Japan, Now that Japan has decided to recognize the Philippines as an independent state;

Being determined that the two countries shall closely cooperate, each as good neighbour respecting the self-asserting independence of the other, to establish Greater East Asia based on justice, thereby contributing to the peace of the whole world and being determined firmly and unshakably to eradicate all sources of evil in the way, have resolved for that purpose to conclude a Pact of Alliance and named their respective Plenipotentiaries, that is to say:

The President of the Philippines;
His Excellency Mr. Claro M. Recto, Minister of State;

His Majesty the Emperor of Japan
His Excellency Mr. Shōzō Murata,
Zyusanmi, Ambassador Extra-ordinary and Plenipotentiary;

who, after having communicated to each other their respective Full Powers, found to be in good and due form, have agreed upon the following articles:

ARTICLE 1

There shall be between the High Contracting Parties perpetual relations of good neighbour and amity on the basis of mutual respect of sovereignty and territories.

ARTICLE 2

The High Contracting Parties shall closely cooperate on matters, political, economic, and military for the successful prosecution of the War of Greater East Asia.

ARTICLE 3

The High Contracting Parties shall closely cooperate with each other for the establishment of Greater East Asia.

ARTICLE 4

The matters of detail necessary for the execution of the present Pact shall be determined through consultations between the authorities concerned of the High Contracting Parties.

ARTICLE 5

The present Pact shall come into force as from the date on which the High Contracting Parties shall have completed the ratification of the Pact.

ARTICLE 6

The present Pact shall be ratified as soon as possible. The ratification shall be exchanged at Manila as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the Pact and hereunto affixed their respective seals.

Done in duplicate, at Manila, this 14th day of October, 1943, corresponding to the fourteenth day of the tenth month of the eighteenth year of Syowa.

TERMS OF UNDERSTANDING ATTACHED TO THE PACT OF ALLIANCE BETWEEN THE PHILIPPINES AND JAPAN

AD. ARTICLE 2 OF THE PACT.

The Principal modality of the close military cooperation for the successful prosecution of the War of Greater East Asia stipulated in the present article should be as follows:

The Philippines will afford all kinds of facilities for the military actions to be undertaken by Japan; the Philippines and Japan will closely cooperate with each other to safeguard the territorial integrity and independence of the Philippines.

In witness whereof the undersigned, duly authorized to that end by their respective Governments, have signed the present Terms of Understanding.

Done in duplicate, at Manila, this 14th day of October, 1943, corresponding to the fourteenth day of the tenth month of the eighteenth year of Syowa.

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
MANILA

BY THE PRESIDENT OF THE REPUBLIC
OF THE PHILIPPINES

EXECUTIVE ORDER No. 6

AUTHORIZING THE EXECUTIVE SECRETARY TO ATTEST THE SIGNATURE OF THE PRESIDENT AND AFFIX THE GREAT SEAL OF THE REPUBLIC OF THE PHILIPPINES.

Pursuant to the authority conferred upon me by law, I, Jose P. Laurel, President of the Republic of the Philippines, do hereby authorize and direct the Executive Secretary to attest my signature on all executive orders, proclamations, administrative orders, regulations, ordinances, commissions, and such other state documents and papers as may by law be provided, or as may be ordered or directed by the President, and to affix thereto the Great Seal of the Republic of the Philippines.

Done in the City of Manila, this 18th day of November, in the year of Our Lord, nine hundred and forty-three, and of the Republic of the Philippines, the first.

(Sgd.) JOSE P. LAUREL
President of the Republic
of the Philippines

By the President:

(Sgd.) JOSE GIL
Acting Executive Secretary

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
MANILA

BY THE PRESIDENT OF THE REPUBLIC
OF THE PHILIPPINES

EXECUTIVE ORDER No. 7

REGULATIONS GOVERNING THE OPERATION AND MAINTENANCE OF PROVINCIAL OR CITY GARAGES BY PROVINCIAL OR CITY GOVERNMENTS.

By virtue of the powers vested in me by law, I, Jose P. Laurel, President of the Republic of the Philippines, do hereby promulgate the following rules and regulations to govern the operation and maintenance of provincial or city garages by provincial or city governments:

1. All motor vehicles operated or kept by a province or chartered city at the time of the approval of this Order, including the City of Manila, shall be kept in a central garage to be operated by the provincial or city engineer, and to be known as the ".....
Name of province

Provincial Garage" or the ".....
Name of city

City Garage" as the case may be. Exception is made of motorcycles, ambulances for hospitals, and motor vehicles used in the office of the fire brigade commander or officer, and, in the case of the City of Manila, such other motor vehicles as are assigned to the Metropolitan Constabulary, the Garbage and Pail Collection Service, the Fire Department; and such other motor vehicles as may be specifically exempted by the President of the Republic of the Philippines.

2. Hereafter, any provincial or city official or employee desiring motor transportation for official purposes may requisition cars from the garage on rental basis in accordance with such schedule of rates as shall be prescribed pursuant to Paragraph 4 hereof.

3. The provincial or city engineer shall furnish motor vehicles in the garage to officials or employees of the province or city for making designated trips for official purposes, in the order in which applications are received, and after taking into consideration the relative urgency of the proposed trips. For the use or hire of an automobile or truck, a charge slip shall be issued in duplicate stating the date, name and designation of the person hiring it, places of travel, time hired and released, distance in kilometers travelled, and the purpose of travel. This charge slip shall be signed by the said person at the time of releasing the vehicle.

4. The provincial or city engineer shall charge the offices concerned for the use of any automobile or truck in the garage, at such rates as may be prescribed by the Minister of Public Works and Communications. At the end of each month the charges for hire shall be summarized and the bill therefor rendered against the office concerned. The original charge slips will, of course, accompany the bill.

5. When any provincial or city official who may be granted by the President of the Republic of the Philippines a fixed amount of allowance for his personal transportation in connection with his travels on official business, avails himself of the use of a car in the garage, he shall be charged the regular rental therefor which shall be deducted from his said allowance.

6. The income of the garage derived from the collections of its bills shall constitute its working appropriation, but the balance of such income after deducting the expenses will at the close of the yearly accounts be reverted to the general fund: *Provided*, That a portion of the gross income from the operation of the garage, not to exceed one-fourth thereof, shall be credited to a special fund to be used for the purchase of new units to replace old ones upon

appropriation by the respective provincial governor or city mayor. A reimbursable revolving fund shall be provided to cover the operating expenses of the garage for the first six months of operation.

7. It shall be the policy of these provincial or city garages to operate only small (light) cars in order to minimize operating expenses.

8. Executive Order No. 172, dated October 18, 1938, is hereby superseded.

Done in the City of Manila, this 18th day of November, in the year of Our Lord, nineteen hundred and forty-three, and of the Republic of the Philippines, the first.

(Sgd.) JOSE P. LAUREL
President of the Republic
of the Philippines

By the President:

(Sgd.) JOSE GIL
Acting Executive Secretary

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
MANILA

BY THE PRESIDENT OF THE REPUBLIC
OF THE PHILIPPINES

EXECUTIVE ORDER No. 8

AUTHORIZING THE PAYMENT OF TRANSPORTATION OF MEMBERS OF THE FAMILIES AND THE HOUSEHOLD EFFECTS OF OFFICERS AND EMPLOYEES OF PROVINCES, CITIES, MUNICIPALITIES AND OF GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS, WHO ARE TRANSFERRED FROM ONE OFFICIAL STATION TO ANOTHER.

Whereas, the cost of transportation of members of the families and of the household effects of officers and employees of the National Government who may be transferred from one official station to another in the interest of the public service and without solicitation on their part, is being paid from government funds in accordance with section 7-I(20) of the Budget Act; and

Whereas, officers and employees of local governments and of government-owned or controlled corporations should also enjoy the same privilege;

Now, therefore, pursuant to the authority vested in me by law, I, Jose P. Laurel, President of the Republic of the Philippines, do hereby order that, whenever officers and employees of provinces, cities, municipalities and of government-owned or controlled corporations, are transferred from one official station to another in the interest of the public service and not at their own request, the cost of transportation of the immediate members of their

families, consisting of the wife or husband, as the case may be, and of their children below twenty-one years of age, as well as that of their baggage and household effects not to exceed a total of three thousand kilos, shall be paid from the appropriation for traveling expenses of the province, city, municipality or corporation concerned, if approved by the corresponding Minister.

Done in the City of Manila, this 18th day of November, in the year of Our Lord, nineteen hundred and forty-three, and of the Republic of the Philippines, the first.

(Sgd.) JOSE P. LAUREL
President of the Republic
of the Philippines

By the President:

(Sgd.) JOSE GIL
Acting Executive Secretary

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
MANILA

BY THE PRESIDENT OF THE REPUBLIC
OF THE PHILIPPINES

EXECUTIVE ORDER No. 9

ESTABLISHING THE ORDER OF PRECEDENCE AND RELATIVE RANKS OF OFFICIALS OF THE REPUBLIC OF THE PHILIPPINES.

By virtue of the powers vested in me by law, I, Jose P. Laurel, President of the Republic of the Philippines, do hereby promulgate the following rules establishing the order of precedence and the relative ranks of the officials of the Republic of the Philippines:

ARTICLE I. The order of precedence and rank of positions of the civil officials of the Republic of the Philippines shall be as follows:

1. The President of the Republic of the Philippines
2. The Speaker of the National Assembly
3. The Chief Justice of the Supreme Court
4. The Ministers of State:
 - (a) The Minister of State for Foreign Affairs
 - (b) The Minister of the Interior
 - (c) The Minister of Finance
 - (d) The Minister of Justice
 - (e) The Minister of Agriculture and Commerce
 - (f) The Minister of Education, Health and Public Welfare
 - (g) The Minister of Public Works and Communications
 - (h) The Executive Secretary
5. Ambassadors of the Republic of the Philippines accredited to foreign countries
6. The Chairman of the Council of State
7. The Associate Justices of the Supreme Court

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8. The Director General of the KALIBAPI
9. The Members of the Council of State
10. The Vice-Ministers, in the above-mentioned order
11. The Floor Leader of the National Assembly
12. The Presiding Justice of the Court of Appeals
13. The Members of the National Assembly
14. The Associate Justices of the Court of Appeals
15. The Assistant Executive Secretary, the Auditor General and Director of the Budget, the Solicitor General, the Chief of the Civil Service, and the Assistant Director General of the KALIBAPI
16. The Directors of Bureaus and Offices
17. The Judges of First Instance
18. The Chairman and Members of the Code Committee
19. The Managers of government-owned or controlled corporations
20. The Directors of Bureaus of the KALIBAPI
21. The Assistant Directors of bureaus and offices and the Assistant Managers of government-owned or controlled corporations

ART. II. In all state and social functions where precedence and ranks of position must be observed, the order of precedence, as determined in this Order, shall be strictly followed.

Done in the City of Manila, this 24th day of November, in the year of Our Lord, nineteen hundred and forty-three, and of the Republic of the Philippines, the first.

(Sgd.) JOSE P. LAUREL
President of the Republic
of the Philippines

By the President:

(Sgd.) JOSE GIL
Acting Executive Secretary

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
MANILA

BY THE PRESIDENT OF THE REPUBLIC
OF THE PHILIPPINES

EXECUTIVE ORDER No. 10

PRESCRIBING CERTAIN EDUCATIONAL REFORMS

By virtue of the powers vested in me by law and upon recommendation of the National Education Board created under Executive Order No. 5, dated October 23, 1943, I, Jose P. Laurel, President of the Republic of the Philippines, do hereby order that—

A. QUALIFICATIONS OF TEACHERS

1. All teachers in elementary and secondary schools, whether public or private, must first

obtain a license after proper examinations. The good moral character of every applicant for a teacher's license must be vouched for by two Filipino citizens of established national reputation not related to the applicant. No license shall be issued, unless the teacher has satisfactorily proved that he or she sincerely believes in and earnestly endeavors to help carry out the declared policies of the State.

2. A code of professional ethics for teachers shall be promulgated by the Minister of Education, Health, and Public Welfare. Violation of the code will, after due hearing, cause the suspension or cancellation of the teacher's license. This code shall also govern the conduct of school, college, and university administrators.

3. Every teacher of religion in the public and private schools, colleges, and universities shall at all times abide by the declared policies of the State.

4. Effective at the beginning of the school year 1944-1945, only Filipino citizens may teach the national language, character education, and Philippine history in public and private schools, colleges and universities.

B. TEACHING OF THE NATIONAL LANGUAGE

5. Effective immediately the national language shall be taught in all public and private high schools, colleges, and universities.

6. Effective at the beginning of the school year 1944-1945, the national language shall be taught in all elementary schools, public and private, and the training of national language teachers on a large scale shall commence immediately.

7. All efforts shall be exerted to accelerate the diffusion of the national language so that it may become the principal medium of instruction throughout the school and college courses as soon as practicable.

C. ADMINISTRATION OF PRIVATE SCHOOLS

8. The head of every school, college, or university must first obtain a teacher's license, but the examinations for that purpose may be dispensed with, in the discretion of the Minister of Education, Health, and Public Welfare.

9. The rates of tuition and other fees that shall be charged by a school, college, or university as well as the salaries of teachers, instructors, and professors shall be fixed with the approval of the Minister of Education, Health, and Public Welfare; and he or his duly authorized representative may at any time examine or investigate the financial condition of a school, college, or university.

10. Effective at the beginning of the school year 1944-1945, a majority of the governing board of every school, college or university shall be Filipino citizens.

Done in the City of Manila, this 30th day of November, in the year of Our Lord, nineteen

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hundred and forty-three, and of the Republic of the Philippines, the first.

(Sgd.) JOSE P. LAUREL
President of the Republic
of the Philippines

By the President:

(Sgd.) JOSE G. SANVICTORES
Acting Executive Secretary

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
MANILA

BY THE PRESIDENT OF THE REPUBLIC
OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 4

CREATING AN OFFICE EQUIPMENT
REDISTRIBUTION COMMITTEE

Considering the present scarcity of office equipment being felt as newly-created bureaus and offices are organized, as well as the prevailing excessive prices of materials, there is hereby created and constituted a committee, which shall be known as the Office Equipment Redistribution Committee, to be composed of the following:

Mr. Manuel Agregado, Chairman
Mr. Placido Mapa, Member
Mr. Conrado Sevilla, Member

The Committee shall—

(a) Take charge of determining the quantity and location of various articles of office equipment belonging to the National Government;
(b) Determine the actual needs of each bureau or office for various kinds of office equipment;

(c) Study the feasibility of assigning large or double desks to two or more employees;

(d) Study the proper distribution of all office equipment among bureaus and offices of the National Government; and

(e) Submit as soon as possible to the President of the Republic of the Philippines proper recommendations to carry out the purposes of this Order.

For the proper functioning of the Committee herein created, all the officials and employees of the National Government are hereby enjoined to extend whatever assistance may be requested of them by the Committee.

Done in the City of Manila, this 18th day of November, in the year of Our Lord, nineteen hundred and forty-three, and of the Republic of the Philippines, the first.

(Sgd.) JOSE P. LAUREL
President of the Republic
of the Philippines

By the President:

(Sgd.) JOSE GIL
Acting Executive Secretary

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
MANILA

BY THE PRESIDENT OF THE REPUBLIC
OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 5

FURTHER EXTENDING THE PERIOD FOR
THE REGISTRATION OF EMERGENCY
NOTES IN THE PROVINCE OF LEYTE.

By virtue of the power vested in me by law, I, Jose P. Laurel, President of the Republic of the Philippines, do hereby extend, upon the recommendation of the Minister of Finance, the period for the registration of emergency notes in the province of Leyte to December 31, 1943.

Done in the City of Manila, this 18th day of November, in the year of Our Lord, nineteen hundred and forty-three, and of the Republic of the Philippines, the first.

(Sgd.) JOSE P. LAUREL
President of the Republic
of the Philippines

By the President:

(Sgd.) JOSE GIL
Acting Executive Secretary

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
MANILA

BY THE PRESIDENT OF THE REPUBLIC
OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 6

DIRECTING THE KAPISANAN SA PAG-
LILINGKOD SA BAGONG PILIPINAS
(KALIBAPI) TO TAKE CHARGE OF
THE CELEBRATION OF NATIONAL
HEROES' DAY, NOVEMBER 30, 1943,
ALL OVER THE PHILIPPINES.

Whereas, Executive Order No. 20 of the Chairman of the Philippine Executive Commission designates the thirtieth day of November as National Heroes' Day, a legal holiday; and

Whereas, the *Kapisanan sa Paglilingkod sa Bagong Pilipinas* (KALIBAPI) is properly organized to assume responsibility for the appropriate observance of this day;

Now, therefore, I, Jose P. Laurel, President of the Republic of the Philippines, by virtue of the powers conferred upon me by law, do hereby direct the *Kapisanan sa Paglilingkod sa Bagong Pilipinas* (KALIBAPI) to make the necessary preparations for, and take charge of, the celebration of National Heroes' Day all over the Philippines, requesting at the same time all elements of our population in and

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outside of the government to cooperate with the KALIBAPI in the observance of this day.

Done in the City of Manila, this 18th day of November, in the year of Our Lord, nineteen hundred and forty-three, and of the Republic of the Philippines, the first.

(Sgd.) JOSE P. LAUREL
President of the Republic
of the Philippines

By the President:

(Sgd.) JOSE GIL
Acting Executive Secretary

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
MANILA

BY THE PRESIDENT OF THE REPUBLIC
OF THE PHILIPPINES

ADMINISTRATIVE ORDER No. 7

EXTENDING THE PERIOD FOR THE REG-
ISTRATION OF EMERGENCY NOTES
IN THE PROVINCE OF MISAMIS
ORIENTAL.

By virtue of the power vested in me by law, I, Jose P. Laurel, President of the Republic of the Philippines, do hereby extend, upon the recommendation of the Minister of Finance, the period for the registration of emergency notes in the Province of Misamis Oriental to December 31, 1943.

Done in the City of Manila, this 27th day of November, in the year of Our Lord, nineteen hundred and forty-three, and of the Republic of the Philippines, the first.

(Sgd.) JOSE P. LAUREL
President of the Republic
of the Philippines

By the President:

(Sgd.) JOSE G. SANVICTORES
Acting Executive Secretary

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
MANILA

BY THE PRESIDENT OF THE REPUBLIC
OF THE PHILIPPINES

ORDINANCE No. 1

ON THE CONTROL OF THE DISTRIBUTION
OF RICE AND CORN

There being an urgent necessity to adjust the distribution of rice and corn and their by-products to stabilize the livelihood of the people, and pursuant to the authority conferred upon me by Article III, section 14, of the Constitution, I, Jose P. Laurel, President

of the Republic of the Philippines, do hereby promulgate this Ordinance:

CHAPTER I.—REGULATIONS, OFFENSES AND
PENALTIES

SECTION 1. The purpose of this Ordinance shall be to effect the control of the supply and distribution of rice and corn in order to secure an equitable distribution of these commodities as required by the present emergency. Whenever the words "rice" and "corn" are used in this Ordinance, the same shall be intended to refer also to their by-products.

SEC. 2. For the purpose stated in the preceding section—

(a) The National Rice and Corn Corporation, under the supervision and control of the Minister of Agriculture and Commerce, is hereby designated as the organization to be in charge of controlling the supply and distribution of rice and corn and shall, for the purposes of this Ordinance, be called the control organization, until otherwise directed by the President of the Republic of the Philippines.

(b) The Director of Plant Industry is hereby authorized and directed to organize, supervise and control rice and corn growers' cooperative associations and federations thereof, and rice threshers' cooperative associations and federations thereof in all municipalities where rice and corn are produced.

(c) Provincial governors and city mayors are hereby authorized and directed to organize or complete the organization, within a reasonable time, of district and neighborhood associations in their respective provinces, cities and municipalities.

SEC. 3. Membership of landowners, operators, and their tenants, engaged in the production of rice or corn, in the rice and corn growers' cooperative associations, and of all rice threshers in the various municipalities and cities in the threshers' cooperative associations shall be compulsory, and refusal to become a member or to fulfill the obligations of membership therein shall be considered a violation of this Ordinance.

SEC. 4. The control organization shall fix the amount of palay or corn which each member of a rice and corn growers' cooperative association may keep for his own consumption and for seed after each harvest: *Provided*, That, in case of palay, such amounts shall not be more than the following:

(a) *For consumption*: for farm operators, their tenants and dependents—eight cavans per capita per year; and

(b) *For seed*: one cavan per hectare for each sowing.

Any quantity of rice or corn harvested by any member of an association in excess of the amount he is allowed to keep, as above

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provided, shall be turned over and sold by him to the association, whose duty it shall be to transfer and resell the same to the control organization. The maximum selling and reselling prices for every province or municipality shall be fixed by the Minister of Agriculture and Commerce for each crop year at such rates as shall afford the producers a reasonable profit, taking into consideration the expenses incurred in the production and the cost of living of the producers.

Sec. 5. It shall be the duty of each member of a rice and corn growers' cooperative association to submit to his association, at the end of each harvest, and at such other times that he is called upon to do so, data regarding the area planted and quantity produced by him for such harvest, number of his dependents (and in the case of farm operators, his tenants and dependents) and such other data as the control organization or the association may require. The association shall compile such data and submit the same promptly to the control organization.

Sec. 6. It shall be the duty of each member of a threshers' cooperative association to report to his association all quantities of palay threshed by him. The association shall compile such reports and transmit the same to the control organization. The control association shall prescribe the contents and form of the reports, and the dates of submitting them.

Sec. 7. It shall be unlawful for any person, natural or juridical, to operate a rice or corn mill without a license duly issued by the Minister of Agriculture and Commerce, upon recommendation of the control organization: *Provided, however,* That all existing permits to operate a rice or corn mill shall subsist and be considered valid unless revoked by the Minister of Agriculture and Commerce.

The control organization shall determine for what organizations or persons the licensed rice or corn mills may mill, and after such determination, which shall be stated in the license, it shall be unlawful for any mill owner to mill rice or corn for any other person or organization.

It shall be the duty of owners of all licensed rice or corn mills to report to the control organization all amounts of rice or corn milled by them or deposited in their warehouses. The form, contents, and dates of submitting these reports shall be prescribed by the control organization.

Sec. 8. Whenever public interest so requires, the Minister of Agriculture and Commerce, with the approval of the President of the Republic of the Philippines, may authorize the control organization or its representatives to suspend the operation or take over the possession, use or operation of any rice or corn

mill, or machinery, or warehouse used or operated in connection therewith, or the cultivation and operation of any rice or corn farm or land, or of any means of transportation by land or by water, and to operate the same, upon payment of just compensation for such taking over, use, possession or operation, as determined by the Minister of Agriculture and Commerce. If the amount of compensation so determined should be unsatisfactory to the person entitled to receive the same, such person shall be paid seventy-five per cent of the amount so determined and shall be entitled to sue the Republic of the Philippines to recover such further sums as added to the seventy-five per cent will make up such amount as will be just compensation, in the manner provided by the laws in force for the purpose of determining the compensation to be paid to the owner of property acquired through eminent domain.

Whenever the Minister of Agriculture and Commerce shall determine that further use or operation of any rice or corn mill, machinery, warehouse, farm land, or means of transportation is no longer justified by existing conditions, the same shall be restored to the person or persons entitled to the possession thereof.

Any income derived from or in connection with the use or operation contemplated in this section may, in the discretion of the Minister of Agriculture and Commerce, with the approval of the President of the Republic of the Philippines, be used as a revolving fund for the purpose of continuing such use or operation.

Sec. 9. It shall be unlawful for any thresher or mill owner to resell to any person not authorized by the control organization to operate under this Ordinance any fuel, lubricant, or mill parts or supplies purchased by him from the control organization.

Sec. 10. The Minister of Agriculture and Commerce or the control organization may, whenever necessary for the enforcement of this Ordinance, require any public official or private person, whether juridical or natural, to submit pertinent data and information, and may cause to be made at all reasonable hours searches and examinations of warehouses, establishments or shops of persons habitually engaged in the production, processing, or sale of rice and corn; make inquiries as to their methods of, or the conditions surrounding, the production, processing, sale and distribution of such commodities, and their quantity of stock thereof; or inspect their books of accounts and other papers and articles used in the business or trade. Such orders shall be executed by any public official or official of the control organization duly accredited, who shall exhibit certificates of identification and authority is-

sued by the control organization before making the inspection, search, examination or inquiry.

Sec. 11. No one except the control organization or the persons designated by said organization shall engage in the purchase, importation, sale or transfer of rice and corn, or act as agent, broker, or intermediary in the purchase, sale or transfer of such commodities or keep or store such commodities for the purpose of their sale or transfer unless authorized by the Minister of Agriculture and Commerce.

Sec. 12. No producer or processor of rice or corn shall sell or transfer such commodities except to the control organization or upon express authority of the latter.

No producer or processor of rice and corn shall keep or store such commodities for the purpose of selling or transferring them to persons other than the control organization nor refuse to sell such commodities to such control organization at the price fixed by the Minister of Agriculture and Commerce in accordance with the provisions of section 4 hereof.

No person shall buy or acquire directly or indirectly such commodities from persons other than the control organization or agents or persons authorized by it.

Sec. 13. Subject to the supervision and control of the Minister of Agriculture and Commerce, the control organization shall take exclusive charge of the distribution of rice and corn among the consumers of the Philippines, and shall arrange for the general plan of distribution and all the details thereof: *Provided,* That, whatever other intermediaries may be employed, the official district and neighborhood associations shall be utilized in the distribution of these cereals among the ultimate consumers.

Sec. 14. Any person who is found guilty of directly or indirectly violating any provisions of this Ordinance or the rules and regulations issued by the Minister of Agriculture and Commerce, or of facilitating, aiding or abetting in any way such violation, or of interfering in the proper enforcement of this Ordinance, shall be punished with a fine of not exceeding ten thousand pesos or imprisonment of not exceeding ten years, or both, in the discretion of the Court.

Any commodity involved in the offense shall be subject to confiscation. In case confiscation cannot be made according to the provisions of the Revised Penal Code, because of the intervening rights of persons acting in good faith, the offender may be required to forfeit to the Government a sum equivalent to the value of the commodities involved.

Sec. 15. Violations of this Ordinance by the managers, representatives, directors, agents or employees of any natural or judicial person in the interest of the latter shall render said natural or juridical person amenable to the penalties corresponding to the offense, without

prejudice to the imposition of the proper penalty, either personal or pecuniary, or both, upon the manager, representative, director, agent or employee: *Provided,* That principals or employers who are juridical persons shall only be amenable to the pecuniary penalty corresponding to the particular offense.

Sec. 16. Several successive acts in violation of the provisions of this Ordinance if committed in such close proximity to each other as to warrant the conclusion that they are impelled by a single criminal intent, shall be regarded as constituting only a single offense.

CHAPTER II.—PROCEDURE

Sec. 17. The municipal court of the city and the justice of the peace court of the capital of the province shall have concurrent jurisdiction with the corresponding Court of First Instance over offenses under the provisions of this Ordinance.

Sec. 18. Where the accused is a juridical person, it shall be represented by its manager, directors or any other person acting in a representative capacity. Even if, according to its organization or by-laws, the representation of such juridical person requires the joint action of two or more directors, managers or representatives, any one of them may represent the juridical person in the criminal proceedings.

Sec. 19. In the absence of any person representing an accused, which is a juridical person, a representative shall be provisionally appointed by the court on its own authority or on motion of the prosecuting officer, and the person so appointed shall attend the proceedings and discharge his duties until a regular representative is appointed or selected.

Sec. 20. In proceedings under this Ordinance, search warrants may be issued authorizing peace officers to search for and seize any articles or objects described in the warrant, including those which may be regarded as evidence of an offense under this Ordinance even if such articles or objects are not included among those described in section 2, Rule 122, of the Rules of Court.

Sec. 21. The accused or his representative may be examined by the court, and with the permission of the court, by the fiscal or other prosecuting officer as to any matters favorable or unfavorable to him or his principal; and either may apply to the judge for the examination of the co-accused or the representative of the latter in matters related to the defense of the accused.

Sec. 22. Whenever the court finds that the evidence of guilt is strong and that the accused may become liable to a fine in accordance with the provisions of this Ordinance, the court may issue a writ for the preliminary attachment of so much of his properties as may be necessary, corresponding to the fine which, under the cir-

cumstances of the case, might be imposed upon the accused. The writ of attachment must require the proper officer to attach so much of the property of the accused not exempt from execution, as may be sufficient to pay the probable fine and to keep such property in custody unless the accused deposits or gives satisfactory bond in an amount sufficient to satisfy the said fine or in an amount equal to the value of the property which is attached.

Attachment shall be made in accordance with the provisions of Rule 59 of the Rules of Court insofar as applicable; but no appeal shall be allowed against the order of preliminary attachment.

A final judgment of acquittal, dismissal, or conviction with imprisonment only shall operate to discharge the preliminary attachment where the same has been granted. If the amount of the fine imposed by final judgment should be less than the value of the property attached, the order of attachment shall be amended to conform with the final judgment.

Sec. 23. Trial of cases for violations of this Ordinance shall be heard and determined within fifteen days after the action is filed unless special permission is obtained from the Minister of Justice, and shall be conducted according to the following rules:

(a) After arraignment and plea, the court shall immediately cause to be explained to the accused the facts constituting the offense with which he is charged, and the judge shall interrogate the accused and the witnesses as to the facts and circumstances of the case in order to clarify the points in dispute and those which are admitted.

(b) Refusal of the accused to answer any questions made or allowed by the court may be taken into account by the judge in the final disposition of the case.

(c) If from the facts admitted at the preliminary interrogation, it should appear that the accused is guilty of the crime charged in the information or in any amendment thereto, a sentence of conviction may be immediately rendered against the accused. Otherwise, the judge shall dictate an order distinctly specifying the facts admitted by the accused and those which are in dispute, and the trial shall be limited to the latter, unless the judge, for special reasons, otherwise directs.

(d) Unjustified absence of an accused who has been released on bail, or of his representative, shall not be a ground for interrupting the proceedings or impugning the validity of the judgment.

The provisions of Rules 115 to 117 of the Rules of Court shall be suppletory to the foregoing insofar as they are in conflict therewith.

Sec. 24. The judge or clerk of a municipal or justice of the peace court in which the trial is held, must keep minutes of all the proceedings, including those of the preliminary in-

terrogatory; he must note down the nature of each and every document or article offered in evidence at the trial, and unless a stenographer is employed, make an abstract of the testimony of the accused and of each and every witness examined. The abstract shall be presented to the declarant for inspection, correction or amendment, and signature. Each and every page of the abstract must be signed, and if the declarant refuses to sign, this fact shall be noted on the abstract.

Sec. 25. No proceedings for special remedy in relation to an incident of the trial shall be allowed to interrupt the progress of the trial.

The orders, rulings and decisions of the municipal or justice of the peace courts may only be appealed to the Court of First Instance; and those of the Court of First Instance, acting as a trial court, may be appealed to the Court of Appeals. No petition other than an appeal shall suspend the proceedings under this Ordinance. Appeals shall be decided within ten days after being submitted for decision.

The Court of First Instance, or the Court of Appeals, in hearing cases appealed thereto from any inferior courts, shall be limited to the examination and review of the records. However, if the records should be found wanting in any respect or if a motion for new trial filed by the accused in accordance with the Rules of Court should be deemed meritorious or whenever the appellate court shall deem it proper, it may issue the necessary orders to have the records clarified or supplemented and may call or recall the accused or any witness or may order a new trial to be held before the appellate court itself or before a referee appointed by said court, unless the circumstances justify a remand of the case to the court of origin for a new trial. The decisions of the appellate court on appealed cases shall be final, except that recourse may be had to the Supreme Court on questions of law.

Sec. 26. Final decisions imposing a fine or forfeiture shall be enforced by order of the competent judge in accordance with the Rules of Court on civil executions insofar as applicable, but it shall not be necessary to serve the accused with a copy of the decision before the same is executed.

Sec. 27. When a juridical person is fined and the said juridical person is dissolved or merged with another before or after the decision becomes final, execution of the decision may be made against the property of the dissolved entity or the juridical person arising from the merger.

CHAPTER III.—FINAL PROVISIONS

Sec. 28. The Minister of Agriculture and Commerce is hereby authorized to issue such rules and regulations as he may deem necessary to carry into effect the provisions of this Ordinance.

Sec. 29. The provisions of this Ordinance shall be enforced in such territory as the Minister of Agriculture and Commerce may from time to time determine.

Sec. 30. All laws, rules or orders, or parts thereof, inconsistent with the provisions of this Ordinance, are hereby repealed or modified accordingly.

Sec. 31. This Ordinance shall take effect immediately upon its promulgation.

Done in the City of Manila, this 20th day of November, in the year of Our Lord, nineteen hundred and forty-three, and of the Republic of the Philippines, the first.

(Sgd.) JOSE P. LAUREL
President of the Republic
of the Philippines

By the President:

(Sgd.) JOSE GIL
Acting Executive Secretary

REPUBLIC OF THE PHILIPPINES
OFFICE OF THE PRESIDENT
MANILA

BY THE PRESIDENT OF THE REPUBLIC
OF THE PHILIPPINES
ORDINANCE No. 2

PROVIDING FOR THE CULTIVATION OF ALL AVAILABLE LANDS FOR THE PRODUCTION OF FOOD CROPS.

In view of the considerable damage to standing crops as a result of the recent typhoon and flood, and there being an urgent necessity to take immediate steps to insure the production of an adequate food supply for the needs of the country, and pursuant to the authority conferred upon me by Article III, section 14, of the Constitution, I, Jose P. Laurel, President of the Republic of the Philippines, do hereby promulgate this Ordinance:

SECTION 1. A nation-wide campaign for the cultivation of rice, corn, camote, cassava, gabi, cowpeas, soy bean, mongo and other short-time food crops suited to local conditions shall be started at once under the joint sponsorship of the Ministry of the Interior and the Ministry of Agriculture and Commerce.

Sec. 2. The Minister of Agriculture and Commerce may, upon recommendation of the Director of Plant Industry:

(a) Order any agricultural land devoted now or hereafter to the planting of other crops to be planted to rice or corn, subject to the provisions of existing contracts; and

(b) Designate parts of such lands as may have been planted to rice or corn for the planting of other crops.

Sec. 3. Subject to the control and supervision of the Minister of Agriculture and

Commerce, all city and municipal mayors are hereby empowered to distribute uncultivated public lands within their respective jurisdictions among the citizens preferably to those who are unemployed in order to enable them to plant food crops therein for a period of one agricultural year: *Provided*, That, if in order to compensate those to whom vacant land may be given in accordance herewith for the initial expense of clearing the land or making certain improvements, it is necessary to extend the time beyond one agricultural year, extension of the contract for one additional agricultural year may be authorized in the discretion of the city or municipal mayor concerned.

Sec. 4. If for any reason the owner or the one in possession of any private agricultural land is unable or refuses to cultivate the same, it shall be the duty of the mayor of the city or municipality where such land is located to turn it over to the citizens of such city or municipality, preferably to those who are unemployed, for the same purposes and under the same conditions prescribed in the next preceding section.

Sec. 5. It shall be the duty of every person or persons to whom public or private agricultural land has been turned over for cultivation to carry into effect the national food production campaign by planting thereon the crops contemplated in section 1 of this Ordinance: *Provided*, That they may not alter or damage any permanent improvements existing thereon: *And provided, further*, That *kaingin* may not be resorted to without permission from the Director of Forestry and Fishery or of his representative in the locality. When a portion of public lands is found more suited for agricultural than for forest purposes *kaingin* shall be allowed.

Sec. 6. Crops obtained on public and private agricultural lands distributed in accordance with sections 3 and 4 of this Ordinance shall belong to the grower and no rent for the use of the land shall be collected: *Provided, however*, That a portion of the crops, or so much thereof as may be necessary, not exceeding ten per centum, shall be set aside and the proceeds therefrom turned over to the Government as payment of the real estate tax corresponding to the year in which such crops are gathered or harvested.

Sec. 7. Within sixty days from and after the promulgation of this Ordinance, the owners of all vacant or idle urban lands, whether they be individuals, associations or corporations, shall plant or cause the said lands to be planted to food crops contemplated in section 1 hereof. For the purposes of this section, all urban lands not occupied by buildings, nor planted or used for industrial purposes shall be considered vacant or idle urban lands.

Immediately after the promulgation of this Ordinance, all owners of vacant or idle urban lands, whether individuals, associations or corporations, shall file with the city or municipal mayor or the presidents of district neighborhood associations, reports containing, among others, the following: the name of owner; present occupants; location of the lot; its area; its uses and the purposes for which it was previously utilized, if any, together with a plan of what the owner thereof intends to do therewith.

SEC. 8. It shall be the duty of all provincial governors, personally or through the provincial agronomists or other food production agents, to inspect the activities of the mayors and other persons concerned in this food production campaign. The governors and city mayors shall also submit a monthly report to the Minister of the Interior and the Minister of Agriculture and Commerce on the progress of the campaign in their respective provinces and cities.

SEC. 9. All seeds, seedlings, cuttings, shoots, or tubers received from the Government by provincial governors and city or municipal mayors in the furtherance of the national food production campaign shall be distributed immediately to the farmers for planting, and it shall be unlawful for said officials to utilize the same for their own benefit, or to intentionally permit or give tacit consent to the diversion of the same for consumption purposes.

SEC. 10. For the purpose of further effectuating the campaign for the cultivation of more food crops, the Minister of Agriculture and Commerce is hereby authorized, through the Bureau of Plant Industry, to establish, equip, operate and maintain state farms in such places as may be deemed appropriate therefor and beneficial to the country. Subject to the general executive supervision and control of the Minister of Agriculture and Commerce, the Director of Plant Industry shall have immediate direction and administration of such farms and shall, with the approval of said Minister, make and prescribe such rules and regulations as may be considered necessary to carry out the provisions hereof.

SEC. 11. In order to provide the necessary labor for the farms herein proposed to be established under this Ordinance, and to prevent or relieve unemployment, the Director of Plant Industry shall recruit from the census of the unemployed, as certified by the Director of Employment, such laborers as may be needed to work on those farms at such rates of wages as may be determined by the Minister of Agriculture and Commerce.

Any person found guilty of vagrancy under the provision of article 202 of the Revised Penal Code shall, during the present emergency, be punished, in lieu of the penalty provided

by the Penal Code, by requiring him to render service in any of the farms established hereunder for a period of not less than one month but not more than six months: *Provided*, That in the case of recidivism, the service shall be for a period of not less than six months but not more than two years and six months.

SEC. 12. Any person who neglects or fails to perform any duty enjoined by this Ordinance, or who performs any act which defeats or tends to defeat its purposes, or who otherwise violates any provision thereof, shall upon conviction be punished with imprisonment not exceeding six months, or by fine not exceeding two hundred pesos, or by both such fine and imprisonment, in the discretion of the court.

Violations of this Ordinance by the managers, representatives, directors, agents or employees of any natural or juridical person in the interest of the latter shall render said natural or juridical person amenable to the penalties corresponding to the offense, without prejudice to the imposition of the proper penalty, either personal or pecuniary, or both, upon the manager, representative, director, agent or employee: *Provided*, That principals or employers who are juridical persons shall only be amenable to the pecuniary penalty corresponding to the particular offense.

SEC. 13. Any provincial governor, or city or municipal mayor who shall infringe the provisions of this Ordinance shall, in addition to the criminal responsibility to which he may be subject, also be liable to suspension or removal from office.

SEC. 14. The Minister of Agriculture and Commerce is hereby empowered to issue such further rules and regulations as may be deemed necessary to carry into effect the purposes of this Ordinance.

SEC. 15. In order to give this Ordinance the widest publicity, the city mayor, municipal mayor, or presidents of district neighborhood associations shall cause the provisions hereof to be announced by *bandillo*, posters, or other means calculated to acquaint the people with the aims and purposes of this Ordinance. The said officials may, for this purpose, enjoin the cooperation of the neighborhood leaders in their respective localities.

SEC. 16. All laws, rules and orders, or parts thereof, inconsistent with the provisions of this Ordinance, are hereby repealed or modified accordingly.

Done in the City of Manila, this 20th day of November, in the year of Our Lord, nineteen hundred and forty-three, and of the Republic of the Philippines, the first.

(Sgd.) JOSE P. LAUREL
President of the Republic
of the Philippines

By the President:

(Sgd.) JOSE GIL
Acting Executive Secretary

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FOREIGN AFFAIRS

Statement released by the Ministry of Foreign Affairs, in connection with the arrival in the Philippines of His Excellency, Subhas Chandra Bose, Head of the Provisional Government of Azad Hind (Free India), November 22, 1943:

The Government and the people of the Republic of the Philippines are happy to receive and welcome as a guest of the state the head of the Provisional Government of Free India. The Philippine Government recently accorded recognition to the Provisional Government of Free India in the firm belief that a free and independent India is absolutely essential to the final emancipation of Asia and the happy realization of a new world order based on justice, liberty, and racial equality.

His Excellency, Subhas Chandra Bose, Head of the Provisional Government of Free India, arrived in Manila at 3:15 p. m. today. He was met by His Excellency, the President of the Republic of the Philippines, the Ministers of State of the Republic, the Japanese Ambassador, Representatives from the Imperial Japanese Army and Navy, and officers of the Philippine Branch of the Indian Independence League. Upon arrival, Mr. Bose went to Malacañan, where he will stay during his visit to the Philippines.

Mr. Bose will be the guest of honor at a state dinner to be tendered tonight by His Excellency, the President of the Republic of the Philippines. Tomorrow, he will be present at a grand rally of the local Indian community to be held at the Metropolitan Theatre at 2 p. m. under the auspices of the Philippine Branch of the Indian Independence League.

Mr. Bose is keeping temporary office at Malacañan during his stay in Manila.

Press release of the Ministry of Foreign Affairs, Manila, November 27, 1943:

In the first ceremony of its kind in the history of the Philippines, His Excellency, Mr. Syozo Murata, Japanese ambassador extraordinary and plenipotentiary, will formally present his credentials to His Excellency, the President of the Republic of the Philippines, at ten o'clock Monday morning in the State Reception Hall of Malacañan Palace.

Mr. Murata will be conducted from the Japanese Embassy to the Palace in the President's car and escorted by a representative of the Ministry of Foreign Affairs and by an aide to the President. The ambassador, ac-

companied by his suite, will receive full military honors upon his arrival at the Palace as well as upon his departure.

Statement released by the Ministry of Foreign Affairs on the presentation of credentials of Japanese Ambassador to the Philippines Syozo Murata, Manila, November 29, 1943:

Pledging his best efforts to the promotion of friendship and concord between the Philippines and Japan, His Excellency, Syozo Murata, Japanese ambassador extraordinary and plenipotentiary to the Philippines, formally presented his Letter of Credence to His Excellency, Dr. Jose P. Laurel, President of the Republic of the Philippines, amid simple but impressive ceremonies in Malacañan Palace at 10 o'clock this morning.

The Japanese ambassador was conducted to the Palace in the President's car accompanied by a representative from the Ministry of Foreign Affairs and by an aide to the President. The ambassador's suite followed in three automobiles.

The entire procession was preceded by three motorcycle policemen and flanked on both sides by two other motorcycle policemen. Mounted presidential guards were at the vanguard as well as at the rearguard of the procession.

Upon reaching the Palace grounds, the Presidential guards rendered the ambassador due military honors while the Philippine national anthem was played. Together with his suite, Mr. Murata then proceeded to the Palace where the President, the Minister of State for Foreign Affairs, the Vice-Minister for Foreign Affairs, the Secretary to the President and the other Ministers of State awaited him in the State Reception Hall.

After having been introduced by the master of ceremonies, Ambassador Murata read in Japanese the *note verbale* which was immediately afterwards translated into English by an interpreter. The Ambassador then presented his Letter of Credence to the President who passed it on to Foreign Minister Claro M. Recto.

President Laurel, in turn, read his reply to the *note verbale* in Tagalog, assuring the Japanese ambassador of the most cordial cooperation of the Government of the Republic in his efforts to promote friendly relations between the Philippines and Japan.

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After shaking hands with the ambassador and with each member of the latter's suite, the President and the ambassador joined in a toast to the everlasting friendship of their two countries.

As the ambassador and his staff withdrew from the Palace, the Presidential guards rendered the ambassador due military honors once again as the Kimigayo was played. The procession thereafter returned under escort to the Japanese embassy in the same order as it had proceeded to the Palace.

The complete texts in English of the *note verbale* read by Ambassador Murata and of the reply thereto of President Laurel are respectively as follows:

[Translation into English of the *note verbale* of His Excellency, Syozo Murata, Ambassador Extraordinary and Plenipotentiary to the Philippines, when he presented his credentials to His Excellency, Jose P. Laurel, President of the Philippines, Malacañan, Manila, November 29, 1943.]

YOUR EXCELLENCY THE PRESIDENT:

I have the honor to inform Your Excellency that His Majesty, the Emperor, my August Sovereign, has been graciously pleased to appoint me His Ambassador to be stationed in the Republic of the Philippines, and to present hereby my Letter of Credence to Your Excellency.

Your Excellency's country proclaimed independence on October 14th this year, completely liquidating its relations of dependence on the United States of America, and thus realized the long-cherished aspirations of its people. It is not a joy for the Philippines alone. It is a joy shared by all friendly powers in Greater East Asia and the world, particularly by Japan, whose fundamental spirit has always been to enable each country to have its rightful place. I am confident that the indomitable enthusiasm of the people of the Philippines, as proved by history, will be able to pave the way for the future prosperity of their country, by overcoming the difficulties that beset them under existing circumstances.

On the day of the independence of the Philippines, a Pact of Alliance regulating the basic relationship between our two countries was signed by Your Excellency's Plenipotentiary and me, whereby Japan has recognized the Philippines as an independent state, and the two countries agreed to closely cooperate, each respecting the self-asserting independence of the other, for the successful prosecution of the War of Greater East Asia and for the establishment of Greater East Asia. Subsequently, Your Excellency personally attended the Assembly of the Greater East Asiatic Nations convened in Tokyo on November 5th and 6th, and whole-heartedly approved of the declaration of the Five Basic Principles upon which Greater East Asia shall be constructed. I believe that the one fundamental idea common to all these principles is nothing other than justice. The course of action to be

taken by our two countries has thus been clearly indicated. Being conscious of the honor bestowed upon me as the first Japanese Ambassador to the Philippines, I am firmly determined to exert my best efforts for the complete execution of the Five Basic Principles and the Pact of Alliance, with a view to promoting friendship and concord between our two countries, contributing in this manner to the establishment of Greater East Asia.

I should be more than gratified if I could render myself acceptable to Your Excellency, and discharge my duties with the cooperation of Your Excellency's Government. And I hope and pray for the welfare of Your Excellency and the prosperity of the Republic of the Philippines.

[English translation of the reply of His Excellency, Jose P. Laurel, President of the Republic of the Philippines, to the *note verbale* of the Japanese Ambassador on the occasion of the presentation of the latter's credentials, Malacañan, Manila, November 29, 1943.]

EXCELLENCY:

I accept with pleasure the Letter of Credence by which His Imperial Majesty, the Emperor of Japan, has accredited Your Excellency as Japanese Ambassador Extraordinary and Plenipotentiary to the Government of the Republic of the Philippines.

I am happy that the honor to represent your August Sovereign has been bestowed upon Your Excellency. Your previous association with our people and your intimate acquaintance with their ideas and ways of life should enable Your Excellency to assist in effectively promoting the friendly relations which now happily exist between our two countries. In your efforts in that direction, I wish to assure Your Excellency of the most cordial cooperation of my Government.

Your Excellency's assumption of the important duties incumbent upon the first Japanese Ambassador to our country marks a new glorious epoch in our national history. It coincides with the beginning of the exercise by the Filipino people of plenary powers of sovereignty and independence which, after long and arduous struggles, they have finally succeeded in achieving with the generous assistance of the Japanese Empire.

Independence entails obligations and difficulties and those confronting the new Republic of the Philippines are indeed manifold and complicated. Inspired, however, by their historic heritage of undaunted opposition against all forms of foreign domination, the Filipino people are determined to maintain their independence and to overcome whatever obstacles may lie ahead. This determination is strengthened by your country's assurance of friendly assistance and cooperation, for which my people are deeply grateful.

We are ready to exert our utmost efforts towards the establishment of the Greater East Asia Co-Prosperity Sphere on the basis of our Pact of Alliance

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and the Five Basic Principles embodied in the Joint Declaration adopted by the Assembly of the Greater East Asiatic Nations held in Tokyo on November 5 and 6 of this year. Under that Joint Declaration, we are bound together in an indissoluble solidarity of common purpose to create a new world order of common well-being and prosperity, respect for each other's independence and sovereignty, respect for each other's national traditions and culture, economic cooperation on the basis of reciprocity, and friendly relations with the rest of the world. These norms of conduct, particularly the principle of respect for each other's independence and sovereignty and the princi-

ple of economic cooperation upon the basis of reciprocity, shall guide my Government in its relations with all nations, and shall, I am certain, encourage my people to develop that confidence in their own powers and that faith in their own destiny which alone can make them sincere and diligent builders of the Co-Prosperity Sphere.

I thank Your Excellency for your good wishes for my welfare and for the prosperity of the Republic of the Philippines. I reciprocate your good wishes and I request you to convey to His Majesty, the Emperor of Japan, my hope for His well-being and for the happiness and welfare of the Japanese people.

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**MINISTRY AND BUREAU ADMINISTRATIVE ORDERS
AND REGULATIONS**

Ministry of the Interior

Ministry Order No. 6

**ORGANIZATION OF THE MUNICIPALITY
OF LAMITAN, ZAMBOANGA**

November 4, 1943

Pursuant to the provisions of section 3 of Executive Order No. 43, dated May 10, 1942, the municipal district of Lamitan, Zamboanga, is hereby organized into a municipality under the name of Lamitan with seat of government in the poblacion of Lamitan.

The organization herein made shall take effect upon the assumption of office by the mayor and the municipal treasurer and is hereby classified as fourth-class municipality.

(Sgd.) ARSENIO BONIFACIO
Acting Minister of the Interior

Approved, November 25, 1943:

By authority of the President:

(Sgd.) JOSE G. SANVICTORES
Acting Executive Secretary

**STATEMENT OF THE MINISTRY OF THE
INTERIOR: DRIVE AGAINST VICE**

It is imperative that the total energies and efforts of our people should be directed towards the building of a citizenry that shall be strong not only physically, but morally as well. Only thus may the new nation be able to cope with the new demands and exigencies of the new life. Towards this end all such degenerating influences as tend to corrupt or undermine the national character should be avoided and eschewed.

Reports have been received in this Department to the effect that gambling, in varying forms and degrees, is again rampant in many places. *Monte, jueteng*, illicit cockfighting, and other prohibited games exist—sometimes with the knowledge and tolerance of local officials and policemen. It is even charged that the existence of prohibited games constitutes a lucrative source of income for certain provincial and municipal officials as well as for members of the local police, who allegedly receive handsome shares or bribes from gambling operators in exchange for the immunity that the latter apparently enjoy.

This Department has always discouraged gambling and had in the past conducted a relentless fight against it in all its forms. There is no reason to liberalize this policy now or to waver in its prosecution. Now, more than ever before, is the time when there should be

a unified and systematic campaign to stamp out gambling and other social evils, not only as a means of preventing the increase of criminality, but also an incentive to direct the people's time and energies to worthier channels or more wholesome activities.

For this reason all Provincial Governors, City Mayors, and Municipal Mayors are hereby directed to take personal charge of this campaign in their respective jurisdiction. The strict enforcement of existing laws prohibiting games of chance or hazard is enjoined upon all. Police authorities should not hesitate to make arrests, whenever necessary; nor should prosecuting officials neglect or refrain from bringing to court such parties as are found violating gambling laws wilfully. Failure of any official to do his duty in this regard will be sufficient cause for administrative disciplinary action. No mercy or leniency will be extended to these officials found guilty of connivance with gambling dens, or who participate in the division of the proceeds of any gambling joint.

Provincial Governors will please transmit the contents of this circular to all the mayors under their jurisdiction so that the same may be given the widest possible publicity.

BUREAU OF LOCAL GOVERNMENTS

Provincial Circular (Unnumbered)

**DATA TO BE SUBMITTED WHEN
RECOMMENDING APPOINTMENT OF
MUNICIPAL MAYORS.**

November 5, 1943

Provincial Governors are hereby requested to furnish the following data in the form of an information sheet, whenever they submit or are asked to submit recommendations for the appointment of municipal or municipal district mayors. One information sheet, in duplicate, for each recommendee should accompany the Governor's recommendation:

1. Full name
- Sex, Nationality
2. Age, Date of birth
- Birthplace
3. Address
- Civil status
4. Years of residence in the locality
5. Name of wife and former nationality if other than Filipino.
6. Present position and salary.
7. Educational attainment (Names of schools attended and degrees obtained, if any, giving inclusive dates of attendance).

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8. Civil service examination taken and ratings giving dates when taken.

9. Previous employment both in the government service and in private enterprises giving inclusive dates of employment.

10. Cause of separation (whether by transfer, resignation, or otherwise).

11. Special qualifications.

12. Relationship, whether by affinity or by consanguinity, with the recommending officer.

13. Assessment valuation of real property owned, if any, and locations.

14. Personality, stating condition of health and stature.

15. Hobbies.

16. Moral and social standing in the community.

17. Criminal records and administrative cases, if any, giving nature of cases and decisions rendered thereon.

In the case of the provinces where the mayors have been appointed in acting capacity only, the Provincial Governors concerned are hereby requested to submit information sheet for each acting mayor containing the data required above and recommendation whether or not the same persons should be appointed mayors pursuant to section 6, Article XI of the Constitution.

(Sgd.) RUFINO LUNA
Director of Local Governments

To all PROVINCIAL GOVERNORS.

Provincial Circular (Unnumbered)

**APPROPRIATION FOR MUNICIPAL
MAYOR'S ENTERTAINMENT EXPENSES.**

November 10, 1943

Upon the recommendation of this Bureau, the Honorable, the Acting Minister of the Interior, in his indorsement dated October 23, 1943, has approved the proposal to allow municipalities to appropriate funds for the entertainment of visiting officials in the discretion of municipal mayors, in accordance with the following scale:

First-class municipalities not exceeding ₱500.00
Second-class municipalities... not exceeding 300.00
Third, fourth and fifth-class municipalities not exceeding 200.00

subject to the following conditions:

- (a) That there are funds that could be appropriated for the purpose;
- (b) That the municipality setting aside appropriation for the purpose is not receiving financial assistance from the province; and
- (c) That expenses incurred by the municipal mayor for entertainment purposes shall be in accordance with the provisions of section 3 of Executive Order No. 193.

Under the provisions of section 3 of Executive Order No. 193, expenses not exceeding

₱50 for the entertainment of appropriate guests at any one time are to be authorized by the Minister of the Interior and no expenditure in excess of said amount may be allowed without the approval of the Chairman of the Executive Commission (now the President of the Republic of the Philippines).

The Provincial Governors are requested to transmit the contents of this Circular to all municipal mayors in their respective jurisdiction.

(Sgd.) RUFINO LUNA
Director of Local Governments

To all PROVINCIAL GOVERNORS.

Provincial Circular (Unnumbered)

**PER DIEMS OF LOCAL GOVERNMENT
EMPLOYEES WHILE ON OFFICIAL
BUSINESS IN MANILA.**

November 11, 1943

For the information and guidance of all concerned, the pertinent portions of the 2nd and 3rd indorsements dated October 8, 1943, and October 22, 1943, of the Executive Secretary to the former Executive Commission and the Acting Auditor General and Director of the Budget, respectively, are quoted below:

"In view of the provisions of section 304 of the Revised Administrative Code and section 707 of the Manual of Instructions to Treasurers providing the same rate of per diem to both officials and employees of provincial and city governments while in Manila, authority is hereby granted for the payment of per diems to provincial, city and municipal employees while on official business in Manila at the rate of ₱6 allowed to provincial, city and municipal officials under Executive Order No. 193 dated August 21, 1943." (By authority of His Excellency, the Chairman: Francisco Lavidés, Executive Secretary to the Commission.)

"It may be stated in this connection that the per diem of ₱6 allowable to provincial, city and municipal officials and employees while on official business in Manila, includes the cost of transportation while in this city. Said officials and employees may, therefore, only claim ₱4 per diem during Sundays and official holidays when they are not expected to transact official business, the amount of ₱2 corresponding to the cost of transportation being excluded therefrom. Similarly, those who stay in Manila while waiting for transportation to their destination are only entitled to a per diem of ₱4. (Sec. 721, Manual of Instructions to Treasurers, 1939 Ed.)" (Pio Pedrosa, Acting Auditor General and Director of the Budget.)

Provincial Governors will please transmit the contents hereof to the municipal authorities.

(Sgd.) RUFINO LUNA
Director of Local Governments

To all PROVINCIAL GOVERNORS AND CITY MAYORS.

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Ministry of Finance**BUREAU OF CUSTOMS AND
INTERNAL REVENUE**

General Circular No. 538

**SURCHARGING OLD RESIDENCE CERTIFICATES,
PRIVILEGE TAX-RECEIPTS,
ETC., WITH THE YEAR 1944.**

November 25, 1943

To all Provincial, City and Deputy Treasurers,
and others concerned:

For reason of economy and due to the difficulty of transporting to the provinces and cities residence certificates, privilege tax-receipts and other revenue forms needed for the calendar year 1944, all provincial treasurers and city treasurers are hereby authorized to surcharge such numbers of the old residence certificates, privilege tax-receipts and other forms as may be needed with the year 1944 for issuance to taxpayers during the year 1944. A sufficient number of residence certificates should, however, be retained unsurcharged for issuance to delinquent taxpayers. The surcharged residence certificates, privilege tax-receipts, etc. should show the current amount of the tax and bear the initial of the official who is authorized to supervise the surcharging.

The provincial treasurers and the city treasurers should consult and secure the help of the provincial or city auditors in surcharging the residence certificates, privilege tax-receipts, etc.

After the surcharging is finished, a complete report containing the quantity, serial number, class and original year of the residence certificates which have been surcharged should be made to the Director of Customs and Internal Revenue. Similar report showing the schedule, serial number and year of privilege tax-receipts and other forms should also be submitted to this Bureau. Copies of the said reports should also be furnished the provincial or city auditors concerned.

In case the quantities of the surcharged residence certificates, privilege tax-receipts and other revenue forms are not enough to meet the needs of the provincial or city treasurers, they should requisition from this Bureau such quantities thereof that they may need and give written authorities to their respective representatives to receive them from this Bureau and sign receipts in their behalf.

BIBIANO L. MEZA
Director**Ministry of Justice**

Administrative Order No. 6

November 11, 1943

In addition to the cases which Hon. Felix Bautista Angelo, Judge-at-large, has been au-

thorized to decide under Administrative Order No. 5, dated November 2, 1943, of this Ministry, he is also hereby authorized to decide in Santa Cruz, Laguna, Civil Cases Nos. 7228, Lim Aco vs. Dizon, and 7232, Dizon vs. Lim Aco, of the Court of First Instance of that province.

TEOFILO SISON
Minister of Justice

Administrative Order No. 7

November 20, 1943

In the interest of the administration of justice, the Hon. Higinio de Guia, Judge of the Eighth Judicial District, is hereby authorized to hold court in the Province of Nueva Ecija, beginning December 1, 1943, or as soon thereafter as practicable, for the purpose of trying all kinds of cases, and to enter final judgments therein.

TEOFILO SISON
Minister of Justice

Administrative Order No. 8

November 27, 1943

In the interest of the administration of justice, the Hon. Francisco Jose, Judge of the First Judicial District, is hereby authorized to hold court in the Province of Zambales, beginning December 13, 1943, or as soon thereafter as practicable, for the purpose of trying all kinds of cases and to enter final judgment therein.

TEOFILO SISON
Minister of Justice

Administrative Order No. 9

November 27, 1943

In the interest of the administration of justice, the Hon. Claudio Sandoval, Judge of First Instance of Laguna, is hereby authorized to hold court in Calamba, Laguna, beginning December 6, 1943, or as soon thereafter as practicable, for the purpose of trying all kinds of cases and to enter final judgment therein.

TEOFILO SISON
Minister of Justice**Ministry of Agriculture and Commerce**

Ministry Order No. 32

DESIGNATING (A) RICE AND OTHER FOODSTUFFS TO WHICH EXECUTIVE ORDER No. 210 ON THE "CONTROL OF THE DISTRIBUTION OF PRIME COMMODITIES" SHALL APPLY; AND (B) THE NATIONAL RICE AND CORN CORPORATION AS THE CONTROL ORGANIZATION.

November 8, 1943

SECTION 1. Pursuant to section 2 (a) of Executive Order No. 210 authorizing the Minister of Agriculture and Commerce to designate the

Ministry Order No. 34
**TERRITORIAL APPLICATION OF
ORDINANCE No. 1**

November 27, 1943

In accordance with section 29, Chapter III of Ordinance No. 1, promulgated by the President of the Republic of the Philippines on November 20, 1943, on the control of the distribution of rice and corn, it is hereby ordered that the provisions of said Ordinance shall, for the present, be enforced in the whole Island of Luzon only.

This Order shall take effect immediately.

RAFAEL R. ALUNAN
Minister

Ministry Order No. 35

DESIGNATING (A) FRESH MATURED COCONUTS TO WHICH EXECUTIVE ORDER No. 210 ON THE "CONTROL OF THE DISTRIBUTION OF PRIME COMMODITIES" SHALL APPLY; AND (B) THE FEDERATION OF COCONUT GROWERS' COOPERATIVE ASSOCIATIONS, INC., TO TAKE CHARGE OF THE PROCUREMENT AND DISTRIBUTION OF THE COMMODITY.

November 26, 1943

SECTION 1. Pursuant to section 2 (a) of Executive Order No. 210 authorizing the Minister of Agriculture and Commerce to designate the commodities to which said Order shall apply, the following commodity is hereby designated:

(1) Fresh matured coconuts.

SEC. 2. Pursuant to section 2 (b) of said Executive Order, the Federation of Coconut Growers' Cooperative Associations, Inc., is hereby designated as the organization to take charge of the procurement and distribution of the above-named commodity. The said organization is hereby authorized to purchase, make shipments of, and distribute the said commodity, and to take such measures as may be necessary to carry out such purposes.

SEC. 3. This Order shall take effect on December 1, 1943.

RAFAEL R. ALUNAN
Minister

STATEMENT ISSUED BY THE MINISTRY OF AGRICULTURE AND COMMERCE ON THE IMMEDIATE EFFECTIVITY OF ORDINANCE No. 1.

November 26, 1943

In order to put into immediate execution the plan laid down by Ordinance No. 1 promulgated by the President of the Republic of the Philippines, which compels, among others, all producers of rice and corn to turn over and sell to

prime commodities to which said Order shall apply, the following commodities are hereby designated:

- (1) Rice and its by-products
- (2) Corn and its by-products
- (3) Tiki-tiki
- (4) Mongo
- (5) Peanut

SEC. 2. Pursuant to section 2 (b) of said Executive Order the National Rice and Corn Corporation is hereby designated as the organization to be in charge of controlling the distribution of the above-named commodities. The said organization is hereby authorized to purchase and distribute the above-named prime commodities and to take such measures as may be necessary to carry out such purposes.

SEC. 3. This Order shall take effect on this date.

RAFAEL R. ALUNAN
Minister

Ministry Order No. 33

FIXING THE DATE WHEN THE PROVISIONS OF SECTIONS 5 AND 6 OF EXECUTIVE ORDER No. 210 SHALL BE ENFORCED AND THE REGIONS WHERE SAID SECTIONS SHALL BE ENFORCED, WITH RESPECT TO SUGAR, RICE AND ITS BY-PRODUCTS, CORN AND ITS BY-PRODUCTS, TIKI-TIKI, MONGO, AND PEANUTS.

November 10, 1943

SECTION 1. Pursuant to section 16 of Executive Order No. 210 "on the Control of the Distribution of Prime Commodities," it is hereby ordered that:

With respect to sugar, designated as prime commodity in Department Order No. 21, dated September 20, 1943, and rice and its by-products, corn and its by-products, tiki-tiki, mongo, and peanuts designated as prime commodities in Ministry Order No. 32, dated November 8, 1943, the provisions of sections 5 and 6 of Executive Order No. 210 shall be enforced effective November 15, 1943.

SEC. 2. With respect to sugar, the provisions of sections 5 and 6 of said Order shall be enforced in the following provinces:

Tarlac, Pampanga, Laguna, Batangas, Mindoro, Negros Occidental, Negros Oriental, Capiz, Iloilo, Cebu and Leyte.

SEC. 3. With respect to rice and its by-products, corn and its by-products, tiki-tiki, mongo, and peanuts, the provisions of sections 5 and 6 of said Order shall be enforced in all the provinces of the Island of Luzon.

RAFAEL R. ALUNAN
Minister

their respective cooperative associations, whose duty it shall be to transfer and resell the same to the control organization, all their harvest or stock of rice and corn after deducting a certain amount for their own consumption and for propagation purposes, the Minister of Agriculture and Commerce has created a Special Committee composed of the Acting Vice Minister of Agriculture and Commerce, as Chairman, and the Manager of the Naric, the Director of Plant Industry, the Acting Food Administrator, and the President of the National Rice Growers Cooperative Association, as members.

Because of the promulgation of this Ordinance, all permits issued by the said Ministry to Provincial Governors, City and Municipal Mayors to purchase rice, palay, and corn for distribution in their respective jurisdiction to meet the emergency caused by the destruction brought about by the recent typhoon have been automatically revoked and the officials concerned informed thereof.

Under the Ordinance, the Minister of Agriculture and Commerce is empowered to authorize the Naric or its representatives whenever public interest so requires, to suspend or take over, with the approval of the President, the operation or possession of rice or corn mill, or machinery or warehouse, used or operated in connection therewith, or of any means of transportation, by land or by water, and to manage the same upon payment of just compensation. Existing permits issued by the former Department of Agriculture and Commerce to rice mill operators may be continued, subject to the provisions of this Ordinance.

In order that the grave food situation sought to be remedied by the promulgation of the said Ordinance may be avoided, the Minister of Agriculture and Commerce has appealed to the public at large to lend their moral support and whole-hearted cooperation to the different government agencies charged with the effective execution of its provisions as it is only in this way that imminent food shortages, if not possible famine, can be averted.

**BUREAU OF FORESTRY AND FISHERY
WARNING TO PARTIES SELLING THEIR
CONCESSIONS**

November 19, 1943

The Bureau of Forestry and Fishery desires to call the attention of the public that certain parties acting as agents of holders of forestry

and fishery licenses, commonly called concessionaries, are negotiating alleged concessions as if they were negotiable instruments. Such licenses only confer certain privileges to holders, the termination of which is at the discretion of the government. Holders of such licenses or concessionaries have no right whatsoever to negotiate their holdings. The public is therefore hereby warned not to entertain such negotiation, it being illegal.

FLORENCIO TAMESIS
Director of Forestry and Fishery

**Ministry of Public Works and
Communications**

BUREAU OF COMMUNICATIONS

USE OF DIALECTS IN MAIL MATTERS

November 20, 1943

Beginning December 1, 1943, the use of Ilocano, Bicol, or any Visayan dialect, in addition to Japanese, Tagalog, English, and Spanish, will be allowed in writing the contents of mail matter posted at any post office in the provinces and chartered cities where the particular dialect is generally spoken, as indicated hereunder, provided such matter is addressed for delivery in the Philippines and is mailable under existing regulations:

Dialect	Place where the dialect is generally spoken
ILOCANO	Abra, Cagayan, Ilocos Norte, Ilocos Sur, Isabela, La Union, Mountain Province, Nueva Ecija, Nueva Vizcaya, Pangasinan, Tarlac, Zambales, and the cities of Baguio and Manila.
BICOL	Albay, Camarines Norte, Camarines Sur, Masbate, Sorsogon, and the City of Manila.
VISAYAN	Agusan, Antique, Bohol, Bukidnon, Capiz, Cebu, Cotabato, Davao, Iloilo, Lanao, Leyte, Misamis Occidental, Misamis Oriental, Negros Occidental, Negros Oriental, Palawan, Samar, Surigao, Zamboanga, and the cities of Bacolod, Cebu, Davao, Iloilo and Manila.

A mail matter written in either Ilocano, Bicol, or Visayan will not be accepted at the post office in any municipality or city unless it is one of the places where the particular dialect

used is generally spoken, according to the above grouping of places. In other words, Ilocano may be used only for mails posted in the places under the first group; Bicol, for those posted in places under the second group; and Visayan, for those posted in places under the third group.

JUAN RUIZ
Director of Communications

Approved:

QUINTIN PAREDES
Minister of Public Works and
Communications

**SPECIAL CACHET FOR "GREATER EAST
ASIA WAR" COMMEMORATIVE STAMPS**

November 22, 1943

To commemorate the second anniversary of the Greater East Asia War, a special cachet with an appropriate design and inscription will be used by the Manila Post Office on December 8, 1943, for stamping envelopes and postal cards intended for philatelic purposes. Each envelope or postal card should bear the name and address of both the sender and the addressee clearly written in ink, stamped, or typewritten and should be presented at the windows designated for receiving them.

As no new commemorative postage stamps will be issued on that date, authorized current postage stamps of any kind, of sufficient value, may be used on philatelic covers or envelopes.

JUAN RUIZ
Director of Communications

Approved:

QUINTIN PAREDES
Minister of Public Works
and Communications

REOPENING OF POST OFFICES

November 27, 1943

Eleven more post offices transacting postal, savings bank, and money order business have been reopened in the following municipalities:

- Argao, Cebu
- Dalaguete, Cebu
- Dumanjug, Cebu
- Alangalang, Leyte
- Jaro, Leyte
- Larena, Negros Oriental
- Papaya, Nueva Ecija
- Florida Blanca, Pampanga
- San Mateo, Rizal
- Aurora, Tayabas
- Mulanay, Tayabas

In the following places, where there are no post offices yet, postal agencies have been established to handle ordinary mails. Letters and other articles mailable under existing regulations, addressed for delivery at any of these places, may now be sent from any reopened post office. Registered mails for these places should be addressed via the distributing post offices indicated, where the addressees or their authorized representatives should take delivery of the same upon receiving the usual registry notices:

Place having postal agency	Distributing post office
Baras, Albay	Virac, Albay
Bato, Albay	Virac, Albay
Panganiban, Albay	Virac, Albay
Limey, Bataan	Orion, Bataan
Moron, Bataan	Balanga, Bataan
Calaan, Batangas	Balayon, Batangas
Ibaan, Batangas	Batangas, Batangas
Lemery, Batangas	Taal, Batangas
Lian, Batangas	Nasugbu, Batangas
Malvar, Batangas	Tanauan, Batangas
Mataasnakahoy, Batangas	Lipa, Batangas
San Luis, Batangas	Taal, Batangas
Daysan, Batangas	Rosario, Batangas
Tuy, Batangas	Balayon, Batangas
Basud, Camarines Norte	Daet, Camarines Norte
San Vicente, Camarines Norte	Daet, Camarines Norte
Dalisay, Camarines Norte	Daet, Camarines Norte
Bao, Camarines Sur	Iriga, Camarines Sur
Buhi, Camarines Sur	Iriga, Camarines Sur
Bula, Camarines Sur	Naga, Camarines Sur
Cabusao, Camarines Sur	Naga, Camarines Sur
Calabanga, Camarines Sur	Naga, Camarines Sur
Camaligan, Camarines Sur	Naga, Camarines Sur
Canaman, Camarines Sur	Naga, Camarines Sur
Lagonoy, Camarines Sur	San Jose, Camarines Sur
Lupi, Camarines Sur	Naga, Camarines Sur
Magarao, Camarines Sur	Naga, Camarines Sur
Milaor, Camarines Sur	Naga, Camarines Sur
Minalabac, Camarines Sur	Naga, Camarines Sur
Pamplona, Camarines Sur	Naga, Camarines Sur
Ragay, Camarines Sur	Catabangan, Camarines Sur
San Fernando, Camarines Sur	Naga, Camarines Sur
Siruma, Camarines Sur	Naga, Camarines Sur
Tinambac, Camarines Sur	Naga, Camarines Sur
Carmona, Cavite	Biñan, Laguna
Dasmariñas, Cavite	Imus, Cavite
Maragondon, Cavite	Naic, Cavite
Mendez-Núñez, Cavite	Indang, Cavite
Tagaytay, Cavite	Silang, Cavite
Ternate, Cavite	Naic, Cavite
Banna, Ilocos Norte	Dingras, Ilocos Norte
Nueva Era, Ilocos Norte	Dingras, Ilocos Norte
Pinili, Ilocos Norte	Badoc, Ilocos Norte
Banayoyo, Ilocos Sur	Candon, Ilocos Sur
Bauguen, Ilocos Sur	Candon, Ilocos Sur
Nagbukel, Ilocos Sur	Narvacan, Ilocos Sur
San Ildefonso, Ilocos Sur	Santo Domingo, Ilocos Sur
San Vicente, Ilocos Sur	Vigan, Ilocos Sur
Santa Catalina, Ilocos Sur	Vigan, Ilocos Sur
Santol, La Union	Balacan, La Union
Sudipen, La Union	Bangar, La Union

Place having postal agency	Distributing post office
Cavinti, Laguna	Pagsanjan, Laguna
Famy, Laguna	Siniloan, Laguna
Longos, Laguna	Paete, Laguna
Lumban, Laguna	Pagsanjan, Laguna
Mabitac, Laguna	Siniloan, Laguna
Pakil, Laguna	Paete, Laguna
Pangil, Laguna	Siniloan, Laguna
Rizal, Laguna	Nagcarlan, Laguna
Santa Maria, Laguna	Siniloan, Laguna
Bulalacao, Mindoro	Calapan, Mindoro
Looc, Mindoro	Tilik, Mindoro
Lubang, Mindoro	Tilik, Mindoro
Mansalay, Mindoro	Calapan, Mindoro
San Teodoro, Mindoro	Calapan, Mindoro
Agricultural School, Nueva Ecija	Muñoz, Nueva Ecija
Carranglan, Nueva Ecija	San Jose, Nueva Ecija
Jaen, Nueva Ecija	San Isidro, Nueva Ecija
Laur, Nueva Ecija	Cabanatuan, Nueva Ecija
Lupao, Nueva Ecija	San Jose, Nueva Ecija
Rizal, Nueva Ecija	Cabanatuan, Nueva Ecija
San Leonardo, Nueva Ecija	Gapan, Nueva Ecija
Zaragoza, Nueva Ecija	La Paz, Tarlac
San Simon, Pampanga	San Fernando, Pampanga
Aguilar, Pangasinan	Bugallon, Pangasinan
Balungao, Pangasinan	Rosales, Pangasinan
Dasol, Pangasinan	Burgos, Pangasinan
Infanta, Pangasinan	Santa Cruz, Zambales
Labrador, Pangasinan	Lingayen, Pangasinan
Mabini, Pangasinan	Alaminos, Pangasinan
Mapandan, Pangasinan	Mangaldan, Pangasinan
Natividad, Pangasinan	Tayug, Pangasinan
Santo Tomas, Pangasinan	Rosales, Pangasinan
Angono, Rizal	Binangonan, Rizal
Baras, Rizal	Tanay, Rizal
Cainta, Rizal	Pasig, Rizal
Cardona, Rizal	Binangonan, Rizal
Las Piñas, Rizal	Parañaque, Manila
Morong, Rizal	Binangonan, Rizal
Pateros, Rizal	Pasig, Rizal
Pililla, Rizal	Tanay, Rizal
Tagig, Rizal	Pasig, Rizal
Taytay, Rizal	Antipolo, Rizal
Teresa, Rizal	Antipolo, Rizal
Castilla, Sorsogon	Sorsogon, Sorsogon
Prieto-Dias, Sorsogon	Gubat, Sorsogon
Anao, Tarlac	Moncada, Tarlac
Mayantoc, Tarlac	Santa Ignacia, Tarlac
Ramos, Tarlac	Paniqui, Tarlac
Dolores, Tayabas	San Pablo, Laguna
General Luna, Tayabas	Macalelon, Tayabas
Olongapo, Zambales	Subic, Zambales
Palauig, Zambales	Iba, Zambales

JUAN RUIZ

Director of Communications

Approved:

QUINTIN PAREDES

Minister of Public Works and Communications

SPECIAL ISSUE OF FLOOD RELIEF POSTAGE STAMPS

November 30, 1943

The Government will issue special flood relief postage stamps bearing the surcharge of "Flood of 1943". Additional charge will be collected which will constitute relief fund for the sufferers during the last flood.

QUINTIN PAREDES

Minister of Public Works and Communications

Kalibapi Circulars

General Circular No. 12-2

FOOD PRODUCTION DRIVE

November 10, 1943

TO ALL KALIBAPI CHAPTERS:

To insure adequate supplies of essential foodstuffs necessary to supplement rice in the event of shortage, all Kalibapi chapters are urged to push to the limit the food production drive by seeing to it that not only home yards and premises but also rice lands after harvest be put under cultivation, planting them to corn and root crops like *camote*, *gabi*, and *tugi*, as well as fruits, beans and vegetables in season.

Kalibapi chapters shall take charge of the food production drive in their respective localities and submit fortnightly reports on the progress of their campaign. For this purpose, each local chapter shall designate a food production committee whose functions shall be to organize meetings for information and instruction, to make house to house campaign to enroll hesitant members for the drive, to distribute seeds and planting materials, to see to it that all vacant lots and rice lands be not idle, and to help members in utilizing the services of the provincial and municipal agents of the Bureau of Plant Industry and Animal Industry. The Directors of the said Bureaus have given assurance that their local agents shall furnish seeds and planting materials and extend all the necessary aid in order to make this nation-wide food production drive a success.

For your guidance, a planting schedule for the different kinds of rice lands is hereto attached.

Compliance herewith is enjoined.

(Sgd.) CAMILO OSTIAS
Acting Director General

FOOD CROPS TO GROW AFTER RICE IN RELATION TO FIELD AND CLIMATIC CONDITIONS

I. In regions enjoying the first type of climate (two pronounced seasons: dry during the months of December, January, February, March, April and May; wet during the months of June, July, August, September, October and November): Abra, Antique, Bataan, Batangas, Bulacan, Cavite, Ilocos Norte, Ilocos Sur, Southern half of Iloilo, Laguna, La Union, Southern and Western Mindoro, Southeastern part of Mountain Province, Nueva Ecija, Western side of Nueva Vizcaya, Negros Occidental, Western part of Negros Oriental, Western Palawan, Pampanga, Pangasinan, Rizal, Tablas in Romblon, Tarlac and Zambales.

Types of rice land indicating the planting and harvesting seasons of rice under each type	Supplementary food crops to grow after rice harvest. Important crops in capital letters		
	Kind	Planting season	Harvesting season
1. Irrigated rice land: Planting season—June to August. Harvesting season—November to January.	Palagad rice	November to February	April to May
	Amplaya	November to December	March to May
	CAMOTE	do	March to April
	CONDOL	do	Do
	CORN	do	February to March
	Cucumber	do	February to April
	EGGPLANT	do	Do
	GABI	do	April to June
	GARLIC	do	February to March
	MUNGO, SOYBEAN, KIBAL, PEA, ETC.	do	January to May
	Mustard	do	January to February
	ONION	do	February to March
	PEANUT	do	March to April
	Pechay	do	January to February
	Radish	do	Do
2. Unirrigated rice land: Planting season—June to August. Harvesting season—November to December.	TOMATO	do	March to April
	Amplaya	do	Do
	CAMOTE	do	March to May
	CONDOL	do	March to April
	CORN	do	Do
	Cucumber	do	February to March
	EGGPLANT	do	February to April
	MUNGO, SOYBEAN, KIBAL, PEA, ETC.	do	Do
	Mustard	do	January to May
	Muskmelon	do	February to March
	PEANUT	do	January to February
	Pechay	do	March to April
	Radish	do	Do
	SQUASH	do	March to April
	Talium	do	January to February
3. Upland rice land: Planting season—April to July. Harvesting season—August to November.	TOMATO	do	March to April
	UPO	do	Do
	Watermelon	do	May to June
	Amplaya	do	August to September
	CAMOTE	do	December to February
	CONDOL	do	December to January
	CORN	do	February to March
	Cucumber	do	February to April
	MUNGO, SOYBEAN, KIBAL, PEA, ETC.	do	Do
	PEANUT	do	December to April
	SQUASH	do	February to March
	TUGUI	do	January to February
	UBI	do	February to March
	UPO	do	Do

II. In regions enjoying the second type of climate (no dry season: with a very pronounced maximum rain-fall during the months of December, January and February): Agusan, Albay and Catanduanes, Eastern side of Cagayan, Camarines Norte, Northern Camarines Sur, Northeastern part of Davao, Eastern side of Isabela, Eastern Leyte, part of Northeastern Misamis Oriental, Samar, Sorsogon, Surigao and Eastern Tayabas, including Polillo.

Table with 4 columns: Types of rice land indicating the planting and harvesting seasons of rice under each type, Supplementary food crops to grow after rice harvest, Important crops in capital letters, Kind, Planting season, Harvesting season. Includes categories for irrigated, unirrigated, and upland rice land.

III. In regions enjoying the third type of climate (no very pronounced maximum rain period; with a short dry season lasting only from one to three months): Cagayan, Cebu, Northeastern half of Iloilo, Isabela, Marinduque, Masbate, Nueva Vizcaya, Western Misamis Oriental, Eastern Negros Oriental, Eastern Palawan, Southern part of Tayabas.

Table with 4 columns: Types of rice land indicating the planting and harvesting seasons of rice under each type, Supplementary food crops to grow after rice harvest, Important crops in capital letters, Kind, Planting season, Harvesting season. Includes categories for irrigated, unirrigated, and upland rice land.

IV. In regions enjoying the fourth type of climate (no very pronounced maximum rain period and no dry season): Eastern side of Abra, Northwestern part of Albay, Batanes, Bohol, Bukidnon, Northwestern side of Cagayan, Southern Camarines Sur, Capiz, Cotabato, Davao, Northern part of Iloilo, Lanao, Western Leyte, Eastern Mindoro, Mountain Province, Misamis Occidental, Southwestern and Northwestern part of Misamis Oriental, Northern part of Negros Occidental, Sibuyan and Romblon proper, a portion of Western Samar, Sulu and Zamboanga.

Types of rice land indicating the planting and harvesting seasons of rice under each type	Supplementary food crops to grow after rice harvest. Important crops in capital letters		
	Kind	Planting season	Harvesting season
1. Irrigated rice land: Planting season—March to June. Harvesting season—August to November.	Palagud rice.....	October to December.....	March to May.....
	Ampalaya.....	August to September.....	December to February.....
	CAMOTE.....	do.....	December to January.....
	CHAYOTE.....	do.....	November to January.....
	Condol.....	do.....	December to January.....
	CORN.....	do.....	November to December.....
	EGGPLANT.....	do.....	November to January.....
	GABI.....	do.....	January to March.....
	GARLIC.....	do.....	November to December.....
	MUNGO, SOYBEAN, KIBAL, PEA, ETC.....	do.....	October to February.....
	Mustard.....	do.....	October to November.....
	Patola.....	do.....	Do.....
	PEANUT.....	do.....	December to January.....
	Pechay.....	do.....	October to November.....
	POTATO.....	do.....	December to January.....
2. Unirrigated rice land: Planting season—March to June. Harvesting season—August to November.	Radish.....	do.....	October to November.....
	SQUASH.....	do.....	December to January.....
	Ampalaya.....	do.....	December to February.....
	CAMOTE.....	do.....	December to January.....
	CHAYOTE.....	do.....	November to January.....
	Condol.....	do.....	December to January.....
	CORN.....	do.....	November to December.....
	EGGPLANT.....	do.....	November to January.....
	GABI.....	do.....	January to March.....
	GARLIC.....	do.....	November to December.....
	MUNGO, SOYBEAN, KIBAL, PEA, ETC.....	do.....	October to February.....
	Mustard.....	do.....	October to November.....
	Patola.....	do.....	Do.....
	PEANUT.....	do.....	December to January.....
	Pechay.....	do.....	October to November.....
3. Upland rice land: Planting season—April to June. Harvesting season—August to October.	POTATO.....	do.....	December to January.....
	Radish.....	do.....	December to January.....
	SQUASH.....	do.....	Do.....
	TOMATO.....	do.....	December to February.....
	Ampalaya.....	do.....	December to January.....
	CAMOTE.....	do.....	Do.....
	Condol.....	do.....	November to December.....
	CORN.....	do.....	November to January.....
	EGGPLANT.....	do.....	January to March.....
	GABI.....	do.....	November to December.....
	GARLIC.....	do.....	November to December.....
	MUNGO, SOYBEAN, KIBAL, PEA, ETC.....	do.....	October to February.....
	Mustard.....	do.....	October to November.....
	Patola.....	do.....	November to December.....
	PEANUT.....	do.....	December to January.....
Pechay.....	do.....	October to November.....	
TUGUL.....	do.....	February to March.....	
UPL.....	do.....	Do.....	
Watermelon.....	do.....	December to January.....	

APPOINTMENTS AND DESIGNATIONS BY THE PRESIDENT

MINISTRY OF THE INTERIOR

Guillermo B. Francisco, Vice-Minister of the Interior and Director of the Constabulary, November 24, 1943.

MINISTRY OF EDUCATION, HEALTH, AND PUBLIC WELFARE

Dr. Gabriel Mañalac, Acting Minister of Education, Health, and Public Welfare, effective as of October 20, 1943, November 25, 1943.

OFFICE OF THE PRESIDENT

Jose G. Sanvictores, Acting Executive Secretary, November 25, 1943.

Jose Gil, Acting Assistant Executive Secretary, November 25, 1943.

SUPREME COURT

Antonio Horrilleno, Justice of the Supreme Court, November 23, 1943.

KAPISANAN SA PAGLILINGKOD SA BAGONG PILIPINAS
(Association for Service to the New Philippines)

Arsenio N. Luz, Acting Assistant Director-General, November 25, 1943.

Esteban Abada, Acting Director-at-Large, November 25, 1943.

BUREAU OF EMPLOYMENT

Juan L. Lanting, Director of the Bureau of Employment, November 22, 1943.

BUREAU OF ANIMAL INDUSTRY

Manuel D. Sumulong, Director of the Bureau of Animal Industry, November 22, 1943.

BOARD OF DENTAL EXAMINERS

For the dentist examination to be held beginning Tuesday, December 14, 1943.

Dr. Joaquin Ladao, Chairman of the Board, November 24, 1943.

Dr. Francisco Ortiz, Member of the Board, November 24, 1943.

Dr. Felix V. Leander, Member of the Board, November 24, 1943.

BOARD OF ACCOUNTANCY

For the certified public accountant examination to be held beginning Monday, December 6, 1943:

Dr. Felipe B. Ollada, Chairman of the Board, November 24, 1943.

Mr. Antonio P. Ferrer, Member of the Board, November 24, 1943.

Mr. Enrique Caguia, Member of the Board, November 24, 1943.

CHARTERED CITIES

Atanacio R. Ombac, Assistant Fiscal for the City of Manila, November 26, 1943.

Oscar Castelo, Assistant Fiscal for the City of Manila, November 26, 1943.

Enrique P. Samson, Assistant Fiscal for the City of Manila, November 26, 1943.

PROVINCIAL OFFICIALS

P. M. Stuart del Rosario, Provincial Governor of Misamis Occidental, November 23, 1943.

MUNICIPAL OFFICIALS

Gregorio Sarden, Acting Mayor of San Joaquin, Iloilo, November 23, 1943.

Valentin Alzuelo, Acting Mayor of Anilao, Iloilo, November 23, 1943.

Jacinto Taborete, Acting Mayor of Tubungan, Iloilo, November 23, 1943.

Conrado Gonzales, Acting Mayor of Dueñas, Iloilo, November 23, 1943.

Jose Aranda, Acting Mayor of Estancia, Iloilo, November 23, 1943.

Exequiel Palec, Acting Mayor of Bafate, Iloilo, November 23, 1943.

Jose Octaviano, Acting Mayor of Miagao, Iloilo, November 23, 1943.

Luis Espeleta, Acting Mayor of Igaras, Iloilo, November 23, 1943.

Arellano Alconga, Acting Mayor of San Dionisio, Iloilo, November 23, 1943.

Nicolas Arcosa, Acting Mayor of Concepcion, Iloilo, November 23, 1943.

Custodio Castor, Acting Mayor of Sara, Iloilo, November 23, 1943.

Juan V. Centeno, Acting Mayor of Ajuy, Iloilo, November 23, 1943.

Manuel V. Silao, Acting Mayor of Rizal, Nueva Ecija, November 23, 1943.

Bernabe O. Tordesillas, Acting Mayor of San Jose, Antique, effective as of September 21, 1943, November 23, 1943.

Juan Vergara Siping, Acting Mayor of San Esteban, Ilocos Sur, November 23, 1943.

DECISIONS OF THE SUPREME COURT

[No. 48578. February 19, 1943]

THE PROVINCE OF MINDORO, plaintiff and appellee, vs. MARCELO E. CRUZ and CARMEN DESIDERIO, defendants and appellants.

WHARVES AND WHARFAGE; RIGHT OF PROVINCE, AS PART OWNER OF WHARF, TO COLLECT WHARFAGE FEES.—The wharf in question was constructed by authority of the Public Service Commission and its cost was borne partly by the National Government and partly by the Province of Mindoro. Because of its part ownership, the Province of Mindoro has charged and collected fees for the use of the wharf apparently without any objection by the National Government. The subsequent classification of the port of Calapan as a national port did not, and was not intended to, divest the Province of Mindoro of its part ownership of the wharf and, accordingly, of its right to collect wharfage fees for its use as it had theretofore done. Not until its complete ownership has become vested in the National Government by the mode of transfer provided by law, may the Province of Mindoro be divested of this right. Defendants were, therefore, properly ordered to pay to the Province of Mindoro the sum of P936, by way of dockage fees.

APPEAL from a judgment of the Court of First Instance of Mindoro. De la Rosa, J.

The facts are stated in the opinion of the court.

Arsenio Santos for appellants.
Provincial Fiscal of Mindoro for appellee.

MORAN, J.:

The stipulation of facts and the evidence adduced at the trial of this case disclose that from July 13, 1937, to August 11, 1938, the motorboats Rogelio X and Marianito owned by defendants Marcelo E. Cruz and Carmen Desiderio used the wharf situated on the port of Calapan, Mindoro, without payment to the Province

of Mindoro of the dockage fees therefor in the aggregate sum of P936. For failure to pay the dockage fees, the Province of Mindoro instituted an action for their recovery, and judgment was rendered by the trial court condemning defendants to pay the amount in question. This judgment is now the subject of review in this appeal.

Defendants contend that, under the Executive Order issued by the Chief Executive on December 3, 1936, which became effective on January 1, 1937, the port of Calapan, Mindoro, was declared a national port by virtue of which its maintenance, administration or operation became vested in the National Government through the Insular Collector of Customs, and that, accordingly, the Province of Mindoro has become deprived of its power, if it had any before, to administer the same and collect wharfage fees for its use. We cannot accept this view. The wharf was constructed by authority of the Public Service Commission and its cost was borne partly by the National Government and partly by the Province of Mindoro. Because of its part ownership, the Province of Mindoro has charged and collected fees for the use of the wharf apparently without any objection by the National Government. The subsequent classification of the port of Calapan as a national port did not, and was not intended to, divest the Province of Mindoro of its part ownership of the wharf and, accordingly, of its right to collect wharfage fees for its use as it had theretofore done. Not until its complete ownership has become vested in the National Government by the mode of transfer provided by law, may the Province of Mindoro be divested of this right. Judgment is affirmed, with costs against defendants.

Yulo, C. J., Ozaeta, Paras and Bocobo, JJ., concur.

Judgment affirmed.

[No. 48635. February 26, 1943]

MARIA CONSOLACION SUMIRA, assisted by her husband Juan Aquino, GODOFREDO INONG and TEODORA INONG, plaintiffs and appellants, vs. SEVERA VISTAN, NICOLAS BONUS and PHILIPPINE NATIONAL BANK, defendants and appellees.

1. TORRENS REGISTRATION; BREACH OF FIDUCIARY RELATIONS AS BASIS OF ACTION FOR RECONVEYANCE.—It appears from the complaint that the property bought by Vistan belonged not only to her vendors but also to the herein plaintiffs. Since Vistan is presumed to have made the necessary inquiry as to the title of her vendors, she may be deemed to have knowledge that only three-fourths of the property could legally be conveyed to her and that one-fourth thereof remained with the plaintiffs. As a mere co-owner, she stands in a fiduciary relation to the other co-owners with respect to the community property, and her acquisition of a Torrens title thereto in her exclusive name constitutes a breach of trust which may be a ground for an equitable action for reconveyance. Equitable action for reconveyance is proper if based on breach of fiduciary relations on the part of the defendant and the property has not yet been conveyed to an innocent third person. The conveyance of the property to defendant Bonus is no obstacle to the action, said conveyance being alleged in the complaint to be fictitious.
2. ID.; ID.; TRUSTS.—There are indications in the record that two of the plaintiffs were minors when the sales took place. Also a question of trust is involved in this case. And well-known is the rule that a silent exclusive possession of the trustee might be adverse to strangers but not against the *cestui que trust*. An open disavowal of the trust must have been made by positive and unequivocal acts amounting to an ouster of and made known to the *cestui que trust*, in order that the latter may become affected. Although it has also been held that possession by some co-heirs or co-owners may be ground for prescriptive title if held in good faith without knowledge that others might have interest in the property.
3. ID.; ID.; ID.; RIGHTS OF INNOCENT MORTGAGEE FOR VALUABLE CONSIDERATION NOT AFFECTED.—Plaintiffs' complaint alleges no vice whatsoever in the execution of the deeds of mortgage of the said property by

Bonus in favor of the Philippine National Bank. The Philippine National Bank is, therefore, an innocent mortgagee for a valuable consideration and as such it is fully protected by law (section 38, Act No. 496) in its rights in the mortgage, regardless of whether the title under the land has been secured fraudulently or not by the mortgagor.

4. ID.; ID.; ID.; ACTION FOR DAMAGES; CONSTRUCTIVE FRAUD DISTINGUISHED FROM ACTUAL FRAUD.—As to the action for damages, actual fraud need not be pleaded and proved, constructive fraud being sufficient. Constructive fraud as distinguished from actual fraud does not mean downright dishonesty of some sort, but an unintentional deception, negligence, mistake of fact or any transaction which equity regards as wrongful and to which it attributes the same or similar effects as those which follow from actual fraud. Here, defendant Vistan may have acted without malice in procuring exclusive Torrens title in her name, but as in truth she is not the owner of the whole land and plaintiffs have been deprived of their rights with no fault of their own, an equitable remedy for damages may be granted them even if the property has already been conveyed to an innocent third person. The reason for the rule is that nobody should be allowed to enrich himself at the expense of another.
5. ID.; ID.; ID.; ID.; ID.; ONE-YEAR PERIOD FOR REOPENING OF A DECREE NOT APPLICABLE TO ACTION FOR RECONVEYANCE OR DAMAGES; REMEDIES OF PERSONS DEPRIVED OF LANDS OR RIGHTS THEREIN BY OPERATION OF LAND REGISTRATION SYSTEM.—Plaintiff's action has not prescribed because it is not one for the reopening of a decree but for reconveyance or damages. The law affords various remedies to persons who have been deprived of their lands or interests therein by virtue of the operation of the Land Registration system. Upon proper and timely application, relief may be procured under Rule 38, section 2, of the new Rules of Court. Relief may also be obtained on the ground of fraud under section 38 of the Land Registration Act provided that one year has not yet elapsed from entry of the final decree. And action for reconveyance or damages may also be maintained. And, in appropriate cases, a recourse may be had to the Assurance Fund. The equitable action for reconveyance or damages is not barred by the lapse of one year.

APPEAL from various orders of the Court of First Instance of Tarlac. Cruz, Santos and Magsalin, JJ.

The facts are stated in the opinion of the court.

Tomas R. Daradar and Lardizabal & Madarang for appellants.

Palarca and Lomat for appellees Vistan and Bonus.

Rafael Dinglasan for appellee National Bank.

MORAN, J.:

In an action instituted in the Court of First Instance of Tarlac, plaintiffs Maria Consolacion Sumira, Godofredo Inong and Teodora Inong sought to recover their respective portions in the land situated in Barrio O'Donnell, Capas, Tarlac, conveyed to defendant Severa Vistan. The complaint, as twice amended, alleges that plaintiffs are legitimate grandchildren of spouses Gregorio Sumira and Inocencia Rivera, now deceased and original owners of the land in question; that on June 4, 1914, Inocencia Rivera, legitimate mother of Agapito, Apolonia, Emilio, Flora, Delfina and Andres, all surnamed Sumira (Delfina, now deceased, being the mother of Godofredo and Teodora Inong; and Andres, also deceased, being the father of Maria Consolacion Sumira), sold under *pacto de retro* one-fourth of the land to defendant Severa Vistan, and the vendor failed to make the repurchase in her lifetime; that on May 14, 1925, after the death of the spouses Gregorio Sumira and Inocencia Rivera, some of their children—Agapito, Emilio, Flora and Apolonia—conveyed under *pacto de retro* to the same defendant the whole land and the vendors were also unable to redeem; that of these conveyances, first, by Inocencia Rivera and, second, by her children Agapito, Emilio, Flora and Apolonia, to defendant Severa Vistan, plaintiffs had no knowledge and that accordingly they have been deprived of their lawful portions thereof as heirs; that subsequently defendant Severa Vistan petitioned for the registration of said land in her name on

the strength of the deeds of sale in her favor and, without disclosing plaintiffs' ownership of their undivided portions, succeeded in obtaining the corresponding title thereto; that, thereafter, defendant Severa Vistan fictitiously conveyed the same land to her co-defendant Nicolas Bonus who afterwards mortgaged the same to defendant Philippine National Bank for the amounts of P1,800 and P400; that as defendant Severa Vistan and later Nicolas Bonus had taken possession of the land which yielded an annual produce of 2,000 cavanos of palay, plaintiffs have been deprived of their portions in said produce in the estimated amount of P500 per annum.

Upon these allegations, plaintiffs prayed that they be declared absolute owners of an undivided one-twelfth portion each of the land, free from all liens and encumbrances; that defendants Severa Vistan and Nicolas Bonus be ordered to reconvey to the plaintiffs said portions or to pay the sum of P800; and that the deed of sale executed by Severa Vistan in favor of Nicolas Bonus and the deeds of mortgage later executed by Nicolas Bonus in favor of the Philippine National Bank be declared null and void in so far as all these transactions affect the rights of the plaintiffs. Defendants Severa Vistan and Nicolas Bonus on the one hand, and the Philippine National Bank on the other, presented separate motions to dismiss the action upon the ground, among others, that the complaint states no cause of action. The trial Court sustained the motion, hence this appeal.

We hold that the motion was rightly sustained with respect to the Philippine National Bank and erroneously with respect to defendants Severa Vistan and Nicolas Bonus. Plaintiffs' complaint alleges no vice whatsoever in the execution of the deeds of mortgage by Nicolas Bonus in favor of the Philippine National Bank. The Philippine National Bank is, therefore, an innocent mortgagee for a valuable consideration and as such it is fully protected by law (section 38, Act

No. 496) in its rights in the mortgage, regardless of whether the title under the land has been secured fraudulently or not by the mortgagor.

With respect, however, to defendant Severa Vistan, plaintiffs' complaint alleges fraud and misrepresentation in her acquisition of the Torrens title to the land in question, and on the strength of such allegation prays that plaintiffs' lawful portions be reconveyed to them or that they be awarded damages. Equitable action for reconveyance is proper if based on breach of fiduciary relations on the part of the defendant and the property has not yet been conveyed to an innocent third person. (*Severino vs. Severino*, 44 Phil., 343). It appears from the complaint that the property bought by Vistan belonged not only to her vendors but also to the plaintiffs here. Since Vistan is presumed to have made the necessary inquiry as to the title of her vendors, she may be deemed to have knowledge that only three-fourth of the property could legally be conveyed to her and that one-fourth thereof remained with the plaintiffs. As a mere co-owner, she stands in a fiduciary relation to the other co-owners with respect to the community property, and her acquisition of a Torrens title thereto in her exclusive name constitutes a breach of trust which may be a ground for an equitable action for reconveyance. The conveyance of the property to defendant Nicolas Bonus is no obstacle to the action, said conveyance being alleged in the complaint to be fictitious.

As to the action for damages, actual fraud need not be pleaded and proved, constructive fraud being sufficient. Constructive fraud as distinguished from actual fraud does not mean downright dishonesty of some sort, but an unintentional deception, negligence, mistake of fact or any transaction which equity regards as wrongful and to which it attributes the same or similar effects as those which follow from actual fraud. Here, defendant Vistan may have acted without malice in procuring exclusive Torrens title in her

name, but as in truth she is not the owner of the whole land and plaintiffs have been deprived of their rights with no fault of their own, an equitable remedy for damages may be granted them (*Estrellado vs. Martinez*, 48 Phil., 265) even if the property has already been conveyed to an innocent third person (*Dizon vs. Lacap*, 50 Phil., 193). The reason for the rule is that nobody should be allowed to enrich himself at the expense of another.

As another ground for their motion to dismiss, defendants Vistan and Bonus alleged that the action has prescribed because the one-year period for the revision of the decree has long expired. But the action is not for the re-opening of the decree but for reconveyance or damages. The law affords various remedies to persons who have been deprived of their lands or interests therein by virtue of the operation of the Land Registration system. Upon proper and timely application, relief may be procured under Rule 38, section 2, of the new Rules of Court. Relief may also be obtained on the ground of fraud under section 38 of the Land Registration Act provided that one year has not yet elapsed from entry of the final decree. An action for reconveyance or damages may also be maintained. And, in appropriate cases, a recourse may be had to the Assurance Fund. The equitable action for reconveyance or damages is not barred by the lapse of one year.

Prescription of action or of possession for ten years not having been pleaded, need not be considered. It may not be amiss, however, to state that in the last amended complaint, there is an allegation that defendants took possession of the property since 1938 only. And, further, there are indications in the record that two of the plaintiffs were minors when the sales took place. Also a question of trust is involved in this case. And well-known is the rule that a silent exclusive possession of the trustee might be adverse to strangers but not against the *cestui que trust*. An open disavowal of the trust must have been made by positive and

equivocal acts amounting to an ouster of and made known to the *cestui que trust*, in order that the latter may become affected (*Bargayo vs. Camumot*, 40 Phil., 857; *Cortes vs. Oliva*, 33 Phil., 480). Although it has also been held that possession by some co-heirs or co-owners may be ground for prescriptive title if held in good faith without knowledge that others might have interest in the property (*Ramos vs. Ramos*, 45 Phil., 362; see also *De Castro vs. Echarri*, 20 Phil., 23). But all these questions cannot properly be determined upon the facts now of record.

The appealed order is affirmed with respect to the motion to dismiss of the Philippine National Bank, and reversed with respect to that of defendants Severa Vistan and Nicolas Bonus. The record of this case is ordered remanded to the Court of First Instance of Tarlac for further proceedings with respect to defendants Severa Vistan and Nicolas Bonus. Without costs.

Yulo, C. J., Ozaeta, Paras and Bocobo, JJ., concur.

Judgment modified.

[No. 48940. June 22, 1943]

MATEO MADDAMMU, petitioner, vs. JUDGE OF MUNICIPAL COURT OF MANILA, Fifth Judicial District, NICASIO SANCHEZ, and the SHERIFF OF MANILA, respondents.

FORCIBLE ENTRY; NECESSITY OF ALLEGING PHYSICAL POSSESSION OR POSSESSION "DE FACTO" OF REAL PROPERTY TO CONFER JURISDICTION UPON COURT; CASE AT BAR.—Plaintiff's complaint in the respondent court purports to be one for forcible entry, but the facts alleged therein fail to show that such is the nature of the action. In forcible entry cases, the only issue is physical possession or possession *de facto* of a real property. To confer jurisdiction upon the respondent court, the complaint should have alleged prior physical possession of the house by plaintiff or by his vendors and deprivation of such possession by defendant through any of the means specified by the Rules. (Rule 72, sec. 1.) Had plaintiff alleged that defendant unlawfully turned him out

of possession of the property in litigation, the allegation would have been sufficient, because plaintiff's prior physical possession may then be implied therefrom. But no such allegation has been made. On the contrary, the allegation made is that "before plaintiff could take possession of and occupy said house, defendant surreptitiously and maliciously occupied same without the knowledge and consent of plaintiff" which indicates conclusively that he has had no prior physical possession of the property. And there is absolutely no allegation, whether express or implied, as to whether the vendors have ever had such prior physical possession, and this made it impossible for the respondent court to acquire jurisdiction over the case. Undoubtedly, plaintiff based his action upon the ownership of the house by virtue of a deed of conveyance to him. The alternative reliefs prayed for are all predicated upon such right of ownership. Respondent court was, therefore, without jurisdiction to take cognizance of the case and all of its proceedings thereon are accordingly null and void.

ORIGINAL ACTION in the Supreme Court. Certiorari and injunction.

The facts are stated in the opinion of the court.

Delfin A. Viola for petitioner.
V. D. Carpio for respondents.

MORAN, J.:

On January 8, 1943, plaintiff Nicasio Sanchez, now one of the respondents, filed with the Municipal Court of Manila a complaint against defendant Mateo Maddammu, now petitioner, alleging, among others, "that on or before December 5, 1942, plaintiff bought from Alejandro Calipayan and Maura Manalo a house"; that "before plaintiff could take possession of and occupy said house, defendant surreptitiously and maliciously occupied same without the knowledge and consent of plaintiff"; and, after demanding payment of rents and attorney's fees, he prayed for either of the following reliefs:

"(a) Defendant to deliver to plaintiff the possession of the house, with plaintiff promising to pay the reasonable rent for the use of the lot; or,
"(b) Defendant permits plaintiff to remove the house from defendant's lot, with plaintiff

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paying for any undue damage which may be caused to said lot; or,
"(c) Defendant pays plaintiff the reasonable value of the house in the amount of P150."

After trial, respondent Court rendered judgment declaring that "by virtue of the sales contract, Exhibit A, between Alejandro Calipayan and Nicasio Sanchez the latter became the owner of the house formerly belonging to Alejandro Calipayan"; and that "by virtue of his ownership, Nicasio Sanchez has the right to the possession of said house at the time the sale was consummated." The Court accordingly ordered the defendant to vacate the house; to give plaintiff freedom to remove it from defendant's lot; and to pay plaintiff the consequential damage of P12 per month from December 5, 1942. Plaintiff sued a writ of immediate execution of this judgment which defendant opposed and upon the allowance of the writ, defendant instituted with this Court the present certiorari proceeding.

Plaintiff's complaint in the respondent Court purports to be one for forcible entry, but the facts alleged therein fail to show that such is the nature of the action. In forcible entry cases, the only issue is physical possession or possession *de facto* of a real property. To confer jurisdiction upon the respondent Court, the complaint should have alleged prior physical possession of the house by plaintiff or by his vendors and deprivation of such possession by defendant through any of the means specified by the Rule. (Rule 72, sec. 1.) Had plaintiff alleged that defendant unlawfully turned him out of possession of the property in litigation, the allegation would have been sufficient, because plaintiff's prior physical possession may then be implied therefrom. But no such allegation has been made. On the contrary, the allegation made is that "before plaintiff could take possession of and occupy said house, defendant surreptitiously and maliciously occupied same without the knowledge and consent of plaintiff" which indicates conclusively that he has had no prior physical possession of the

property. And there is absolutely no allegation, whether express or implied, as to whether the vendors have ever had such prior physical possession, and this made it impossible for the respondent Court to acquire jurisdiction over the case. Undoubtedly, plaintiff based his action upon the ownership of the house by virtue of a deed of conveyance to him. The alternative reliefs he prayed for are all predicated upon such right of ownership. Respondent Court was, therefore, without jurisdiction to take cognizance of the case and all of its proceedings thereon are accordingly null and void.

Writ of execution issued and judgment rendered by respondent Court are hereby set aside, with costs against respondents Nicasio Sanchez and Sheriff of Manila.

Yulo, C. J., Ozaeta, Paras and Bocobo, JJ., concur.

Writ granted and judgment set aside.

[No. 48960. June 29, 1943]

LEONCIA REYES, in her own representation and as administratrix of the estate of the deceased Dalmacio Celino, petitioner, vs. THE COURT OF APPEALS and ENRIQUE BAUTISTA, respondents.

I. APPEAL AND ERROR; FILING OF APPEAL BOND IS AN INDISPENSABLE PREREQUISITE TO PERFECTION OF APPEAL.—The filing of an appeal bond is an indispensable prerequisite to the perfection of an appeal. Thus, section 3 of Rule 41 provides that "appeal may be taken by serving upon the adverse party and filing with the trial court within thirty days from notice of order or judgment, a notice of appeal, an appeal bond, and a record on appeal." The appeal bond shall be in the amount of P60 unless the court shall fix a different amount, or unless a supersedeas bond is filed. (Sec. 5, *id.*) "Where the notice of appeal, appeal bond, or record on appeal is filed but not within the period of time herein provided, the appeal shall be dismissed." (Sec. 13, *id.*) An appeal may be dismissed by the Court of Appeals on its own motion or on that of the appellee for failure to file the appeal bond within the said period of thirty days. (Rule 52, sec. 1 [a].)

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2. *Id.*; *Id.*; LEGAL JUSTIFICATION OF COURT'S DISCRETION TO ALLOW OR ADMIT AN APPEAL FILED OUT OF TIME.—Is the court vested with discretion to allow or admit an appeal filed out of time? This court has intimated the affirmative in the case of *Bustamante vs. Tirona* (No. 48813, 1 Off. Gaz., 875), provided the delay or failure to perfect the appeal on time be justified by any of the circumstances recognized by law, such as fraud, accident, mistake, or excusable negligence. (Sec. 2, Rule 38.)

When this court said that "it was not mandatory but, if at all, purely discretionary in the respondent judge to approve or disapprove it in the interest of justice," it did not mean that a judge is vested with discretion to approve a record on appeal presented out of time without legal justification. For instance, if in that case *Bustamante* had filed the record on appeal on January 23, 1942, the respondent judge would have been justified in admitting it although it was filed beyond the thirty-day reglementary period, for the reason that on account of war the office of the clerk of court was closed before said date. Conversely, in the absence of any justifying circumstance the court has no discretion to approve or admit an appeal filed out of time. The interest of justice cannot be invoked against the rule unless there is lawful justification. It is the intervention of such circumstance as the law recognizes as a valid reason for relaxing the rule—fraud, accident, mistake, excusable negligence—that creates the "interest of justice" in favor of the victim of the circumstance.

3. *Id.*; *Id.*; *Id.*—Neither a mistake of law—in this case the appellant mistakenly believed that his *pro forma* motion suspended the time for appeal—nor the fact that the delay in the filing of the appeal bond was only one day, nor both of these circumstances together, are legal justifications for noncompliance or relaxation of the rule. If mistake of law were ever excusable, the law would be unenforceable. That is why it is expressly provided that "ignorance of the law does not excuse anyone from compliance therewith." (Art. 2, Civil Code.) If, without legal justification, transgression of the deadline fixed by the rule for perfecting an appeal may be sanctioned, the public policy behind that rule would necessarily have to be abandoned, and the litigants would be at a loss to know exactly when they may obtain execution of judgments or consider the case terminated. On the other hand, when the law fixes thirty days, this court cannot take

it to mean also thirty-one days. If that deadline could be stretched to thirty-one days in one case, what would prevent its being further stretched to thirty-two days in another case, and so on, step by step, until the original line is forgotten or buried in the growing confusion resulting from the alterations? That is intolerable. This court cannot fix a period with the solemnity of a statute and disregard it like a joke. If law is founded on reason, whim or fancy should play no part in its application.

4. *Id.*; *Id.*; *Id.*—This court does not agree that "the ends of justice would be better subserved" by allowing an appeal presented "only one day late." There is no basis in fact, law, or reason for such conclusion. On the contrary, these considerations militate against it: (1) The orderly administration of justice would suffer a drawback if the period for perfecting appeals be rendered uncertain, as it would be, by sanctioning such transgression of the deadline. (2) The appealed decision is presumed by law to be just and correct, and therefore the denial of the appeal does not necessarily imply an injustice to the appellant. (3) The right to appeal is a purely statutory right, and he who wants to exercise it must comply with the statute.

5. *Id.*; "PRO FORMA" MOTION FOR NEW TRIAL DOES NOT SUSPEND THE RUNNING OF THE PERIOD FOR PERFECTING AN APPEAL.—The ruling in *Valdez vs. Jugo* (No. 48859, Nov. 28, 1942), is reiterated, to the effect that under the new Rules of Court the filing of a *pro forma* motion for new trial does not suspend the running of the period for perfecting an appeal.

ORIGINAL ACTION in the Supreme Court. Prohibition.

The facts are stated in the opinion of the court.

Ramon Diokno for petitioner.

Zosimo D. Tanalega for respondent *Bautista*.

OZAETA, J.:

Prohibition to the Court of Appeals from taking cognizance of the appeal entitled "*Enrique Bautista*, plaintiff and appellant, *vs. Leoncia Reyes*, etc., defendant and appellee" (C. A.—C. R. No. 311), on the ground that, the appeal bond having been presented out of time, said appeal was unlawfully allowed by the trial court.

In said case the Court of First Instance of Laguna (Judge Vicente del Rosario presiding) rendered judgment in favor of the defendant on September 19, 1942, of which the plaintiff received notice on October 10. The plaintiff filed a notice of appeal on October 23, the record on appeal on November 2, and the appeal bond on November 10, 1942, after a *pro forma* motion for new trial filed by him on October 17 had been denied by the court on the same date and notice of the denying order had been received by him on October 22. Counsel for the defendant moved to dismiss the appeal and opposed the approval of the record on appeal on the ground that the appeal bond was not presented within thirty days after the appellant was notified of the decision appealed from. The court (Judge Claudio Sandoval presiding) denied the motion to dismiss and overruled the opposition to the approval of the record on appeal on the theory that the filing of the *pro forma* motion for new trial suspended the running of the thirty-day period provided for the perfection of the appeal by section 3 of Rule 41. Counsel for the appellee reiterated his motion for dismissal in the Court of Appeals, but the First Division of that Court likewise denied his motion upon a different ground, which is synthesized in its conclusion that "the ends of justice would be better subserved if we allow the present appeal to take its due course, considering that the bond was filed only one day late." The Court of Appeals noted that the appellant "must have been of the honest opinion, although erroneously, that his motion, which was not a motion to set aside, interrupted the period for filing his appeal bond." It also cited our decision in *Bustamante vs. Tirona*, G. R. No. 48813, 1 Off. Gaz., 875, wherein among other things we said: "The petitioner having admittedly tendered his record on appeal after the lapse of the thirty-day reglementary period, it was not mandatory but, if at all, purely discretionary in the respondent judge to

approve or disapprove it in the interest of justice."

First. The Court of Appeals assumed, rightly, that under the new Rules of Court the filing of a *pro forma* motion for new trial does not suspend the running of the period for perfecting an appeal. We have so decided in the case of *Valdez vs. Jugo*, G. R. No. 48859 (Nov. 28, 1942), wherein we said:

"Petitioner maintains that, since the 30-day period within which to perfect his appeal was interrupted by his motion for new trial and since he received notice of the denial of said motion only on August 14, 1942, his record on appeal filed on September 1, 1942, is not out of time. This contention rests on an erroneous premise. Petitioner's motion for new trial did not and could not interrupt the period for appeal, it having failed to state in detail as required by the rules, the reasons in support of the grounds alleged therein.

* * * * *

"Under the former Code of Civil Procedure, the appellate court could have no jurisdiction to examine the evidence unless appellant had filed a motion for new trial on the ground of mistake of fact and had excepted in due time to the Order denying the motion. (Act No. 190, sec. 497, No. 2). A motion for new trial founded upon mistake of fact was accordingly filed *pro forma*, as an antecedent to an appeal, and was not required to set forth specifically the reasons in support of said ground. (*Crisostomo vs. Viri and Trillana*, 53 Phil., 446.) This was found by this Court to be a useless technicality conducive to unnecessary delay in the proceedings and was thus expressly abolished by Rule 48, section 19, which provides that:

"Whether or not the appellant has filed a motion for new trial in the court below, he may include in his assignment of errors any question of law or of fact that has been raised in the court below and which is within the issues made by the parties in their pleadings."

"A motion for new trial upon mistake of fact is, therefore, no longer an antecedent to an appeal and cannot be filed as a matter of form. Accordingly, it is now required to point out specifically the findings or conclusions of the judgment which are not supported by the evidence or which are contrary to law, making express reference to the testimonial or documentary evidence or to the provisions of law alleged to be contrary to such findings or conclusions." (Rule 37, sec. 2, third paragraph.) And when, as in the instant case, the

motion fails to make the specification thus required, it will be treated as a motion *pro forma* intended merely to delay the proceedings, and as such, it shall be stricken out as offensive to the new rules."

Second. The filing of an appeal bond is an indispensable prerequisite to the perfection of an appeal. Thus, section 3 of Rule 41 provides that "appeal may be taken by serving upon the adverse party and filing with the trial court *within thirty days* from notice of order or judgment, a notice of appeal, an appeal bond, and a record on appeal." The appeal bond shall be in the amount of P60 unless the court shall fix a different amount, or unless a supersedeas bond is filed. (Sec. 5, *id.*) "Where the notice of appeal, appeal bond, or record on appeal is filed but *not* within the period of time herein provided, the appeal *shall be dismissed.*" (Sec. 13, *id.*) An appeal may be dismissed by the Court of Appeals on its own motion or on that of the appellee for failure to file the appeal bond within the said period of thirty days. (Rule 52, sec. 1 [a].)

Third. Is the court vested with discretion to allow or admit an appeal filed out of time? We have intimated the affirmative in the case of *Bustamante vs. Tirona, supra*, provided the delay or failure to perfect the appeal on time be justified by any of the circumstances recognized by law, such as fraud, accident, mistake, or excusable negligence. (Sec. 2, Rule 38.) In said case the thirty-day period for the filing of the record on appeal expired on January 19, 1942, but it was not filed in court until March 16, and was not served on the adverse party until May 26, 1942. On account of the war the office of the Clerk of the Court of First Instance of Manila was closed on and for some time before January 19 and was not reopened until January 23, nor were the judges appointed under the actual administration until February 24, 1942, when the court resumed its functions. There the failure or inability of Bustamante to file the record on appeal up to February 24, 1942, was justified by an unavoidable accident;

but the court found no justification for the further delay up to March 16 and May 26, 1942, when, respectively, said record on appeal was filed and served on the adverse party. So this Court refused to compel the respondent judge to approve and certify the record on appeal, holding that he who would justify noncompliance of a legal requirement on account of *force majeure* or unavoidable accident, should exercise due diligence to supply the omission as soon as possible after the justifying circumstance has ceased. When we said that "it was not mandatory but, if at all, purely discretionary in the respondent judge to approve or disapprove it in the interest of justice," we did not mean that a judge is vested with discretion to approve a record on appeal presented out of time without legal justification. For instance, if in that case Bustamante had filed the record on appeal on January 23, 1942, the respondent judge would have been justified in admitting it although it was filed beyond the thirty-day reglementary period, for the reason that on account of war the office of the clerk of court was closed before said date. Conversely, in the absence of any justifying circumstance the court has no discretion to approve or admit an appeal filed out of time. The interest of justice cannot be invoked against the rule unless there is lawful justification. It is the intervention of such circumstance as the law recognizes as a valid reason for relaxing the rule—fraud, accident, mistake, excusable negligence—that creates the "interest of justice" in favor of the victim of the circumstance.

Fourth. Neither a mistake of law—in this case the appellant mistakenly believed that his *pro forma* motion suspended the time for appeal—nor the fact that the delay in the filing of the appeal bond was only one day, nor both of these circumstances together, are legal justifications for noncompliance or relaxation of the rule. If mistake of law were ever excusable, the law would be unenforceable. That is why it is expressly pro-

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vided that "ignorance of the law does not excuse anyone from compliance therewith." (Art. 2, Civil Code.) If, without legal justification, transgression of the deadline fixed by the rule for perfecting an appeal may be sanctioned, the public policy behind that rule would necessarily have to be abandoned, and the litigants would be at a loss to know exactly when they may obtain execution of judgments or consider the case terminated. On the other hand, when the law fixes thirty days, we cannot take it to mean also thirty-one days. If that deadline could be stretched to thirty-one days in one case, what would prevent its being further stretched to thirty-two days in another case, and so on, step by step, until the original line is forgotten or buried in the growing confusion resulting from the alterations? That is intolerable. We cannot fix a period with the solemnity of a statute and disregard it like a joke. If law is founded on reason, whim or fancy should play no part in its application.

We do not agree that "the ends of justice would be better subserved" by allowing an appeal presented "only one day late." There is no basis in fact, law, or reason for such conclusion. On the contrary, these considerations militate against it: (1) The orderly administration of justice would suffer a drawback if the period for perfecting appeals be rendered uncertain, as it would be, by sanctioning such transgression of the deadline. (2) The appealed decision is presumed by law to be just and correct, and therefore the denial of the appeal does not necessarily imply an injustice to the appellant. (3) The right to appeal is a purely statutory right, and he who wants to exercise it must comply with the statute.

It results from all of the foregoing that the decision of the trial court in the case in question became final upon the lapse of the thirty-day period provided in section 3 of Rule 41 without the appellant's having filed the required appeal bond, and that consequently the appeal should have been dismissed by the trial court as

provided by section 13 of the same rule, or by the Court of Appeals under section 1 (a) of Rule 52.

Wherefore, the petition for prohibition is granted as prayed for, with costs against the respondent Enrique Bautista.

Yulo, C. J., Moran, Paras and Bocobo, JJ., concur.

Petition granted.

[No. 48346. June 29, 1943]

DESTILERIA AYALA Y CIA., INC., petitioner, vs. LIGA NACIONAL OBRERA DE FILIPINAS, and COURT OF INDUSTRIAL RELATIONS, respondents.

ABOLITION OF COURT OF INDUSTRIAL RELATIONS; CONCLUSIVENESS OF ITS FACTUAL FINDINGS; UNJUSTIFIED DISMISSAL OF EMPLOYEE BY HIS EMPLOYER.—Inasmuch as the findings of fact by the Court of Industrial Relations cannot be inquired into by this court, and the former having found that Francisco Serrano was absolutely free from blame, said court committed no error in denying petitioner herein authority to dismiss him, and ordering the payment of his salary during suspension. At the time the order appealed from was issued, section 19 of Commonwealth Act No. 103 and section 5 of Commonwealth Act No. 213 were in full force and effect. This court finds that the order of the Court of Industrial Relations was fully warranted by the legal provisions aforementioned. However, these statutory provisions are not only inconsistent with the present circumstances but the Court of Industrial Relations has been abolished. Executive Order No. 1 by the Chairman of the Executive Commission, dated January 30, 1942, which organized the Central Administrative Organs and Judicial Courts, did not reconstitute the Court of Industrial Relations, and no government agency has been created to carry out the functions formerly exercised by that court. Consequently, the order of that court which is questioned in this proceeding is effective only until January 30, 1942, when the Court of Industrial Relations ceased to exist.

PETITION for review on certiorari.

The facts are stated in the opinion of the court.

Sabido & Laurel, Jr., for petitioner. Paguia & Lerum for respondents.

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Bocobo, J.:

The petition for a writ of certiorari in this case, dated June 3, 1941, seeks the reversal of the order of the Court of Industrial Relations, of March 13, 1941, denying the Destilería Ayala y Cía., Inc. (petitioner herein) authority to dismiss Francisco Serrano as cashier of said company, directing petitioner herein to reinstate Serrano to his former position and to pay him his salary during his suspension.

It appears that an industrial dispute between petitioner herein and its laborers affiliated with the "Liga Nacional Obrera de Filipinas," one of the respondents herein, was certified to the Court of Industrial Relations on November 20, 1940 by the Under-Secretary of Labor. Among the demands involved was the restoration of the old scale of salaries. One of the employees concerned was Francisco Serrano, whose old monthly compensation of P120 was alleged to have been reduced to P77. Serrano was one of the signers of the motion of the "Liga Nacional Obrera de Filipinas" dated December 4, 1940, supplementing its demand for the return to the former scale of salaries. A few days later, that is, on December 11, 1940, petitioner herein asked the Court of Industrial Relations for authority to dismiss Francisco Serrano as cashier on the ground of negligence. On December 24, 1940, this motion was supplemented by a petition to said Court of Industrial Relations for authority to suspend Serrano, with the assurance by the Destilería Ayala y Cía., Inc., petitioner herein, that if Serrano's reinstatement was ordered by the Court of Industrial Relations, petitioner herein would pay him his salary during the period of suspension. This petition for suspension was granted on the same date, with the understanding just mentioned. Before the Court of Industrial Relations, Serrano was charged with negligence for having failed to demand from Antonio Valdez, a collector of petitioner herein, Bill No. 2049 on

August 12, 1940. Antonio Valdez later confessed to having misappropriated P37.50 corresponding to Bill No. 2049, and another amount, P52.50, which was a part of his collection on November 22, 1940. After hearing, the Court of Industrial Relations on March 13, 1941, held that Serrano had committed no negligence; that there was no valid and sufficient reason for his discharge; and that the real motive of petitioner herein for desiring to dismiss Serrano was the latter's affiliation with a labor union and his act of joining his co-workers in their efforts to improve their lot. The aforesaid Court held:

"In view of the facts and circumstances shown above the Court concludes that Serrano had not committed any negligence in the performance of his duties as charged and that there is no valid and sufficient reason for his discharge.

"From all what appears, the Court is inclined to believe that the alleged negligence of Serrano was not the real or motivating reason behind respondent's action in seeking his dismissal. The evidence and the record are barren of any other controlling reason which may impel the respondent to seek the dismissal of an employee who has rendered long years of faithful and efficient service in a position of trust and confidence like Serrano except his actuation of joining the movement for the improvement of his lot and that of his co-workers. He was one of those who demanded the restoration of the former scale of salaries, an objective palpably against the wishes and pecuniary interest of his employer made more painful because it is the last thing expected from him who ranks high among his co-workers both in position and in the degree of trust enjoyed. Such an act cannot be viewed by the employer other than pure disloyalty from one whom it had retained in its payrolls for years and years. It is, therefore, not surprising if respondent considers his continuance in the service as undesirable.

"The view that Serrano's union affiliation and activities was the real motive which impelled respondent's desire to dismiss him becomes more evident when it is taken into account that if there are employees who could be considered negligent in the performance of their duties in connection with the anomalies committed by Valdez, these persons are no other than Fidel Policarpio and Vicente Luckchih,—the former, by not notifying his superiors of the delay in the payment of Bill No.

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2049, and the latter, for having allowed the use of original receipt No. 13895 (Exhibit D) from the stub of receipts under his custody and possession. Apparently, no action was taken by respondent against these two employees who are not affiliated with the union and who did not affix their signatures in the petition relative to salary restoration. The Court, therefore, is fully convinced that respondent had all the reasons to discriminate and retaliate against Serrano and to realize such objective, it had resorted to hide the real motive behind the veil and guise of the present charges.

"In view of all the foregoing, the Court finds that Serrano is absolutely free from blame and is innocent of the charges imputed against him and respondent's petition seeking authority to dismiss him is hereby denied. The respondent is directed to reinstate Serrano to his former position, and, in conformity with its assurance given before the hearing, to pay him the salary he ought to have earned from the date of his suspension to that of his reinstatement.

The authority of the Court of Industrial Relations in rendering the above judgment was based on section 19 of Commonwealth Act No. 103, in connection with section 5 of Commonwealth Act No. 213, which read as follows:

ACT No. 103

"Sec. 19. *Implied condition in every contract of employment.*—In every contract of employment or tenancy, whether verbal or written, it is an implied condition that when any dispute between the employer or landlord and the employee, tenant or laborer has been submitted to the Court of Industrial Relations for settlement or arbitration, pursuant to the provisions of this Act, and pending award or decision by it, the employee, tenant or laborer shall not strike or walk out of his employment when so enjoined by the Court after hearing and when public interest so requires, and if he has already done so, that he shall forthwith return to it, upon order of the Court, which shall be issued only after hearing when public interest so requires or when the dispute cannot, in its opinion, be promptly decided or settled; and if the employees, tenants or laborers fail to return to work, the Court may authorize the employer or landlord to accept other employees, tenants or laborers. A condition shall further be implied that while such dispute is pending in the Court, the employer or landlord shall refrain from accepting other employees, tenants or laborers, unless with the express authority of the Court, and shall per-

mit the continuation in the service of his employees, tenants or laborers under the last terms and conditions existing before the dispute arose: *Provided*, That within fifteen days after the declaration of the strike, employers will not be allowed to engage the services of strike breakers. A violation by the employer or landlord or by the employee, tenant or laborer of such an order or the implied contractual condition set forth in this section shall constitute contempt of the Court, and shall be punishable as in all other cases of contempt of a Court of First Instance."

ACT No. 213

"Sec. 5. Any person or persons, landlord or landlords, corporation or corporations or their agents, partnership or partnerships or their agents, who intimidate or coerce any employee or laborer or tenant under his or their employ, with the intent of preventing such employee or laborer or tenant from joining any registered legitimate labor organization of his own choosing, or, who dismiss or threaten to dismiss such employee or laborer or tenant from his employment for having joined, or for being a member of, any registered legitimate labor organization, shall be guilty of a felony and shall be punished by imprisonment of not exceeding one year or a fine not exceeding one thousand pesos, or both, at the discretion of the court."

Inasmuch as the findings of fact by the Court of Industrial Relations cannot be inquired into by us, and that Court having found that Francisco Serrano was absolutely free from blame, said Court committed no error in denying petitioner herein authority to dismiss him, and ordering the payment of his salary during suspension. At the time the order appealed from was issued, section 19 of Commonwealth Act No. 103 and section 5 of Commonwealth Act No. 213 were in full force and effect. We find that the order of the Court of Industrial Relations was fully warranted by the legal provisions aforementioned. However, these statutory provisions are not only inconsistent with the present circumstances but the Court of Industrial Relations has been abolished. Executive Order No. 1 by the Chairman of the Executive Commission, dated January 30, 1942, which organized the Central Administrative Organs and Judicial Courts, did not reconstitute the Court of Industrial Relations, and no government

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agency has been created to carry out the functions formerly exercised by that Court. Consequently, the order of that Court which is questioned in this proceeding is effective only until January 30, 1942, when the Court of Industrial Relations ceased to exist.

Therefore, the order of the Court of Industrial Relations is hereby modified in the sense that the petitioner herein, in pursuance of its own undertaking, must

pay the salary of Francisco Serrano during the period of his suspension up to and including January 30, 1942, but that the petitioner herein was not, and is not now, under any obligation to reinstate him after that date. Thus modified, the order appealed from is hereby affirmed, without any findings as to costs.

Yulo, C. J., Moran, Ozaeta and Paras, JJ., concur.

Order modified.

DECISIONS OF THE COURT OF APPEALS

[No. 9652. March 31, 1943]

THE PEOPLE OF THE PHILIPPINES, plaintiff-appellee, vs. JOSE CASTRO and RICARDO CABRALES, defendants-appellants.

1. ESTAFA; OPIUM AS SUBJECT MATTER OF A CONTRACT; PURPOSE OF PUNISHING SWINDLER.—Through false and fraudulent representations regarding a fictitious opium deal, the appellant was able to defraud the complainant in the amount of P1,230. Charged with estafa, the appellant does not deny the imputations but contends "that inasmuch as the offended party willingly and voluntarily, with the apparent intention of making fabulous profit, entered into the said illegal transaction with the appellant both stand on the footing; and as such, in case one is outwitted by the other, the aggrieved is not entitled to the protection of the court, and the case should be dismissed." *Held:* The trouble with this argument is that it confuses a criminal act with a civil contract. It overlooks the fact that swindling as a public offense vitally affects public interest and welfare, the interest of the party affected being of secondary consideration. Swindling is an offense against the State and those who indulge in it are punished for the protection of society in general and not of any particular individual. If private injuries are repaired in such cases, this is done as a mere incident of the criminal prosecution.

2. ID.; ID.; DECEIT, ITS PRINCIPAL ELEMENT; PUNISHING A CRIMINAL DOES NOT IMPLY ENFORCEMENT OF AN UNLAWFUL CONTRACT.—Deceit is the principal element of estafa. The legality or illegality of the project by means of which the victim is led into the trap does not alter the character or degree of the fraud. This is especially so because the whole scheme is by its very nature a "hoax." In transactions of this kind there is no opium to be bought, and the projected bargains are beyond possibility of realization. If the transactions were *bona fide*, there would be no crime and the bargains would give rise to civil liability only, if any. Hence, in punishing the criminal there is no implication to put in force an unlawful contract.

3. ID.; ID.; INDEMNITY TO OFFENDED PARTY.—It is suggested that at least the complainant should be denied indemnity, on the well-settled principle that the courts should not aid either party to an illegal agreement. But even in the realms of pure civil actions the courts have departed from this principle in several well-defined cases, two of which are (1) where public policy requires their intervention and (2) where the parties are not in *pari delicto*. The case at bar comes within both exceptions.

APPEAL from a judgment of the Court of First Instance of Manila. Roxas, J.

The facts are stated in the opinion of the court.

Jose Garcia de la Vega for appellant Jose Castro.

Francisco Dalupan for appellant Ricardo Cabrales.

Solicitor-General Sixto de la Costa and *Solicitor Vicente A. Arguelles* for the appellee.

TUASON, J.:

Jose Castro y Obregon, Ricardo Cabrales y Pelorina, Lim Chin Sue *alias* Lim Kim Suy *alias* Yap Sing were charged in the Court of First Instance of Manila with the crime of *estafa*. It was alleged that they conspired and aided one another in defrauding one Eufemio Sebastian in the amount of P1,230 through false and fraudulent representations regarding a fictitious opium deal. After trial the three defendants were found guilty and Lim Chin Sue was sentenced to an indeterminate penalty of from 3 months of *arresto mayor* to 1 year and 4 months of *prisión correccional* and the accessories provided by law; Jose Castro y Obregon to suffer an indeterminate penalty of from 4 months of *arresto mayor* to 2 years of *prisión correccional* and the accessories of the latter penalty; Ricardo Cabrales y Pelorina to suffer the penalty of 2 years of *prisión correccional* and its accessories, the Indeterminate Sentence Law not being

applicable to said defendant because he is an habitual delinquent. The three defendants were furthermore condemned to indemnify jointly and severally the offended party in the sum of ₱1,230 with subsidiary imprisonment in case of insolvency, and to pay their proportional shares of the costs. For being an habitual delinquent, the defendant Ricardo Cabrales was likewise sentenced to an additional penalty of 10 years and 1 day of *prisión mayor* in accordance with article 62-5 (c) of the Revised Penal Code. Jose Castro y Obregon and Ricardo Cabrales y Pelorina appealed.

Stripped of details, the testimony of Eufemio Sebastian and that of his wife reveal that on October 17, 1939, Jose Castro showed them a bogus one-peso bill and told them that he had an apparatus to print such papers. The next day Castro, with the help of one Popong, made an actual demonstration in his house, in the presence of the Sebastians, of how counterfeit money was fabricated. After the demonstration Castro let the spouses know that he had plenty of opium for sale and that he would give them a good commission if they should find buyers.

A few days afterward Lim Chim Sue came to Eufemio Sebastian's house pretending to look for Popong who, according to the Chinese, lived in that house. Dressed elegantly, Lim introduced himself as Yap Sing and volunteered the information that he was a representative of a rich Chinese in Cabanatuan who wanted to buy opium on a large scale. Sebastian and his wife recalled what Castro had told them a few days before, and so requested the Chinese to come back in the afternoon, telling him that they had an uncle who was dealing in opium. Thereafter the spouses hurried to tell Castro in his house of Lim Chim Sue's visit. Castro stated he did have opium and that his price was ₱7 per tin out of which he was willing to pay ₱0.50 to the Sebastians as commission. Later on the same day Castro came to Sebastian's house with Ricardo Cabrales, whom Castro introduced to the offended party as an agent of a Japanese

who had a large quantity of opium for sale. In this meeting Castro, Cabrales and Sebastian agreed to sell 12 boxes of opium of 1,000 tins each to the Chinese purchaser. It was agreed that the boxes would be brought over in a truck the night of the following day and deposited in Sebastian's garage. Castro and Cabrales stated that they must see the garage first to find out whether a truck could get in it, and made the motions of measuring it, after which they said it was all right. Alleging that his Japanese principal would not consent to the opium being removed from where it was being kept in the Manila Bay unless the transportation expenses be advanced, Cabrales made overtures so that ₱450 be given him before he would bring over the opium. After some hesitation, Sebastian promised to and did hand Cabrales that amount on October 31, upon Gabriel's signing below the itemized alleged expenses.

On the appointed date for the delivery of the opium at Sebastian's garage Lim Chim Sue burst in into Sebastian's house and told Sebastian that there were suspicious looking persons who had been following him. Because of this incident Sebastian agreed with Lim Sue that it was advisable to put off to some other date the hauling of the opium. The next day Lim came back and told Sebastian that his Chinese principal was now afraid and was unwilling to take delivery of the opium in Manila. He suggested that delivery be made in Olongapo, and so it was agreed; but in Marilao, Bulacan, where Sebastian, Lim Chim Sue, and another Chinese stopped on their way to what Sebastian supposed was Olongapo, there occurred another hitch. There was an automobile with several passengers who acted "suspiciously." Moreover, on Rizal Avenue Extension, Caloocan, Rizal, when their car stopped at a gasoline station, Sebastian and his companions had seen Castro and his daughter taking down the number of their automobile. Sebastian did not like this behaviour of Castro. He suspected that Castro had something up his sleeve; Sebastian thought that Castro

was resentful because Sebastian wanted to eliminate him from the projected deal. Consequently, Sebastian and his companions returned to Manila where they separated. One hour afterward Lim Chim Sue rejoined Sebastian and told him that his principal had changed his mind again; the latter wanted the opium taken to Pulpandan, Negros Occidental, instead of Olongapo. And as Pulpandan was very far the amount for transportation expenses had to be increased and Sebastian had to give Cabrales ₱850 more for this purpose.

After paying this amount Sebastian realized that he had been duped. He complained to the police and a member of the city fiscal's staff, following which members of the secret service posted themselves in a room in Sebastian's house while Lim Chim Sue and Cabrales were in another room where they pretended to be discussing the best way and means to take the opium to Negros.

On this appeal Castro and Cabrales are represented by different attorneys. Castro's attorney contains that the evidence has not shown beyond a reasonable doubt that Castro was a party to the fraud. Cabrales' attorney, while admitting the truth of the testimony given for the prosecution, contends "that inasmuch as the offended party, appearing to be an intelligent person, and knowing very well that the business is illegal, willingly and voluntarily, with the apparent intention of making fabulous profit, entered into the said illegal business with the appellant," "both stand in the same footing: and as such, in case one is outwitted by the other, the aggrieved is not entitled to the protection of the court, and the case should be dismissed."

It is clear from the evidence that the whole scheme was conceived by the three defendants with Castro as the originator if not also the directing mind. It was he who lured Sebastian and his wife into the enterprise with glittering promises. Next emerged Lim Chim Sue looking for Popong, a housemate and confederate of Castro. Then again it was Castro who

introduced Cabrales to the offended party and his wife and who told them that Cabrales had opium which Lim was willing to buy. And Castro and Cabrales jointly pretended to measure Sebastian's garage to give their design the appearance of good faith and reality. The presence of Castro with his daughter on the night of November 3 at a gasoline station and his movements appear, in the light of subsequent events, to have been intended as one of the means to intimidate Sebastian and to create a pretext for the suspension of the trip to Olongapo. Finally, it has been proved that upon his arrest Castro made a promise to refund Sebastian's money.

On top of all these, Castro had been engaged in the business of selling fictitious opium. Maximino Lualhati, a townmate, relative, and ex-houseboy of Castro, who was serving a term of imprisonment as a result of similar deals engineered by Castro, testified that on many occasions Castro had instructed him to fill empty boxes of milk with stones which Castro afterward disposed of as opium.

The fact that Castro has not been shown to have received any part of the money of which Sebastian was defrauded has no importance. Even if his codefendants had appropriated the whole amount, this fact would not lessen his criminal liability. However, Castro's offer to return the offended party's money tends to indicate that he had received the greater part of it. It is indeed incredible, under the circumstances, considering the role Castro played, that he did not get a share of the proceeds of the crime. It must be pointed out that Lim in his testimony claimed to have received only ₱100 of the amount received from Sebastian.

By repeated decisions Cabrales' plea has become a moot question. The records of Philippine courts abound with prosecutions growing out of fake opium deals, in which the illegality of the transactions is not urged or considered as a bar to prosecution.

Deceit is the principal element of *estafa*. The legality or illegality of the

project by means of which the victim is led into the trap, does not alter the character or degree of the fraud. This is especially so because the whole thing is by its very nature a "hoax." In transactions of this kind there is no opium to be bought, and the projected bargains are beyond any possibility of realization. If the transactions were *bona fide*, there would be no crime and the bargains would give rise to civil liability only, if any. Hence in punishing the criminal there is no implication to put in force an unlawful contract.

Cabrales' proposition is devoid of reason and logic. A superficial analysis will show it to amount to this: that where the party injured has demonstrated willingness to violate the law with the accused (even though the proposed transaction be a deception), that willingness alone should be sufficient to wipe out all criminality from the fake bargain. In other words, if a criminal should propose the purchase of lawful objects of commerce, he commits *estafa*. But if he should invite his prospective victim to invest money in a prohibited business, he may not be punished even if the alleged business be wholly a swindle and he knew it.

The trouble with this argument is that it confuses a criminal act with a civil contract. It overlooks the fact that swindling as a public offense vitally affects the public interest and welfare, the interest of the party affected being of secondary consideration. Swindling is an offense against the public and those who indulge in it are punished as a protection to society in general and not to any particular individual. If private injuries are repaired in such cases, this is done as a mere incident of the criminal prosecution. The result of Cabrales' contention, if followed to its logical conclusion, would be that a swindler could ply his trade with impunity provided that he takes care to resort always to tricks which would imply violation of law and which would show that his victims are not angels.

It is suggested that at least the complainant should be denied indemnity, on the well-settled principle that the courts should not aid either party to an illegal agreement. But even in the realms of pure civil actions the courts have departed from this principle in several well-defined cases, two of which are (1) where public policy requires their intervention and (2) where the parties are not in *pari delicto*. The case at bar comes within both exceptions. The following paragraphs from Ruling Case Law describe the reasons for these exceptions.

"220. Parties in *pari delicto* as affected by public policy.—Public policy, it must be borne in mind, lies at the basis of the law in regard to illegal contracts, and the rule is adopted, not for the benefit of parties, but of the public. It is evident, therefore, that cases may arise even under contracts of this character, in which the public interests will be better promoted by granting than by denying relief, and in such the general rule must yield to this policy. Hence, even between parties in *pari delicto*, relief will sometimes be granted if public policy demands it. The general rule operates only in cases where the refusal of the courts to aid either party frustrates the object of the transaction, and takes away the temptation to engage in contracts *contra bonos mores*, or violating the policy of the law. If it is necessary, in order to discountenance such transactions, to enforce such a contract at law, or to relieve against it in equity, it will be done, though both parties are in *pari delicto*. The party is not allowed to allege his own turpitude, in such cases, when defendant at law, nor is he prevented from alleging it when plaintiff in equity, if the refusal to execute the contract at law, or refusal to relieve against it in equity, would give effect to the original purpose, and encourage the parties engaging in such transactions. In such cases the guilt of the respective parties is not considered by the court, which looks only to the higher right of the public, the guilty party to whom relief is granted being only the instrument by which the public is served. This principle is no doubt the basis of the statutes which have been enacted in many jurisdictions allowing money lost in gaming or betting to be recovered back. Even in the absence of such statutes, the equity courts of some jurisdictions give relief from gambling contracts, these courts having concluded that the public interest is subserved thereby. There is even a declaration to the effect that contracts against the

policy of a public statute will be set aside in equity at the instance of a *particeps criminis*, and that in such cases the court does not interfere for the sake of the party, but for the public good. However, according to some authorities, it seems that the granting of relief to parties in *pari delicto* should be limited to cases in which the contract is not immoral or criminal. But in view of the principle on which the exception to the rule is founded, there does not seem to be any good reason for such a limitation. The question whether relief should be given to a party defrauded by a fraudulent scheme, although he went into the scheme with the intention of defrauding others may be serve as an illustration. There may be circumstances which would justify the granting of relief to such a party, as where the purpose to be subserved thereby is to discourage the operations of a combination of men who have made a practice of inveigling many persons, including the plaintiff, into fraudulent schemes." (6 R. C. L. 829, 830.)

"223. Relief of party not in *pari delicto*.—In many cases of illegal contracts or transactions, the parties are not deemed to be in equal fault, since there are degrees of crime and wrong. A distinction has been taken between those illegal contracts both parties to which are equally culpable, and those in which, although both have participated in the illegal act, the guilt rests chiefly upon one. The maxim, *Ex dolo malo non oritur actio*, is qualified by another, viz., *In pari delicto melior est conditio defendentis*. Unless, therefore, the parties are in *pari delicto* as well as *particeps criminis*, the courts, although the contract is illegal, will afford relief, where equity requires it, to the more innocent party, even after the contract has been executed. The cases in which the courts will give relief to one of the parties on the ground that he is not in *pari delicto* form an independent class, entirely distinct from those cases which rest upon a disaffirmance of the contract before it is executed. But, as in the case of the repudiation of an executory illegal contract, the recovery is had not under, but independently of, the contract, being treated as a nullity. In some decisions, however, it is declared that where there is moral turpitude on both sides, a court will not undertake to ascertain the relative guilt of the parties. The rule governing cases in which the parties are not in *pari delicto* is frequently applied where the transaction is in violation of a law made for the protection of one party against the acts of the other. As they are not equally guilty, the party protected may recover. A statute may declare a contract to be void, and still but one of the parties may be guilty of its violation. Enactments of this character are often made for the purpose of

protecting one class of men from the oppression and imposition of another class of men; and in such cases the really guilty party is never allowed any relief under the statute, or permitted to set up the statute as a defense to relief sought by the other party. Such is the case with all laws which declare usurious contracts to be null and void. The lender is never allowed to take advantage of the statute, because he is the guilty party; the borrower may do so, because he is not a *particeps criminis*. He is regarded as the victim of the usurer, and not in *pari delicto*. This principle applies to every contract declared to be void by the statute, in the making of which but one of the parties is in *delicto*. The first cases in which the principle was applied were naturally those where the statute violated by the contract was intended for the special protection of the party seeking relief from some undue advantage taken by the other, because those were the cases in which the injustice of applying the same rule to both parties would be the most glaring. But it soon came to be seen that the principle was equally applicable to cases where the law infringed was intended for the protection of the public in general. In some cases the rule as to parties not in *pari delicto* has accordingly been applied to contracts in violation of statutes which designated the criminal by prescribing punishment against one party to the contract only. The doctrine that the parties to an illegal transaction are not in *pari delicto* and that the less guilty may recover, is especially applicable where, although the parties concur in the illegal act, some fraud, duress, oppression, imposition, or undue influence is practiced by one party upon the other so that it appears that the guilt of the latter is subordinate to that of the former. The existence or nonexistence of confidential relations between the parties in fault is an important element in determining whether they are in *pari delicto*." (6 R. C. L. 833, 834.)

The judgment against the appellants is affirmed, with costs against them.

Imperial and Padilla, JJ., concur.

HILADO, J., concurring in part and dissenting in part:

I concur with the judgment of the majority finding the accused guilty, as well as in the sentence of imprisonment imposed upon them for the evidence conclusively reveals a scheme carefully planned and well executed to mulct the complainant of some money. I disagree, however, with the portion of the judgment condemning the accused to return

to the complainant the sums which they had received from him.

When the complainant delivered to the accused the money, he did not do so to consume a legitimate transaction. He did so in order to promote the commission of a crime. He knew the purpose for which the money was given. He knew that what he and his associates were intending to realize, was prohibited by law. The money which he gave ceased to be a mere medium of value, and was converted into an instrumentality of crime just as essential and effective in achieving their nefarious purpose as a revolver or dagger would have been if murder had been contemplated. This being so, the court should not order the return to the complainant of the instrumentality with which he sought to violate the law, but should order its confiscation.

Cases like the one under our consideration abound in the records of our courts. The people who are approached upon to finance a proposed opium deal, give money in the hope of making quickly large profits. They know that their cooperation is being sought for the perpetration of a crime, but they permit the dazzle of large gains to overcome their sense of duty to the State. If the deal is successful, they gleefully gloat over their profits. If the deal fails, they go to the courts complaining that they had been cheated and ask that the machinery of justice be put into play, ostensibly for the purpose of punishing the swindlers but deep in their hearts, they have no other motive than to recover the money which they had willingly given to con-

sume an illegal transaction. Through sheer technicality, the courts have always ordered the refund of the money thereby creating a feeling of safety for their investment on the part of those who finance the deal, and thereby unwittingly encouraging the violation of the law.

The legislature has not only the prerogative but the duty to define what may not be done by the citizens of the country. What the law prohibits the courts should discourage the citizens from doing. As our laws prohibit dealing in opium, it is the duty of the courts not only to punish the violators of the law but to discourage the commission of the crime, and the courts could best accomplish their mission by ordering the confiscation of all money which may be given to promote an opium deal. If this were done those who may be approached to finance an illegal transaction, would feel dissuaded by the risk they would run and the racket which for years had been going on in our country, would undoubtedly be greatly diminished.

I am aware that the judgment of the majority is in conformity with the precedents which our courts have established and followed for over a generation, but the length of time in which an error has been committed, is no justification for its perpetuation. The doctrine of *stare decisis* is a bed of roses on which courts may find it comfortable and safe to rest, but nothing can be more subversive of progress than the blind following of the trodden path when duty bids us open a new trail.

Judgment affirmed.

RULINGS OF IMPORTANCE

NEGLIGENCE; DRIVER'S CONDUCT NOT REGARDED AS NEGLIGENCE.—The evidence shows that the bus was running at a reasonable rate of speed when the machine went out of control, and that the driver noticed for the first time that the steering wheel was not working properly when he was only 23 meters distant from the tree with which the truck collided. He swerved to the right as he noted that the truck was veering toward the

left, in an endeavor to prevent the collision; but his effort failed. *Held:* In these circumstances, the inability of the driver to avoid the injury through failure to follow what is believed was the proper course cannot be regarded as negligence. (*Canda vs. Pasay Transportation Co., C. A.—G. R. No. 8115, Mar. 13, 1942, per TUASON, J.*)

PUBLIC UTILITIES; DEGREE OF CARE REQUIRED OF CARRIERS OF PASSENGERS.—The circum-

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stances of the case show that the defendant company failed to exercise the care necessary to safeguard its patrons. The rule of liabilities of carriers of passengers as affected by the means of conveyance or appliances used is thus stated: "The generally accepted rule on this point is to the effect that carriers of passengers are bound to exercise the highest degree of care, vigilance and precaution. Attempts have been made, with varying success, to point out the distinction between gross, ordinary, and slight negligence, and if there is any real distinction it is clear that the law imposes on a carrier a liability to a passenger for slight negligence, requiring of it the exercise of the highest possible degree of care. The rule as to the degree of care required of carriers of passengers has been variously stated, some courts employing the word 'utmost' others 'greatest', and still others 'extraordinary.'" The difference in the statements, however, is merely a choice of words, and does not denote conflicting views. The reason for imposing such a high degree of care on carriers of passengers is that the safety and lives of their passengers rest entirely in their hands, the passengers having no control whatever over the dangerous instrumentalities employed in their transportation, and public policy requires that a high degree of care be exacted. This is at least true in so far as respects all dangers and perils incident to the transportation of the passenger, and it is clear that carriers are responsible for injuries caused by the slightest negligence. 'As far as human care and foresight will go' has become a familiar form of expression by some courts in stating the rule of duty on the part of the carrier, while other authorities have stated that the carrier is held to the exercise of the 'utmost care and diligence of very cautious persons', or the 'utmost caution characteristic of very careful prudent men' under similar circumstances. In a few instances the courts have, apparently at least, imposed upon the carrier only the duty of exercising a high degree of care, but even in these cases the practical application of the rule is to hold the carrier to such degree of care as the circumstances require." (4 R. C. L., 1145, 1150.) *Id.*

RAPE, ATTEMPTED; CIRCUMSTANCES INDICATIVE OF THE SINCERITY OF THE COMPLAINING WITNESS.—Even if it were true that the accused really reprimanded complainant's nephews, yet that was too trifle to drive the complainant to the extreme of taking an action which she knew was bound to react to the damage of her sense of modesty and womanhood. Only a real indignation and a legiti-

mate desire to avenge a grievous wrong will make a young woman submit to or undergo the inconvenience and embarrassment which a prosecution of this nature entails on the complainant. (*People vs. Medina, C. A.—G. R. No. 9906, Nov. 20, 1942, per TUASON, J.*)

EVIDENCE; JUDICIAL NOTICE; COMPLAINT NOT INTRODUCED AS EVIDENCE DURING THE TRIAL; ITS EFFECT.—The fact that the complaint duly signed by the offended party and filed with the justice of the peace court, was not introduced in evidence, nor was the complainant's signature thereon identified by her at the trial in the Court of First Instance, does not deprive the trial court of its jurisdiction, because the court takes judicial notice of such complaint when, as it does in this case, it forms an integral part of the record of the case. *Id.*

CO-OWNERS; LIABILITY OF A CO-OWNER OCCUPYING THE COMMON PROPERTY AS A TENANT.—Where the occupying tenant stands in a fiduciary relation to his co-owners, he must answer for the value and use of the property or a part thereof whether he has profited or not in the form of rents from a third party. (*Anido vs. Clemente, C. A.—G. R. No. 8136, Mar. 6, 1943, per TUASON, J.*)

CO-OWNERS; FIDUCIARY CHARACTER OF A TENANT CO-OWNER.—In the instant case, the defendant had towards the plaintiff a fiduciary relation with reference to the house in question, their common property. He was its administrator and for his management he sought and still seeks compensation, although his demand has been denied. As such administrator, it was incumbent upon him to administer the house, as well as the other property entrusted to his care, in a manner which best subserved the interest of his co-owners. The defendant's occupation by himself of the property without paying the plaintiffs for the use of the latter's share, is a violation of this fundamental duty; much more so if the plaintiff has been made to share the taxes and the expenses for repairs and the preservation of the dwelling. *Id.*

DAMAGES; INDEMNITY FOR MORAL INJURIES ALLOWABLE.—The fact that moral injuries are not capable of definite calculation in term of money, and that the law furnishes no adequate standard by which they may be valued, should not impede the recovery of damages for such injuries. "The mere difficulty in measuring damages to the feelings should not preclude their recovery in a proper case." (*Del Rosario vs. Barredo et al., C. A.—G. R. No. 9162, May 31, 1943, per TUASON, J.*)

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HISTORICAL PAPERS AND DOCUMENTS

Announcement of the Board of Information of the Imperial Japanese Government in connection with the convocation of the Greater East Asia Congress, November 4, 1943:

On the basis of amity, mutual consideration, and cooperation, the nations of Greater East Asia have been forging ahead for the accomplishment of their common aim, but in order to exchange frank and constructive views regarding the prosecution of the Greater East Asia War and the building up of the Greater East Asia Co-Prosperity Sphere the delegates of the various independent nations will get together.

Arrangements have been made for the nations of Japan, China, Thailand, Manchoukuo, Philippines and Burma to send delegates to the Greater East Asia Congress in Tokyo. The representatives of the Azad Hind, who incidentally are sojourning in Tokyo, are scheduled to attend the parley as observers.

Delegates and participants of the East Asia nations and observers from the Azad Hind are as follows:

Nippon Representatives:

General Hideki Tozjo, Premier.
Admiral Sigetaro Simada, Navy Minister.
Kazuo Aoki, Greater East Asia Minister.
Mamoru Sigemitsu, Foreign Minister.
Naoki Hosino, Chief Cabinet Secretary.
Eizi Amau, President, Board of Information, and six others.

Chinese Representatives:

Wang Ching-wei, President, Executive Yuan.
Chou Ko-hai, Vice-President, Executive Yuan.
Chu Min-yi, Foreign Minister.
Cheng Chang-tsu, Member, Military Affairs Committee.
Chou Lung-hsiang, Chief Secretary, Executive Yuan.
Pi Feng-yuan, Deputy Secretary, Executive Yuan.

Thailand Representatives:

H. R. H. Prince Wan Waithaygon, Representative of the Prime Minister.
Chai Plate Pasein, Major-General, Acting Foreign Minister.
Chit Sayamukhan, Foreign Vice-Minister, and three others.

Manchoukuo Representatives:

Chang Ching-hui, Premier.
Li Shao-keng, Foreign Minister.
Wang Yun-ching, Ambassador Extraordinary and Plenipotentiary.
Akira Oe, Administrative Chief, Foreign Ministry.
Masuo Matumoto, Secretary, General Affairs Board and two others.

Philippine Representatives:

Jose P. Laurel, President.
Claro M. Recto, Foreign Minister.
Quintin Paredes, Public Works and Communications Minister.
Jose B. Laurel, Jr., Assemblyman, Secretary to the President.

Burma Representatives:

Ba Maw, Premier.
U. Tan Aung, Cooperation Minister.
U. Thein Maung, Ambassador Extraordinary and Plenipotentiary.
U. Swe Bo, Foreign Vice-Minister.
U. Nyun Han, Secretary to the Premier.
Bo Yan Nai, Lieutenant-Colonel, Secretary to the Premier.

Free India Representatives:

Subhas Chandra Bose, Head of Government.
Lieutenant-Colonel Bonslee, Chief of Staff, High Command.
A. M. Sahay, Chief Cabinet Secretary, and two others.

Announcement released by Malacañan in connection with the convocation of the Greater East Asia Congress in Tokyo, Japan, November 4, 1943:

The conference of Greater East Asia has been called for the purpose of discussing ways and means of attaining the purposes of the Greater East Asia Co-Prosperity Sphere on the basis of good neighborliness, amity and friendly cooperation. In order that there will be frank discussion among the representatives of the different countries concerning the prosecution of the Greater East Asia War and the principle for the establishment of the Greater East Asia Co-Prosperity Sphere, it has been decided to convene the Greater East Asia Congress in Tokyo at which these countries will be represented, namely:

The Philippines,
Japan,
China,
Thailand,
Manchoukuo, and
Burma.

The following are the representatives of the countries mentioned:

H. E. Dr. Jose P. Laurel, President of the Republic of the Philippines;
H. E. Premier General Hideki Tozjo, representing Japan;
H. E. Mr. Wang Ching-wei, President of the Executive Yuan of the Nanking Government;

H. R. H. Prince Wan Waithaygon, representative of the President of the Council of Thailand;

H. E. Mr. Chang Ching-hui, Prime Minister of Manchoukuo;

H. E. Dr. Ba Maw, Prime Minister of Burma; and

H. E. Mr. Chandra Bose, who happens to be in Tokyo, will attend the Congress as an observer for the Provisional Government of Free India.

Among the Filipino officials who will attend the Congress are Minister of State for Foreign Affairs Claro M. Recto and Minister of Public Works and Communications Quintin Paredes.

Address of His Excellency, Jose P. Laurel, representative of the Philippines, before the Assembly of the Greater East Asia Congress, Tokyo, Japan, November 5, 1943.

YOUR EXCELLENCY,
YOUR EXCELLENCIES, GENTLEMEN:

In all humility, I rise to say a few words in behalf of the Republic of the Philippines on this momentous and glorious occasion. My first words shall be those of profound appreciation and gratitude to the great Empire of Japan and to her great leader, His Excellency, Premier General Hideki Tojo, who is sponsoring this great convention of leaders of the peoples of the Greater East Asia Co-Prosperity Sphere, so that they may discuss the common problems affecting their safety and their general welfare and so that, they may also, through personal contact, know one another and thereby hasten the establishment and perpetuation of the Greater East Asia Co-Prosperity Sphere, for the glorification not only of the Asiatic peoples but of the entire mankind.

My second thought is one of greetings to Your Excellency; to His Excellency the Representative of China; to His Excellency the Representative of Thailand; to His Excellency the Representative of Burma; and if I may be allowed, Your Excellency, to His Excellency Subhas Chandra Bose, who represents a new epoch in world history—the fight of the Asiatics for the freedom of the Indian people.

In fact, as I look back, Your Excellency, and recall the history of human civilization, I feel that this meeting of the peoples of Greater East Asia should have been held a long time ago; but, whereas, in the past we were kept as strangers, one and all, it is really gratifying to note that through the untiring efforts of the great Empire of Japan, for the first time in the history of the peoples of Greater East Asia, we are gathered and grouped together, never again to be separated as in the past, ready to fight oppression, exploitation and tyranny so that we may proclaim to the world that no longer shall the one billion peoples of Asia

be subjected to domination and exploitation by a few Western powers of the world. At this juncture, will you allow me, Your Excellency, to mention three reasons why, in my opinion, we had not been able to meet, unite and discuss our common problems here?

The first reason is that the policy of the Western Powers, especially of England and America, has always been to dominate politically and exploit economically the oppressed peoples of Greater East Asia, with the possible exception of Japan, and, naturally, that policy of exploitation and domination has weakened the peoples of Asia, has sapped their vitality and, therefore, has deterred and dwarfed their initiative; and because of that policy of the peoples of England and America, we have not been able to meet earlier to discuss the common problems of Greater East Asia.

The second reason is that, in pursuance of, and as a corollary to that policy, America and England have always intended to divide the peoples of Greater East Asia in accordance with the principle of "divide et impera," in order to weaken the morale, the vigor and the vitality of the peoples of Greater East Asia. America and England have divided these peoples by establishing divisions in their religion, in their classes and by encouraging political differences among them. They have divided, at least, the people of my country. They have divided, I am sure, the people of China, and I am sure they have also divided the peoples in other parts under their jurisdiction and sovereignty, so that the peoples of Greater East Asia, divided and weakened, may not be able to consolidate their forces and rise to uphold the honor and dignity of the Orient.

The third reason is based on the experience of the small and young Republic of the Philippines. America and England have taught us to hate the Japanese on the pretext that Japan is a conquering power, greedy and imperialistic; that Japan desires to expand its authority and prestige and that, when we have come in contact with its people, we shall be exploited and oppressed. Realizing that Japan is the only country in this part of the world which could not be subdued because of its great spiritual and material powers and because its people are united, Western diplomacy maneuvered to create a feeling of hatred and suspicion towards the Japanese people, making us think and believe that they were our enemies and not our friends and brothers. These, in my opinion, are the reasons why the peoples of Greater East Asia had not been able to unite and band together before for the purpose of discussing, as I have said, the common problems affecting their security, their prestige and their very honor.

I was, Your Excellency, very deeply touched the first time that the representatives of the participating countries were asked to partake of Your Excellency's hospitality. As I entered your reception room, tears flowed from my eyes and I felt strengthened and inspired and said, "One billion Orientals; one billion peoples of Greater East Asia! How could they have been dominated, a great portion of them, particularly by England and America? I wonder!" And so it is really with the utmost pride and satisfaction that I have come to represent a small republic like the Philippines and extend my greetings to Their Excellencies who have come in response to the invitation of the illustrious leader of the great Japanese Empire.

I have listened with attention and enthusiasm to the following words employed by His Excellency, Premier General Hideki Tojo, and I will ask your permission just to read a few lines which I believe express fundamentally the guiding principles which, under the leadership of Japan, will guide and govern the conduct of the Oriental peoples, the peoples of Greater East Asia, and which will make us go on forward until the war is won and until the principles of the Co-Prosperity Sphere shall have been firmly laid. His Excellency said: "The nations of Greater East Asia, while mutually recognizing their autonomy and independence, must, as a whole, establish among themselves relations of brotherly amity. Such relations cannot be created if one country should utilize another as a means to an end. I believe that they come into being only when there is mutual respect for one another's prosperity and all countries give expression to their true selves."

In other words, the Greater East Asia Co-Prosperity Sphere is not being established for the benefit of any integral unit of that Sphere. According to His Excellency, the starting point of the establishment of the Sphere is recognition of, and respect for, the autonomy and independence of every integral unit, so that, with that recognition of political independence and territorial integrity, each nation may develop in accordance with its own institutions, without any particular member monopolizing the resulting prosperity to the other integral units, on the theory that the prosperity of all is the prosperity of the integral parts, but that the prosperity of the integral parts is not necessarily the prosperity of the whole.

In other words, co-existence, co-operation and co-prosperity, if I may be allowed to say so, are the three words, the three magic words, which underlie the sacred cause championed by the great Empire of Japan and subscribed to by the other peoples and nations of the

Greater East Asia Co-Prosperity Sphere. To enable the peoples and nations of Greater East Asia to enjoy the natural right to live, the great Empire of Japan is sacrificing life and property and is staking even her very existence in this sacred war. She is fighting not for the Japanese alone but for all the peoples of Greater East Asia. Japan will not be happy, I know, to live alone and see her brethren in East Asia die. She wants to live, it is true. At the same time, however, she wants her brother Orientals to also live and to co-exist with her. Japan lives, China lives, Thailand lives, Manchoukuo lives, Burma lives, India lives, the Philippines lives. And all of us living, we shall endeavor to achieve, not alone the prosperity of China or any other nation or integral unit, but the prosperity of all, and working together for the achievement of the means necessary for national existence, we shall co-operate with each other—co-operate for the establishment of a sphere of common prosperity, no longer to be dominated by Western Powers, but occupying a rightful place under the sun, with peoples happy under their own respective laws and institutions, welded together into a compact and solid bloc and contributing to the happiness and well-being, not of Asia and Asiatics only, but also and as well of the entire world.

There is another part of the speech masterfully delivered by His Excellency, the Premier, and I should like to obtain permission to quote and to emphasize this passage for my own benefit, and for the benefit, perchance, of the other gentlemen who have been invited to this gathering, so that we may preach to our people and enlighten them when we go back and give them an account of what transpired in this Assembly. The quotation has reference to Oriental culture, to the much-needed spiritualization of Oriental peoples. And I desire to quote it particularly, gentlemen, because I need it for my own country. His Excellency said: "A superior order of culture has existed in Greater East Asia from the very beginning. Especially is the spiritual essence of the culture of Greater East Asia the most sublime in the world. It is my belief that in the wide diffusion throughout the world of this culture of Greater East Asia by its further cultivation and refinement lies the salvation of mankind from the curse of materialistic civilization and our contribution to the welfare of all humanity." His Excellency enjoins upon us all to mutually respect one another's glorious traditions and to develop the creative spirit and genius of our peoples and thereby enhance even more the culture of Greater East Asia. This spiritualization, this efflorescence of cultural supremacy of the Oriental type, is something that we shall

not only conceive and preserve and transmit as a heritage to generations yet unborn, but as a basic idea, coming as it does from the lips of His Excellency, should also be planted deep in the hearts of all Orientals, especially those coming from a country as weak and small as mine and which languished long under the domination and influence of materialistic Western Powers, under Spain for more than 300 years and under America for forty years. And that is the reason why this spiritualization of the people, particularly of my country, is necessary. Indeed, we the leaders of our respective countries should renovate and change our entire educational systems so that our peoples may feel, think and act as Orientals. That is perhaps the best way of helping the Japanese attain the spiritualization of all peoples of Greater East Asia.

It is needless for me to say anything about the military aspect here. That is taken for granted because we cannot enjoy our freedom—neither Burma nor the Philippines can enjoy the freedom that has been granted to them for any length of time—unless Japanese arms emerge victorious in the current war. We fully realize this, and, while we are undergoing difficulties, we are determined to carry on and forge ahead until the goal of victory is achieved by the Empire of Japan. The fight of China, the fight of Thailand, the fight of all the peoples of Greater East Asia for freedom and integrity depends upon that victory. The establishment of the Co-Prosperity Sphere depends upon that victory. The attainment of the supreme aspirations of the peoples of Greater East Asia depends upon that victory. Without that victory there can not be a Co-Prosperity Sphere; nor can there be freedom for my country or for any other country in East Asia. There can never be prestige for the Orientals and, as in the past, Occidental Powers will try to dominate us more and more unto exhaustion and even death.

May I be permitted, Your Excellency, on this occasion, to pledge my support and the support of my people to Your Excellency, may I offer and pledge also to Their Excellencies, the Representatives of the different countries, the sympathy and cooperation of my country, however small and however newly born it may be, and our desire to lend at least the encouragement and sympathy of eighteen million Filipinos who, dominated by a spirit of materialism in the past, in keeping with the general trend of events, have awakened to the consciousness of their true Oriental character and are called upon to play the role which God in Heaven has assigned to them.

Your Excellency, it has been my privilege to join this conference with one single purpose

in mind, and that is, to contribute in a small measure to the general awakening of the peoples of our part of the globe. At the same time, I desire to express officially the gratitude and appreciation of the Filipino people for the great boon of independence which has just been granted to them and which has enabled me to come and attend this conference and meet the worthy representatives of the peoples of Greater East Asia to this august assembly.

May I express the hope, Your Excellency and Gentlemen, that, linked together as we are, not only in body and in spirit but in all that is needed for the successful prosecution of the current war, after the termination of this war in favor of the great Empire of Japan, no longer shall we have a bleeding China, a country inhabited by five hundred million divided and exploited Orientals, but a happy and united China which will be a decisive factor, in cooperation with Japan, in trying to make this part of Asia a safe place for Orientals to live in. I hope that when the time comes for us to close our eyes and go to our graves, we can do so happily, knowing that our children no longer would be exploited and dominated by Western Powers. May I also express the hope that no longer shall India, now under the able and inspiring leadership of Mr. Bose, be dominated and divided religiously and politically by the British; that no longer shall India's 350,000,000 strong be subjected to the influence, tyranny and oppression of Great Britain, or any other power for that matter. And may I express the belief, Your Excellency, that with the cooperation of Burma, of Manchoukuo, of Thailand, of China, and of the peoples of Java, Borneo, and Sumatra whose interests cannot be different from those of the other peoples of Greater East Asia—may I express the belief, I repeat—that united with Japan, united together one and all into a compact and solid organization, there can no longer be any power that can stop or deter the acquisition by the one billion Orientals of the free and untrammelled right and opportunity of shaping their own destiny, without the oppressive intervention of any powers of the West.

The East is the cradle of human civilization. It has given to the West its religion and its culture, and yet the West has used the same civilization to exploit the peoples and countries whence that civilization came. God in His infinite wisdom will not abandon Japan and will not abandon the peoples of Greater East Asia. God will come and descend from Heaven, weep with us and glorify the courage and bravery of our peoples and enable us to liberate ourselves and to make our children and our children's children free, happy and prosperous. I thank you.

Statement of Ambassador to Japan Jorge B. Vargas, on the Greater East Asia Congress, November 5, 1943:

The Congress of Greater East Asia now being held in Tokyo opens a new era in the history of the Orient. For the first time representatives from the principal nations of Greater East Asia have come together to discuss ways and means of cooperation in the achievement of their common purposes: the freedom, peace, and prosperity of Asia.

The attendance of the Philippines at this historic Congress is especially significant because it is the first time that we participate in an international conference as a free and sovereign nation and also because, most fittingly, we do so as an Oriental nation restoring those ancient ties of kinship and proximity which were allowed to lapse in the past.

I am confident that the Republic will be worthily and brilliantly represented at the Congress by our President, Dr. Jose P. Laurel, by the Foreign Minister Claro M. Recto and by Minister Quintin Paredes. I am filled with a personal sense of gratification because the current Congress will, I am sure, facilitate immensely the task of the Ambassador of the Republic to the Empire of Japan.

Joint Declaration of the Greater East Asia Congress held in Tokyo, Japan, on November 6, 1943:

It is a basic principle for the establishment of world peace that the nations of the world have each its proper place and enjoy prosperity in common through mutual aid and assistance.

The United States of America and the British Empire have, in seeking their own prosperity, oppressed other nations and peoples. Especially in East Asia, they indulged in insatiable aggression and exploitation, sought to satisfy their incredible ambition of enslaving the entire region and finally came to menace seriously the stability of East Asia. Herein lies the cause of the present war.

The countries of Greater East Asia, with a view to contributing to the cause of world peace, undertake to cooperate toward prosecuting the War of Greater East Asia to a successful conclusion, liberating their region from the yoke of British-American domination, ensuring their self-existence and self-defense and constructing a Greater East Asia in accordance with the following principles:

1. The countries of Greater East Asia, through mutual cooperation, will ensure the stability of their region and construct an order of common prosperity and well-being based upon justice.

2. The countries of Greater East Asia will ensure the fraternity of the nations in their region by respecting one another's sovereignty

and independence and practising mutual assistance and amity.

3. The countries of Greater East Asia, by respecting one another's traditions and developing the faculties of each race, will enhance the culture and civilization of Greater East Asia.

4. The countries of Greater East Asia will endeavor to accelerate their economic development through close cooperation upon a basis of reciprocity and promote thereby the general prosperity of their region.

5. The countries of Greater East Asia will cultivate friendly relations with all the countries of the world and work for the abolition of racial discrimination, the promotion of cultural intercourse throughout the world and contribute thereby to the progress of mankind.

Remarks of His Excellency, Jose P. Laurel, President of the Republic of the Philippines, on the draft of the Joint Declaration of the Greater East Asia Congress on November 6, 1943.

Mr. CHAIRMAN, YOUR EXCELLENCIES:

I desire to express my profound gratitude for this opportunity of participating in the consideration of this ever-pervading important document which, I expect, will be unanimously approved by the representatives of the East Asia nations here present.

Mr. Chairman, the resolution which you have just read and explained in a vigorous and clear manner so characteristically yours, in my opinion, expresses the ideals and aspirations of the peoples of Greater East Asia and, therefore, merits the immediate and unanimous approval of this august Assembly.

If I may be permitted to say so, by this Joint Declaration we do not hurl any challenge against the entire world; we are not adopting an arrogant attitude to provoke the pride of proud peoples of the world. No! By this resolution, we are affirming the existence and personality of the peoples of Greater East Asia; by this resolution, we are disclosing to the world the cause of the great conflict now raging; by this resolution, we are enumerating the great and sublime purposes of the establishment of the Greater East Asia Co-Prosperity Sphere; and, by this resolution, we are legitimately expressing, Mr. Chairman and Your Excellencies, the determination of one billion Orientals to carry on and fight this war to a successful conclusion so that there may thereafter be universal peace; so that there may be prosperity and enlightenment not only in Greater East Asia but all over the world.

Will you allow me, Mr. Chairman, to express the hope on this occasion that by the adoption of this resolution, we shall be adopting, as the Representative from China has ex-

pressed, not a Monroe Doctrine, the doctrine which has served merely to protect and expand the interests of America in neighboring regions, nor a doctrine similar to that by which the European balance of power is maintained, but a charter that will illumine the entire world and eliminate the obstacles for the establishment and maintenance of universal brotherhood.

We are determined to fight racial discrimination so that with its elimination and the propagation of Oriental culture, and through mutual cooperation, we may, Mr. Chairman, and Excellencies, proclaim to the entire world the advent of a glorious day not only for Asia but for the whole world and the entire mankind.

And so, Mr. Chairman, I am more than happy to be here in this great Empire and be able, as the humble Representative of the small Republic of the Philippines, to vote for the approval of this resolution so that the world may be happy and happier, and so that the peace of Asia may be achieved and made to last, not for today or tomorrow, but throughout all the ages.

* * *

PHILIPPINE REPRESENTATIVE:

Your Excellency, as President of the Republic of the Philippines and Representative at this august Assembly, I have the singular honor and privilege to second the proposal presented on this occasion that His Excellency Premier Hideki Tojo be made the Chairman and the presiding officer of this convention.

In making this proposition, seconding that made by the Representative of Thailand, I believe it is not only because we feel towards His Excellency the affection to which he is entitled from us, but also because of the leadership assumed by him not only of the great Japanese Empire but all the peoples of Greater East Asia, that it is fitting and proper that we should join together in nominating him and making him the President of this great Assembly.

Carried unanimously.

Press statement of Jorge B. Vargas, President of the Philippine Amateur Athletic Federation, November 10, 1943:

I am happy to learn that the Greater East Asia Athletic Association has been organized in Tokyo by representatives of athletic organizations in the Philippines, Japan, China, Manchoukuo, Thailand, and Burma. I have long believed in sports as a means of cultivating and promoting international good-will and the formation of the new association will surely strengthen the solidarity of Greater East Asia.

The atmosphere of perfect understanding and mutual respect which now exists among

the nations in the Sphere will make it possible for international competitive athletics in the Orient to attain its highest ends. At the same time it is to be hoped that, under the new Association, each Oriental country will also encourage coordinated mass athletics. Thus sports can be made to play its rightful role in helping to build the structure of the Sphere by fostering social habits of disciplined cooperation and community action.

Lecture of Acting Director General of the Kalibapi Camilo Osias, before the Leaders' Institute of the Kalibapi, Manila, November 10, 1943:

I came this morning to speak to you on the practical steps to be taken in the propagation of the Filipino language. I invited several of our co-workers in the Kalibapi offices to attend this lecture because I believe the members of the Leaders' Institute should be convinced that our program of work and service has the backing of your organization and mine, our association for service known as the Kalibapi.

We have discussed in this course various cultural projects, work projects, and, more recently, the project of planting 1,000,000 fruit trees that together we are to push through on December 30th next, which will be the first anniversary of the public and official launching of the Kalibapi as an association for service in the entire country. I wish to present today one of our next projects, one that should be a project for 1944, namely, the propagation of the Filipino language throughout the country.

Let me start by saying that I am a non-Tagalog coming, as I do, from the North, but I believe sincerely in the development, in the enrichment, in the dissemination, of one common language, namely, the Filipino language. I have long entertained this belief and I made it officially known when in 1935 we approved the Constitution of the Philippines which provides, among others, as follows:

"The National Assembly shall take steps toward the development and adoption of a common national language based on one of the existing native languages. Until otherwise provided by law, English and Spanish shall continue as official languages." (Sec. 3, Article XIII—Constitution of the Philippines.)

The Constitution of the Republic of the Philippines settled once and for all, in my judgment, the question of a common language for the entire country, providing, as it does, the following, and I quote:

"Steps shall be taken for the development and propagation of Tagalog as the national language."

My subject, as I announced, is not the development but the propagation of Tagalog as the national language—the practical steps to take

to propagate what we should come to call all over the country as the Filipino language.

With that introductory statement, I wish to add that I have no quarrel with Tagalog specialists. I recognize them as authorities. I likewise believe that the *Tagalistas* ought to quit quarreling among themselves. The quarrel among the Tagalog writers is unwholesome. It is a stumbling block to the speedy and efficacious dissemination of the national language. I invited those who are connected with the teaching of Tagalog and the specialists in Tagalog within the Kalibapi today because I want to tell them clearly and definitely that as far as I am concerned the Institute of National Language is the authority on Tagalog in our governmental set-up. If we are to organize one strong government, we must fall in line with the governmental agencies and cooperate with the established policies of the government whether we personally agree with them or not.

I may not believe that Tagalog should be the basis of our national language. That is a personal matter. But as long as my Constitution says it is, that is final with me. The period of argumentation is over and I want to warn those Tagalog specialists and teachers within the Kalibapi that as long as I am the Director General I propose to uphold the authority of the Institute of National Language. I do that because one of the lessons that we Filipinos need is to develop deeper loyalty for ideas, ideals, principles, institutions, and causes instead of loyalties to men. Fortunately, I do not belong to any Tagalog "school." I am discouraged (and I know non-Tagalogs get discouraged) to witness this unwholesome rivalry between schools of Tagalog, among Tagalog writers and authorities. I am appealing to the non-Tagalogs this morning particularly not to mind the debates among the Tagalogs. That is their look-out. What we are interested in is that we have one common Filipino language; and since Tagalog is the language of the cultural center which is Manila and since Tagalog has developed, and this must be admitted, more than any other vernacular, has more literature than any other of the different languages of our country, I set aside my petty loyalties to my region because under the Republic of the Philippines we must embrace the idea and the ideal of a common nation. Above all provinces, above all regions, above all sections of the Philippines is the Republic of the Philippines. I therefore wish to announce as a policy for the specialists and teachers of Tagalog and other Kalibapi workers that they should adopt a spirit of loyal cooperation with, and a proper attitude toward, the Institute of National Language.

Having stated those convictions, may I add that in the study of languages we are doing

nothing but to live the Rizal way. Rizal is the one Filipino who was a polyglot *par excellence*. Without a peer, certainly without a rival, Rizal has blazed the trail for Filipinos in respect to linguistic ability and learning. Rizal learned twenty-one or twenty-two languages, mastered many of them. He was a Tagalog. He proposed reforms in Tagalog which are now being followed. He essayed to write a grammar in Tagalog. But he was not bigoted. He learned other languages, like Ilocano and Visaya. We who follow Rizal do well like him to study Nippongo as it is destined to be the *lingua franca* of the Greater East Asia Co-Prospereity Sphere. I think the Filipinos should continue to learn Spanish and English because these two languages open to us the great storehouse of human knowledge and the literature of the world and of all ages.

But my subject, as I said, is the practical dissemination of the Filipino language. Its improvement, its enrichment as a language must be left to those who are better authorities than I. I am for the practical propagation of the national language. In the Department of Education, Health, and Public Welfare as Assistant Commissioner, I worked with the Commissioner and others to determine a graded word list for the different elementary grades especially the primary grades which should become the basis for the preparation of textbooks for use among the boys and girls of the lower grades. In the Kalibapi we have enough co-workers here now to undertake the writing of some publications appropriate for the Junior Kalibapi, one group to be of ages 9 to 13 and another from 14 to below 18. Then we have the common problem, the immediate problem which admits of no delay, to teach adults how to speak, read, and write the national language. Such is the topic to which I particularly address myself this morning.

Now, follow me. We are undertaking to step up the membership campaign in the regular Kalibapi so that we shall have at least 20 per cent of the total population of the Philippines as members. That means, in round numbers, that we expect to have a membership of 3,600,000 within the next few months. We hope also to step up the campaign for women members so that one-third of the regular members of the Kalibapi should be women. And we are also campaigning to the end that the Junior Kalibapi will be enlarged so that the members in that junior organization will be equal to twice as many children as there are enrolled in the public and private schools.

Let us go back to the 3,600,000. Within 1944 every Kalibapi members should have learned something of the elementary words and expressions of the national language. If we do

that, it means that the Kalibapi will have been instrumental in teaching the national language to 3,600,000. I think there should be short courses held for periods of three months especially in the non-Tagalog provinces, and if we estimate 1,000,000 enrolled in these short courses for every three months, we ought to be able to reach 4,000,000 in the course of a year. Can that be done? Yes. But it will be done only by the acceleration of the tempo of life in the Philippines and not following the old style of doing things. I bank on you who are enrolled in the Leaders' Institute to get behind this program of practical dissemination of the national language. I want you to develop your readiness to serve, your administrative ability, your ability to organize in your provinces and cities so that when the signal for any constructive program is given in Manila I can depend upon you to get behind and help carry it to a successful conclusion.

As a first and essential step (and I want the Tagalog teachers and specialists to get this because we have to be practical), as a first and immediate step, I desire to have a list of 1,000 basic words in the national language for adults. I take it for granted that the Department of Education, Health, and Public Welfare will look after the propagation of the national language through the medium of the public and private schools. The Kalibapi does not care to duplicate their work nor to absorb any of the work that corresponds to existing governmental entities. These 1,000 basic words should be selected on four bases: First, utility; second, frequency; third, cruciality; and fourth, similarity with other languages or other words in the vernacular.

Utility is the first consideration in our language propagation program. Utility means usefulness in carrying on the ordinary activities of life in the national language. I hope that through the agency of the Kalibapi we may be able to prepare publications to give the common phrases and expressions essential in the home, in the store, in the market, in the office, in social gatherings, and for simple business and social correspondence.

I have to reach an agreement in cooperation with a committee, but I am wondering if it would not be wise to publish common expressions, common phrases, 1,000 basic words, so that we shall show their equivalent in Nippongo, in the vernacular of your locality, and in English. That is not final. We have to consult some authorities on that proposition. But, as you heard from the lecture of yesterday, if we have 1,000 basic words and if to them are added borrowed words from Spanish, from English, from Nippongo, you see that the 1,000 basic words will readily grow so that in no time the Filipino of the North and the

Filipino of the South can come to some common understanding and carry on the ordinary activities of life in one common language.

I am not speaking now of our ability to speak in refined literary language but in language that we can mutually understand. I believe that this step should be interpreted as an implementation of the program of the Kalibapi to labor for the unification of our people. What words should be taught immediately in the national language? What phrases and expressions should be publicized? The useful, those that we use in common problems, in common everyday life. So I put as basis for the selection of these fundamental words utility.

Next and closely allied to this first basis is frequency. What are the words that are frequently used? Those are the ones we need to learn. We shall have to study those. We will have to investigate them.

Then there are words not so easy, not so common, but which when the circumstances present themselves must be known. That is why I put as a third basis the cruciality of a word. For example, in teaching hygiene or physiology, you do not frequently come across the problem of what to do when an artery happens to be cut. But when an artery is cut, something must be done and done quickly and effectively or the person will die. We teach, therefore, the word *torniquet*. Why? Not because cutting of blood vessels frequently occurs but because of its cruciality. It is crucial. Now what are the crucial words? I had to grapple with that proposition when I was commissioned to travel and study the educational systems of the world. I began to envisage the countries that I would visit, so I said: What shall be the phrases I need when I am in that country. What are the crucial words? When I went to Japan I learned three expressions: First, *gohan* (rice). You must eat. And since cooked rice is what we Orientals eat, I wanted to learn *gohan*. I can go to a restaurant and say: *Gohan*. It may not be very polite or literary but the restaurant-keeper will know. And I learned *mizu*, water. I didn't want to die of thirst. Then, of course, I learned *kirei na musume*, *magandang dalaga*. Those are crucial words or expressions. (Laughter.) I am happy to report to you that I know those words or expressions in twenty-four languages.

Now, the last basis is the similarity of the national language with other words in other Filipino languages. I do not like to call them dialects. They are rich enough to be dignified by the term *languages*. They are not just off-shoots of existing media of expression. They are really languages. And when you have a language like any Filipino language into

which you can translate the entire Bible, that is a dignified and rich language.

I would like to recommend to my Tagalog hearers that as much as possible they use the simple and the interchangeable words and phrases and preferably those words that are similar to other words that are in existence in the other languages. I am not prepared to give very many expressions here, but they will pardon me if I invade their particular field and say that, speaking as a non-Tagalog, in the beginning I think we should not be condemned if I suggest that instead of using *magsimulâ* we use the word *mag-umpisâ*. It may be a corruption from the word *empezar* but if a Tagalog speaks in Mindanao or in the Visayas and he says *mag-umpisâ na tayo*, I am quite sure they will start the work with him. Or, in order to reach a compromise, you might say *magsimulâ* or *mag-umpisâ tayo*. Let the hearer pick what he knows. That is sensible. Why, I advocate that rule in the English language. For example, in spelling I advocate in the Philippines that when one particular word is spelled in two or more ways all of which are correct, we should prefer the simpler or the simplest. For example, "meager." *Meagre*—that is correct. *Meager* is also correct. Since the Filipino mind never mispronounces the word ending in *g-e-r* but may pronounce the "g-r-e" ending as *gre*, I prefer the *g-e-r* form of *meager* to be used in the Philippines. Take the word "extraordinary." There are two pronunciations of that word. One is the pronunciation I just used—"extra-ordinary"; the other one, the more English or more American, is "extraordinary." I was one time criticised by an American for supposedly mispronouncing that word because I used the pronunciation "extra-ordinary." I told him it is more sensible for the Philippines because the Filipino has already learned *extra* and pronounces it *extra*, to which he may tack on *ordinary*. He knows these two separate words. Why go into the difficult variation. "Extrordinary." Why teach the "a" to become "o"? Since both pronunciations are permissible, I use the one that is commonly known and is more in keeping with the phonetics of the Filipino language. One more word, "advertisement" (short *i*). It may also be pronounced "advertisement" (long *i*). But you have already learned "advertise" and it should be preferred because it is more in keeping with the phonetics of our language.

I hope what I have said by way of illustration will make clear the fourth basis; namely, the similarity of Tagalog, with Ilocano, with Visayan, with Pampango, Bicolano, or Pangasinan, or some other language. Of course, in the lecture yesterday we learned some words that are spelled the same but mean the opposite. Some of those words come under the classification of

the *crucial*. For example, I was campaigning one time in Pangasinan. I had a Tagalog lawyer with me in the campaign and when my automobile stopped he got out of the car and went to a store and asked the Pangasinan storekeeper: "*Mayroón pô ba kayóng sigarilyo?*" "Wala," was the answer.

He left and came back to the automobile. I heard the conversation and got out and went to buy cigarettes for him. The Tagalog lawyer said:

"Where did you get the cigarettes?"

"Well, from the store," I said.

"He told me 'wala.'"

"Wala" in Pangasinan means "mayroón" in Tagalog.

My attention is called to the word "genuine" (with long *i*). That is wrong. It should be "genuine" (short *i*). The "genuine" (long *i*) is only appropriate for the loot-and-sell people. Logically perhaps it should be "genuine" (long *i*) but in the dictionary there is no choice. That is the law; let us follow.

So, in Pangasinan, for example, we have to stress the word "wala" so that it will not be interpreted the way the Pangasinan people use the word "wala." "Wala" in Tagalog is *none*. In Pangasinan *none* is *angapo*. "Mayroón" in Tagalog is "wala" in Pangasinan. If you use a little imagination you will get into all sorts of complications if you are conversing with a girl in Pangasinan and you misinterpret "wala." It is just too bad. (*Laughter*.)

I want to close my lecture by summarizing some of the points we have tried to bring out. I am urging the people within the Kalibapi family, in respect to the propagation of the national language, to adopt a spirit of loyal cooperation with the Institute of National Language since it is the appointed and chosen governmental agency for passing upon the problems of standardization of the national language. If there are mistakes, and the people in the Institute can commit mistakes, it would be better if the *marurunong sa wikang pambansâ* take those matters up directly with the Institute of National Language instead of airing their views in public which only discourage the non-Tagalog.

I trust that nothing I have said or left unsaid will be interpreted as a discouragement for learning the vernacular, Nippongo, Spanish, or English. Personally, I am determined, being an Ilocano, to continue to speak and to write in Ilocano; but I am going to redouble my efforts to study the national language. I am also trying to study a little Nippongo from time to time. I am memorizing a little speech in Nippongo now. I have already delivered or attempted to deliver two brief speeches in Nippongo. I continue to speak, think, and write in the English language and every night

I try to read something about Spanish or in English. One argument which I may pass to non-Tagalogs if you meet opposition in your attempts to teach Tagalog in the localities is the argument I have used with the Ilocanos. I told my fellow members of that wonderful northern "nation" (*Laughter*) that the teaching of Tagalog does not mean an attempt to kill the Ilocano—you can't kill the Ilocano anyway; it simply means an attempt to enrich the life of the Ilocano. I used this rather simple argument, but it worked. I said: "You, my fellow Ilocanos, learn Tagalog without thereby forgetting your Ilocano; and if the Tagalogs don't learn Ilocano we will beat the Tagalogs." That is correct. Use that argument if necessary. I think it is a good argument. It is a plausible argument anyhow. It must be confessed that we have to do something yet to counteract a little manifestation of sectional feeling or prejudice. Tell them that the Kalibapi is for unification and this is one way of bringing about unification and solidarity of the various segments of the Philippine population.

We hope to work out within the next few weeks 1,000 basic words in the national language selected on the basis of their utility, frequency, cruciality, and similarity with other languages in existence in the Philippines. We hope to publish some common and useful words, phrases, and expressions in the national language, perhaps accompanied by Nippongo, English and/or the vernacular.

Let us dream of increasing the membership of the Kalibapi to 3,600,000 and let it be our hope that everyone of these members shall learn and acquire at least elementary knowledge of the national language.

When the members of the Leaders' Institute shall have graduated and will return to their respective cities and provinces, they should right away be planning on the people they can use and the procedure to follow regarding the organization of short courses in elementary Tagalog or the national language so that together throughout the country we may be able to reach 1,000,000 every three months or 4,000,000 in a year. Of course, the propagation of the national language while it is a worthy end in itself is not altogether the end but the means, and the propagation of the national language should be a powerful means to achieving that desired and desirable unification of our people.

We need to produce like-mindedness among the Filipinos and one way of bringing that worthy purpose to realization is through a common medium of expression, and that is the national language. I would be remiss in my duty as a Kalibapi official and worker if I would not say that in all the work that we do, including this teaching and propagating of the

national language, we must bring to bear the proper spirit of the Kalibapi. Remember our supreme task is to modify, improve, and reform the spirit of men and the spirit of our people. Through the agency of the Kalibapi, therefore, in all its activities we should never forget that we are after crystallizing a proper philosophy of life. Popularize the *Tayo* way of life or, if you please, the Filipino way of life. And if we get behind our Kalibapi workers, get behind this program of propagating the national language, we are complying with our elementary duties as citizens because we are doing what our Constitution enjoins us to do. But at the same time we should take on this additional task, carry through this additional project as a means of invigorating the spirit of our people and implementing our way of life.

I thank you for your attention. I want to thank my co-workers in the Kalibapi office for their attendance at this lecture.

Statement of His Excellency, Jose P. Laurel, President of the Republic of the Philippines, upon his arrival in Manila, November 13, 1943, from Tokyo, Japan, where he represented the Philippines at the Greater East Asia Congress:

For the first time in history, representatives of free and independent nations in East Asia met to discuss their common problems. The conference was held under the auspices of the Japanese Government, at the Imperial Diet Building in Tokyo, on November 5 and 6, 1943. Japan was represented by her illustrious Premier, General Hideki Tozjo. China was represented by President Wang Ching-wei; Manchoukuo by Prime Minister Chang Ching-hui; Thailand by Prince Wan Waitheyakon; and Burma by Prime Minister Dr. Ba Maw. I represented the Republic of the Philippines. Subhas Chandra Bose, head of the Provisional Government of Azad Hind, attended the conference as observer.

The Philippine Delegation which was the smallest, included Claro M. Recto, Minister of State for Foreign Affairs, Quintin Paredes, Minister of Public Works and Communications, and Assemblyman Jose B. Laurel, Jr. We were met, as were also the other delegations which came one after another between the second and the fourth, by Premier Tozjo, Ministers Shimada, Sigemitsu and Aoki and President Amau of the Board of Information and ranking Japanese Army and Navy officials, all of whom were personally known to me.

Automobiles flying our flag, motorcycle escorts and bodyguard were assigned to us. A big Filipino flag adorned the gateway to the eight-acre Fujiyama Mansion in Shiba District where we were accommodated.

The two-day conference was marked with an atmosphere of friendship and cordiality. The

various representatives and the members of their suites had been introduced to one another at parties given by the Premier and by Ministers Aoki and Sigemitsu and had exchanged their views informally. When the conference opened, they were already familiar with each other. All were pleased to sit together with representatives of peoples with whom they shared a community of purpose and interest, and to notice their respective countries treated on a par with all the rest. Everyone seemed eager to contribute his share to make the conference a success.

Premier Tozjo, the representative of the sponsor nation, after delivering a speech of welcome, was unanimously elected Chairman of the Assembly. After thanking the assembly for the honor bestowed upon him, the Premier allowed the representatives of the participating nations, one after another, to express their general views. Sincerity and a firm resolve to achieve the common goal characterized the utterances of all. All were agreed that the fate of all East Asiatic nations is indissolubly linked together; that the happiness and well-being of the one billion Orientals depend upon the establishment and maintenance of the Greater East Asia Co-Prosperity Sphere; and that this, in turn, depends upon the final outcome of the current war.

Translations of speeches prepared in manuscript were transmitted simultaneously by a telephone system which enabled one to listen to a speech in the language with which he is familiar while said speech is being delivered in another language. As I had no ready-made speech, translations first into Japanese and then into Chinese had to be made after I had finished. The need for a common language among East Asians in conferences of the sort appeared very apparent to me. When the second and last day of the conference opened, the Japanese representative submitted to the Assembly for consideration a Joint Declaration which embodies five fundamental principles, to wit: The construction of "an order of common prosperity and well-being based on justice" in the countries of Greater East Asia; fraternity among the nations and peoples of Greater East Asia and mutual respect of "one another's sovereignty and independence"; the enhancement of "the culture and civilization of Greater East Asia" while at the same time "respecting one another's traditions and developing the creative faculties of each race"; economic development through close cooperation among the countries of Greater East Asia on the basis of reciprocity and the promotion of the general prosperity of the region; and, the cultivation of friendly relations with all the countries of the world, the abolition of racial discrimination, "the promotion of cultural

intercourse and the opening of resources throughout the world, and contribute thereby to the progress of mankind."

The representatives of all the participating nations commended briefly on the draft of the Resolution and, during the afternoon session and in the presence of high diplomatic representatives of friendly and neutral powers, voted as one man for its adoption. There was general rejoicing. And rightly so. For East Asia had at last been united. Kept apart for centuries by the greed and avarice of Western imperialism, the countries of East Asia have been welded together into one great, strong and solid bloc, not for the purpose of provoking the pride of other peoples, as I said in explaining my vote, but in order to announce the natural and God-given right of Oriental peoples to shape their own destiny, unhampered by oppressive and unwarranted interference from without.

The Joint Declaration, judged as a whole or taken piece-meal, is a notable instrument. It is truly a great human charter. Every true Oriental, nay, every one with a full appreciation of the Giver of Things, should be happy to subscribe to the lofty principles which it sets forth. Why should there not be a sphere of common prosperity, a league of independent states bound together by racial, cultural and geographical ties, and governed in their dealings by the spirit of brotherhood and the principles of moral justice? Why should not the nations of East Asia live harmoniously with each other on a broad basis of mutual respect of one another's sovereignty and independence? Is there any better way than this? Why cannot the East, the cradle of human civilization, enhance its own culture and once again shed light to all the world? Closely cooperating with one another on the basis of reciprocity, should not the economic development of the entire sphere bring about the prosperity of all? And, what else could be more desirable than equality among God's creatures, the abolition of racial discrimination, and with it and through it, progress, peace and harmony among all the peoples of the earth?

What appealed to me most and greatly influenced the vote I cast in behalf of my dear country, is that portion which guarantees fair and equal treatment to all members of the Co-Prosperity Sphere, irrespective of size or strength. In explaining the Joint Declaration, Premier Tozjo said among other things: "The nations of Greater East Asia, while mutually recognizing their autonomy and independence must, as a whole, establish among themselves relations of brotherly amity. Such relations cannot be created if one country should utilize another as a means to an end. I believe that

they come into being only when there is mutual respect for one another's autonomy and independence, when one prospers through another's prosperity and all countries give expression to their true selves."

The foregoing statement is a mirror, we might say, which reflects the fundamental principles which will guide and govern the conduct of all the members of the Greater East Asia Co-Prosperity Sphere in dealing with one another. It shows, as I said in the conference, that the Co-Prosperity Sphere is not being established for the benefit of any particular member or integral unit. The starting point in the establishment of the Sphere is recognition, respect for the autonomy and independence of each and every member, so that, with that recognition of political independence and territorial integrity, each member-nation may develop in accordance with its own laws and institutions, without any other member monopolizing the resulting prosperity, but with the object in view of extending that prosperity to all the other integral units, on the theory that the prosperity of all is the prosperity of the integral parts, but that the prosperity of any integral part is not necessarily the prosperity of the whole.

At a great sacrifice of life and property, Japan is fighting to enable all Oriental peoples to live and prosper. She is fighting not for the benefit only of her people but also for the well-being, happiness and security of all the peoples of Greater East Asia. She will not be happy to live alone and see her brethren die. She wants to live, co-exist and co-prosper with all her brother Orientals, united with her in obtaining their rightful place under the sun and contributing to the welfare not of Asia and Asiatics alone but also and as well as of the entire world.

Address of Colonel A. Nagahama, Chief of the Japanese Military Police, before thirty-three members of guerrilla units released from Fort Santiago, Manila, on November 13, 1943.

MY FRIENDS:

A few weeks ago you were brought to Fort Santiago on the charge of engaging in guerrilla activities. You did not give yourselves up in response to repeated urging and appeals made public by the Military Police through different agencies of information whereby the lives of all guerrillas who lay down their arms and present themselves to the authorities would have their lives spared. Instead, you were arrested on the evidence gathered in due course of investigation.

Under these circumstances and in the light of the nature of the charges brought against you, the Military Police are under no obligation to be lenient. I recall very well that,

even in my message to the guerrillas in hiding, while I offered them life and freedom if they heeded my word to give themselves up voluntarily, I likewise stressed that should they fail to follow the advice, but were instead captured, I would not then be in a position to guarantee their lives and personal safety.

Yet, today I am happy to say that even in the case of these "captured guerrillas," the Imperial Japanese Army has again demonstrated its great generosity and magnanimity because out of its genuine concern and love for the Filipino people it has exceeded the limits of its offer by releasing you men so that you may return to your homes and families and above all to your people who are waiting for you with open arms to join them in the transcendental task of making your Philippines progressive, happy and worthy of its new place in the concert of free states and as a member of the Greater East Asia Co-Prosperity Sphere.

It has been said that the basis of all love is understanding. The love of the Japanese for the Filipino people has, I believe, been amply demonstrated time and again in the course of their relations with each other since the occupation of these Islands by the Imperial Japanese Army last year. Your release today is a further proof of this love borne out of understanding that you were impelled to engage in guerrilla activities because you had failed to fully understand the motives of the Japanese due to subtle and misleading American propaganda, or because of outright coercion and intimidation.

Whatever the motives were, they are now to be forgotten and buried with the past. You are being released after having undergone re-orientation and rejuvenation, ready to take your place among 18 million Filipinos who are in full comprehension of the ideals and who are now striving for the good of the Philippines and the good of their one billion neighbors in East Asia. Live up to the expectations reposed on you.

Your release today should not be significant only to you, but also to others who are still in hiding and who are in doubt about the sanctity with which the Japanese keep their word. What more proof do they need than your case in which we have not only kept our pledge, but have carried it farther than its scope? To those still in hiding, I again make an appeal: "Grasp your opportunity to be free men again. It is not only an opportunity, but also your sacred duty and obligation to your country and to the causes for which you claimed you fled to mountain fastnesses."

To the families of these men who with their own eyes have learned and seen how former guerrillas have been restored to their homes and are now busily engaged in helping build

their new republic, I also make an appeal to persuade, convince and urge their friends, husbands, brothers and sons still in hiding to come out and do their share, too.

Those of you to be released today were taken into custody before the establishment of the Republic last October 14th. You are being released today with the independent Philippine Republic already one month old. When you go out of the gates of Fort Santiago, you will find out that your dream, the dream of hallowed Filipino heroes and the dream of generations before you has come true.

See things for yourselves, judge them for yourselves, then decide whether the cause of the new Philippine Republic is worth working for, living for, and even dying for.

To the families of these men to be released today, my felicitations for their joyous reunion. I ask them to take back their men into their bosoms and to all of them my sincerest wishes for their happiness and growth as vital units of the country. As each and every Filipino family grows stronger so will the nation become stronger.

Message of His Excellency, Jose P. Laurel, President of the Republic of the Philippines, to the people of Japan, November 18, 1943.

MY BELOVED PEOPLE OF JAPAN:

This is a message of friendship to the people of the great Japanese nation and of appreciation and gratitude for their traditional hospitality and kindness. This was not the first time that I have been the recipient of Japanese hospitality, and I wish to voice my admiration for the people of Japan and to express the hope that some day and in some manner our people may reciprocate your kindness.

I returned to my beloved native land filled with inspirations and hopes for a greater future for all Oriental countries. Those of us who had the rare privilege to attend the Greater East Asia Congress were thrilled deep into our very hearts by the atmosphere of cordiality and of brotherhood that characterized this gathering of Oriental nations, the first of its kind in recorded history. The progressive principles adopted and enunciated, by this Congress, which guarantee to the Oriental nations a future life of happiness and prosperity based on fair dealing and justice, are bound to remould the basis of human relationship not only in Greater East Asia but throughout the world. Just as the East was the cradle of civilization so the East again may be the fountain of a new code of international relations based on moral justice and aimed at the common happiness and prosperity of all the members. As your illustrious Premier, Gen-

eral Hideki Tozjo, aptly explained the aims and purposes of the Congress and gave the principles enunciated by the said Congress, real substance that every one can grasp and understand, "The nations of Greater East Asia, while mutually recognizing their autonomy and independence must, as a whole, establish among themselves relations of brotherly amity. Such relations cannot be created if one country should utilize another as a means to an end. I believe that they come into being only when there is mutual respect for one another's autonomy and independence, when one prospers through another's prosperity and all countries give expression to their true selves."

With these as the basic principles on which the Greater East Asia Co-Prosperity Sphere is being established, we may now all, big and small, exert our very best efforts in strengthening the ties that bind the Greater East Asian countries. Great as the influence was of this Congress upon those of us who witnessed and formed a part of it, greater still would be its influence and effect on people everywhere as the accomplishments of this Congress are radiated to all the countries of Greater East Asia and to all parts of the world. The members of the Congress were, we might say, at the center of an ever-widening circle of influence which may be compared to the ripples that reach out and being at the epicenter, we could only appreciate the work of the Congress in a rather limited perspective. But as the members of the Congress return to their lands and propagate the principles adopted by this Congress and give assurance to their peoples of the brotherly spirit of Nippon as the leader-nation of the Greater East Asian countries, the influence of the Congress would be great indeed in enlisting the whole-hearted cooperation of all the member-nations of the Co-Prosperity Sphere and assure the successful accomplishment of the common task in which we are all engaged and in whose successful outcome we are all interested.

I reiterate my firm conviction that in the successful establishment of the Co-Prosperity Sphere lies the happiness and prosperity of all Oriental nations, and my pledge of whole-hearted support to the establishment of this comity of eastern nations. I returned, as I said, filled with hopes for a bright future and my heart overflowing with gratitude to the Japanese people.

Speech of His Excellency, Jose P. Laurel, President of the Republic of the Philippines, at the dinner given in honor of His Excellency, Dr. Ba Maw, Head of the Burmese Government, November 18, 1943:

The Philippines has produced a Rizal. Burma has produced a living symbol, a man of courage and energy in the person of our

guest of honor, Dr. Ba Maw. He has come from Japan after attending the conference of Greater East Asia nations, the first of its kind ever held in the history of Greater East Asia, in fact, in the history of human civilization. I have the strongest and most sincere admiration for our guest of honor. He spoke there, and I spoke there. The leaders of Greater East Asia spoke there. Premier Hideki Tozjo spoke there. And we uttered only one voice—the voice of Asia; meaning, the liberation of oppressed Asian peoples and the unification of the peoples of Greater East Asia. And as I see Dr. Ba Maw now, the sovereign head of an independent Burmese Government, I cannot but give this modest token of appreciation and admiration for him in the presence of the highest representatives of the Imperial Japanese Government here and in the presence of my collaborators in this Government. I admire him for his heroic work of leading Burma, for his deep interest in the work of reconstruction that will follow later, as well as for his great work in cooperating with Japan and the other nations of Greater East Asia. I understand that everyday bombs are falling in Burma, and that the Burmese people are suffering; yet heroically and with determination, they are willing to endure greater hardships and suffering, not only that they may stand this crucial test and enjoy lasting independence and freedom, but so that the defense of Burma may be sufficiently strengthened to insure the independence and freedom of the other peoples of Greater East Asia.

Gentlemen, may I ask you to rise and toast to the health and the notable achievements attained by the people of Burma under the leadership of a great statesman, a great patriot, His Excellency, Dr. Ba Maw.

Appeal of Acting Director General of the Kalibapi Camilo Osias, to all public-spirited organizations and citizens to contribute to the year-end relief drive of the "Manila Sinbun-sya," November 20, 1943:

The widespread existence of suffering and misery in the City of Manila and elsewhere is well-known. The recent flood has aggravated the situation of the poor and the needy. The Kalibapi, therefore, in cooperation with the *Manila Sinbun-sya*, has created a Women's Coordinating Committee to sponsor the year-end relief drive to bring Christmas cheer and effective aid to the orphanages, hospitals, convalescent homes, to war widows and orphans, and other needy people in the different neighborhoods under the Kalibapi Women's Auxiliary Service.

The Committee created is temporarily headed by Mrs. Avelina L. Osias and Mrs. Carmen A. Luz. I call upon the Women's Auxiliaries, the offices of the Bureau of Public Welfare and

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the Bureau of Health and other government offices concerned, and all civic-spirited organizations and individuals immediately to join hands with the Women's Coordinating Committee and the *Manila Sinbun-sya* in their joint drive for funds.

The need is imperative and immediate response is necessary. This is no time for unnecessary meetings, discussions, dilly-dallying or delaying; these are times for action. Government offices, business firms, organizations, and all civic-spirited individuals should send their contributions directly to the *Manila Sinbun-sya*. The goal is ₱100,000. Let funds be forthcoming and let our humanitarian sentiments express themselves in the form of substantial contributions.

Statement of His Excellency, Jose P. Laurel, President of the Republic of the Philippines, recorded and broadcast to Japan shortly after his arrival in the Philippines from the Greater East Asia Congress, November 20, 1943:

The Greater East Asia Congress held in Tokyo on the fifth and sixth days of this month under the auspices of the Japanese Government is the most historic and the most significant conference of representatives of free and independent nations of East Asia.

The conference was marked with an atmosphere of friendship and cordiality. The representatives sat together with fellow Orientals with whom they shared a community of purpose and interest and saw their respective countries treated on a par with all the rest. Every one was eager to contribute his share to make the conference a success. In the discussions there was sincerity and a firm resolve to achieve the common goal.

Under the chairmanship of Premier Tozjo the conference proceeded with absolute harmony and understanding.

The most important feature of the conference was the submission to the assembly by the Japanese representative of a joint declaration embodying five fundamental principles:

- (1) The construction of "an order of common prosperity and well-being based on justice."
- (2) Fraternity among the nations and peoples of Greater East Asia and mutual respect of "one another's sovereignty and independence."
- (3) The enhancement of the culture and civilization of Greater East Asia while at the same time "respecting one another's traditions and developing the creative faculties of each race."
- (4) Economic development through close cooperation among the countries of Greater East Asia on the basis of reciprocity and the promotion of the general prosperity of the region.

(5) The cultivation of friendly relations with all the countries of the world, the abolition of racial discrimination, the promotion of cultural intercourse and the opening of resources throughout the world, and contribute thereby to the progress of mankind.

These principles should guide all of us in our effort to strengthen the Greater East Asia Co-Prosperity Sphere and contribute to the progress and welfare of all East Asia and the rest of the world.

The Joint Resolution is a notable instrument and every true Oriental should be happy to subscribe to the lofty principles which it sets forth.

My own vote which I cast in behalf of my country was influenced mainly by that portion which guarantees fair and equal treatment to all members of the Co-Prosperity Sphere, irrespective of size or strength.

In explaining the Joint Declaration, Premier Tozjo made a statement which must be constantly borne in mind by all Asians, a statement which has been received with profound gratification by Filipino leaders because it successfully clarifies the brotherly relations that bind the signatories together as well as the right of the different countries to give expression to their true selves.

The explanation of Premier Tozjo is not less important than the Joint Declaration itself. It will strengthen further the faith of all Asian peoples in the fulfillment of Japan's mission, and hence in the future of the Greater East Asia Co-Prosperity Sphere.

Speech delivered by His Excellency, Jose P. Laurel, President of the Republic of the Philippines, on the occasion of the state dinner tendered in honor of His Excellency, Subhas Chandra Bose, President of the Provisional Government of Free India, Manila, November 22, 1943.

YOUR EXCELLENCY, THE GREAT LEADER OF AZAD HIND, YOUR EXCELLENCIES, AND GENTLEMEN:

The Government and people of the Philippines welcome His Excellency, Subhas Chandra Bose, on the occasion of his visit to the Philippines homeward bound for India, after having attended the historic gathering of representatives of Greater East Asiatic nations in Tokyo, and I, in behalf of this Government and the people of the Philippines, take advantage of this opportunity not only to welcome Your Excellency but to say a few words of gratitude to you and to your great people on this occasion which we also consider as historic because you have come to our shores as the leader of 350 million Indians in their effort, which is legitimate and divine, to free themselves from the British rule, to free themselves from many years of domination in order to occupy a place to which Mother India is entitled as the cradle

of human civilization, as the origin of arts, sciences, and culture and not only as the mother of India, but the mother of Greater East Asia and the mother of the world in many respects. Permit me, therefore, Your Excellency, to welcome you to our shores as the recognized leader of your people and to express to you not only the sympathy of my Government and people, but to tell you that heart and soul, as Oriental in this part of the globe, we cannot remain indifferent to your aspirations, to your ideals, to your hopes and, as I see your kind face and your sturdy physique, I cannot but see in you the new leader and say, and hope, that with you at the head of this great movement, no longer shall India be adopting a passive or non-violent attitude that, as I have said in that historic conference of Greater East Asiatic Nations, you live today but you do not know if you shall be living tomorrow. Many of your countrymen are living today but you do not know whether they shall be living the next day. But that, in your own words, is of no consequence. The important thing is for India to become free because India shall no longer compromise with slavery. You have dreamed not only of a Greater East Asia Co-Prosperity Sphere but you have also dreamed of the tremendous effect which the movement under your leadership will have in other parts of the globe when you said that from Afghanistan to Algiers and other countries, there shall be a moral awakening of Asiatic peoples so that the peoples, not only of Greater East Asia but of Asia, compact and united, responding to the clarion call of liberation under the leadership of your people, shall rise as one man so that no longer shall Asia be the fertile field of exploitation on the part of Western Powers but that Asia shall be, as it has always been, the source of life for the entire world. The Asiatics, as one man, shall rise together, compact and united and will no longer permit Western exploitation and political domination. Unlike the Philippines, or Burma, Manchoukuo or China, countries which have already obtained, with the help of Japan, their freedom, you are still in that predicament which is embodied in your motto "On to Delhi". As a people united with India in the common aspirations and ideals to free not only India but the oppressed peoples in this part of the globe, we cannot remain indifferent to you as a leader, as a hero, as a patriot, as an apostle, and it is on this occasion, Your Excellency, that as the leader of my people, and in their name and in behalf of my colleagues in the Philippine Government, we are tendering you this modest and humble banquet to express to you our admiration for you, for your courage, for your loyalty, for your Orientalism, for your self-effacement,

and hope that God may not abandon you in your great efforts in the same way that He saved you from imprisonment and released you from the dark cell in which you had been confined for years. In the same way that He had permitted you to attend the historic conference in Tokyo, and has permitted you to visit our shores, God Who is just will not abandon you and the Indian people in your legitimate efforts to free the 350 million people so that they may carve out their destiny, so that they may become free, so that they may govern themselves, so that they may contribute their share to the common prosperity of Greater East Asia, and so that India may play the role that she had played actively in the history of human civilization and in the achievement of the general welfare of mankind. I know that you will face difficulties; I know that you will have to conquer the heart and soul of your own people; I know that you will have to convince local rulers who might be antagonistic to the freedom and independence of India lest they lose control of local sovereignty; I know that you will have to unite your people who may be separated because of the more than two hundred languages that they speak as we do speak different dialects in the Philippines; I know that you will have to conquer the divisions in your own people because of religious differences and communal organizations which were fostered by the English rule whose policy has been, as History records it; "Divide, Rule and Conquer". But with Divine help, with the inspiration which you must have received from that great conference, with your stout heart and with your penetrating vision, the massive intellect with which you are endowed, your determination and courage, your patriotism and, as I have said, over and above all, your love for Mother India, may I and in behalf of my people, wish you success in this undertaking so difficult and dangerous, so that you may, with the help not only of the Indians here but of the Indians everywhere, go ahead and march onward and forward to Delhi and enjoy the freedom which we, the Filipinos, have begun to enjoy with the cooperation of the great Japanese Empire. And with the help of Burma, with the help of the Philippines, with the help of Time, and with the help of all the colored peoples in this part of the globe, may we pledge to your efforts, not only what little material help we can muster but also the spiritual aid which we tender to you in the consciousness that the freedom of India is the freedom of all Oriental peoples and the peoples of Greater East Asia. The freedom of India is the freedom of the peoples in this part of the globe. And so, Your Excellency, I see in you the personification and the symbol of the legitimate aspirations of 350 million Indians, constituting almost one-fifth of the pop-

ulation of the world. May I once more greet Your Excellency, as the great leader of a great people and ask you not to be discouraged, to have a stouter heart, to go ahead and conquer all the difficulties because what is just, what is legitimate, what is divine must, in the end, triumph, and for the future success and for the glory of your nation, and for the glorification of India to which Humanity is indebted for many a culture and many a science, may I wish you Godspeed and invite Your Excellencies and gentlemen to raise your cups and drink to the success of the great attempt to obtain freedom and liberation so that India may no longer be under British domination but may become one of the units of the Greater East Asia Co-Prosperity Sphere—free and independent India under the leadership of a great man, of a tall man, of a patriotic man, an unselfish man, His Excellency, Subhas Chandra Bose.

Speech of His Excellency, Subhas Chandra Bose, President of the Provisional Government of Free India, on the occasion of the state dinner given in his honor by His Excellency, Jose P. Laurel, President of the Republic of the Philippines, Manila, November 22, 1943.

YOUR EXCELLENCY,
YOUR EXCELLENCIES, AND GENTLEMEN:

Words fail me as I rise in response to the toast that has just been proposed by His Excellency, the President of the Republic of the Philippines. I know, my colleagues here know, and all those who were present at the Assembly of Greater East Asiatic Nations at Tokyo also know that Your Excellency has spoken not the language of convention but the language of the heart. Ever since my colleagues and I have had the privilege of meeting Your Excellency and the members of the Philippine Delegation, and ever since we have had the privilege of listening to Your Excellency, we have all discussed among ourselves and said to ourselves that Your Excellency and the members of the Philippine Delegation have won our hearts. How they have won our hearts I cannot say. It is only the heart that can appeal to the heart. We realize what a great honor Your Excellency and the Government and the people of this country have conferred upon us. And while appreciating this honor we at the same time feel—and feel deeply—how little we deserve that great honor. My only hope is that we may one day prove to be worthy, in some small measure, of the honor that has been bestowed on us. And Your Excellency, may I also add that during this visit to Japan and China, we have met with so much of affection, sympathy and respect that we feel overwhelmed. We know that as individuals we are unworthy of this

great honor which we have received, and so far as I am concerned, if I have any testimonial to offer on my behalf, it is only this: that throughout my life I have been a consistent and, I believe, a determined fighter against British imperialism. What I said the other day at Tokyo, namely, that to compromise with British imperialism is to compromise with slavery, was not a passing thought. It is the inner current of my soul and throughout my life I have lived and worked according to this belief and inspiration.

As I was listening to Your Excellency's speech just now, I was suddenly reminded of a small incident in my own life. It was in the year 1925 when I was a prisoner in the prison of Mandalay, Burma. Just before my arrest, I was the chief executive officer of the biggest municipality in India, and my arrest and imprisonment without any form of trial had created an intense agitation all over the country. One of my political colleagues had occasion to discuss with high officials of the British Government as to why a man of my position had been imprisoned without trial. I shall never forget that day and what the British official said to my friend. He stressed the fact that I was innocent of the charge which the British had levelled against me. In response to that, this official said: "Don't talk of Bose; he is a man who will shed his blood for freedom." Sometime after my release this friend of mine had occasion to relate this incident. When I heard it, I said to myself that no greater honor could have been bestowed upon me and I was thankful to that British official that he had estimated me thus.

Your Excellency, we have all come back from this historic assembly in Tokyo with a new inspiration. I do not think that anyone can realize the effect of this Assembly, of this historic gathering on us unless one was present in that gathering and had witnessed and heard the discussion and the proceedings. To me it has come as the fulfillment, or at least the partial fulfillment of a life's dream—to see that after all the nations of Asia are getting together and emancipating themselves and are trying to set up a new order at Tokyo. I claim to be a spiritual child of Kubarukeuchi, of Dr. Sun Yat Sen and, in my country, of Siardas. These were some of the great personalities of Asia who could look ahead and speak to us of a Federation of Asiatic nations. As the humble follower of these great thinkers, I, in my own humble way, have endeavored to establish contact and understanding with the different nations of Asia. Today I may even make the confession that I have gone from one people to another. I have gone to my Arab friends, gone to my

Persian friends, to Afghan friends, even to the Turks, in the endeavor to find out if it is possible to build up some international understanding between these nations of Asia. We tried in our day to build up a little against British imperialism but that effort was not achieved. But though we might have failed for the time being, the ideals, the sentiments in our souls, thanks to Providence, thanks to the force of history, that dream is being fulfilled from another part of Asia.

There was a time when the Turks advanced into Europe with a new religion, with a new culture, with a new message, and even conquered a large portion of Europe. Many peoples had hoped that the Turks would succeed at least in that part of Asia which was oppressed by Western imperialism, but that hope did not materialize and it was destined that the move for setting up an international order in Asia on the basis of the principles of justice and morality and national sovereignty should begin from the land of the Rising Sun. Consequently, this historic assembly from which we have now returned is, to me, at least, the fulfillment of a long-cherished dream of my life. So far as Your Excellencies are concerned, I may say that though I have never had the opportunity and the privilege of meeting the freedom-fighters from the Philippines, many people in India and I have studied with great interest the struggle of the Filipino nation for their own freedom. In fact, there was a time when we believed that perhaps America would set a new example in the domain of international relations. We, who were sick of British oppression and British imperialism, who were determined to overthrow imperialism, had one thought that perhaps America, in her policy towards the Philippines, would set an example to Britain and France. At that time there was a talk of granting full independence to the Philippines at the end of ten years. If that experiment had succeeded and if really America had come forward to grant full and unconditional independence to the Philippines, then perhaps that country would have had the opportunity of assuming the moral leadership of this world. By that it would have been the first example in history of a moral discipline of a great power coming forward to grant unconditionally the independence of another nation. America had a chance. It had not risen to the occasion and, in place of that, we see today under the leadership of President Roosevelt a new imperialism which in its essence, whatever its exterior may be, in its essence is exactly the same as British or French imperialism. I was just talking to Your Excellency that perhaps in the case of French imperialism we see, socially, a better

treatment towards oppressed nations. Perhaps in the case of America we see, politically, somewhat better treatment towards oppressed people. Of course, the typical example of imperialism is British imperialism which has oppressed politically, economically and socially, subject nations. But whether the French imperialism is socially a little better, or whether America treats her oppressed nations politically a little better, in essence, imperialism is the same all over the world. Speaking for myself, I may say that for the immediate future the danger and the menace to human liberty lies not in British imperialism but in the new imperialism of America. British imperialism is a decadent force. I think it is already dead. Britain can no longer in the future menace the world. The conflict that is still going on all over the world, in Greater East Asia and in Europe will not determine the fate of the British Empire. The fate of that Empire has already been sealed. The conflict that is going on is to determine whether the future will belong to America or whether the future will give us a new order based on the principles of justice and morality. Already Americans are talking and writing seriously—and I have read many articles on that subject—about the problem of the American future. Serious writers are devoting their time on the pages of many journals discussing the problems of the coming century. America is not building world domination according to them, but in the course of the present war, America is pressing slowly but steadily with her attempt to build up her empire. And speaking of the British Empire, the German Foreign Minister very aptly remarked: "The British Empire is losing one part of its territory to its enemies and the other part to its friends." What the German Foreign Minister said about the British Empire being divided is absolutely correct. When we see with our own eyes how the new imperialism of America is slowly but steadily spreading its tentacles all over the world and is trying to grab the British Empire, we must realize that in the future the danger and menace to human liberty will come not from British imperialism—which is already dead—but from the rising new imperialism of America.

Your Excellency will pardon me if I have digressed to other points, but I speak thus because it is really a problem of which the peoples of Asia must be aware. We in India were enamoured of America for a long time. One of our great men had one day said that America is the motherland of liberty. We used to read the story of Washington with rapture. In recent times, we have received from at least

a section of the American people a great deal of sympathy in our struggle against Britain, but more than India, China is still under American imperialism. There is still unfortunately a section of the Chinese people who look up to America as a saviour. These Chinese friends, who regard the British as a thoroughly bad lot, who are sick of and disgusted by British imperialism, still think and hope that America will be a friend of China. Your Excellency, I can see in America, in the menace of American imperialism, a common problem for the Philippines, for China, for India, and for all Asia. As soon as we Asiatics realize this menace the better will be for our own nations and for all India.

Your Excellency has very correctly and aptly remarked: our problem in India is different from that of the rest of East Asia. You have to hold and retain what you have got. You have only to repel the aggression of the enemy, but we have to fight the enemy and expel him from our soil. Nevertheless, we are conscious that in fighting the enemy in India, we are serving not merely the cause of India but, if I may say so, the cause of Asia and ultimately the cause of humanity because the British Empire constitutes Enemy No. 1 of human liberty. In this consciousness of fulfilling a great and noble task that will inspire us to great deeds in the future, as I said in Tokyo and as Your Excellency has just repeated, it does not matter whether individually we live or die in the effort to attain our national salvation. The individual often must die if the nation has to live. And speaking for ourselves, we feel everyday and every moment of lives that who lives if India dies, who dies if India lives. That is the feeling that inspires us today and will inspire us tomorrow. We are prepared for a long and hard struggle. The British Empire will fight its last battle on Indian soil, and that battle will naturally be hard and bitter. Such a big Empire cannot go down easily without fighting its last battle. We have to fight the last fight in India. We have had a repercussion in the famine, hunger, and starvation which are swiftly and steadily sweeping over our country. We are prepared for the worse but we do not care. We have no anxiety for the future. We are conscious at last of our historic part which India and the Indian people have to fulfill for themselves and for Asia and for India. We are conscious that Fate is behind us, and as I have said in Tokyo we were conscious of the united will and the grim determination of all emancipated nations of East Asia. We shall therefore go to battle fully confident of victory.

We are exceedingly grateful to Your Excellency, to your Government and to your people

for the exceedingly warm and generous and magnanimous welcome that you have given us. This memory will remain in our hearts for all time and will inspire us to great deeds and greater deeds in the future and, Your Excellencies, gentlemen, I raise my glass to the everlasting freedom, prosperity and progress of the Filipino nation.

Message of His Excellency, Jose P. Laurel, President of the Republic of the Philippines, on the occasion of the establishment of the *Tokyo Shimbunsha*, November 24, 1943:

I am very glad to learn that the establishment of the *Tokyo Shimbunsha*, as a result of the merger last year of the *Miyako Shimbunsha* and the *Kokunim Shimbunsha*, has been officially sanctioned.

In this stage of the development of the Greater East Asia Co-Prosperity Sphere, a heavy responsibility rests on the Japanese press. It is charged with the tremendous duty, not only of giving correct information to the people of Japan, but of forming sound public opinion throughout the Co-Prosperity Sphere. With the official sanction of the establishment of the *Tokyo Shimbunsha*, the Japanese press is in a position to fulfill its mission with greater dispatch and efficiency.

I heartily congratulate all the members of the staff of the *Tokyo Shimbunsha* and wish them complete success in their united efforts to promote the noble ideals that inspired the Greater East Asia War and in cementing further the amity and understanding among the nations in East Asia.

Text of a telegram sent by His Excellency, General Hideki Tojo, Premier of the Empire of Japan, to His Excellency, Jose P. Laurel, President of the Republic of the Philippines, in reply to the latter's message following the President's return to the Philippines after attending the Greater East Asia Congress, November 27, 1943:

I WISH TO EXPRESS MY HEARTFELT THANKS FOR THE CORDIAL MESSAGE WHICH YOUR EXCELLENCY WAS GOOD ENOUGH TO SEND ME UPON YOUR RETURN HOME. FOR THE SAKE OF THE SUCCESSFUL PROSECUTION OF THE PRESENT WAR AND OF THE ACCOMPLISHMENT OF THE TASK TO ESTABLISH GREATER EAST ASIA, IT IS A MATTER FOR CONGRATULATION THAT THE GREATER EAST ASIA CONGRESS SHOULD HAVE BEEN HELD IN A MOST FRIENDLY ATMOSPHERE AND ACHIEVED A GREAT SUCCESS. THANKING ONCE MORE YOUR EXCELLENCY'S GOOD WILL AND KINDNESS, I SINCERELY PRAY FOR A GOOD HEALTH OF YOUR EXCELLENCY AS WELL AS FOR AN EVER-LASTING PROSPERITY OF YOUR COUNTRY.

Text of the telegram sent by the Chief of the General Staff of the Imperial Japanese Army in reply to a message from His Excellency, Jose P. Laurel, President of the Republic of the Philippines, November 27, 1943:

I APPRECIATE VERY MUCH YOUR THOUGHTFUL TELEGRAM. I SINCERELY HOPE THAT YOUR EXCELLENCY WILL REDOUBLE YOUR EFFORTS AT THE MOST IMPORTANT TIME.

Message of His Excellency, Jose P. Laurel, President of the Republic of the Philippines, on the occasion of the graduation ceremony of the Officers' Class of the Constabulary Academy Building No. 1, Manila, November 27, 1943:

I have been informed that the officers' class graduating today is the largest ever to graduate and the first under the Republic. This is a clear indication of the growing enthusiasm for service to the country. As members of the first graduating class of officers under the Republic, you should have every reason to be proud of yourselves, and I heartily congratulate you all on your graduation.

With the attainment of independence and the establishment of the Republic, we have assumed new duties and responsibilities as a people, particularly the maintenance of peace and order, without which it would be difficult, if not impossible, to insure the security and promote the welfare of our people.

Our first and paramount duty, therefore, is to maintain peace and order. By nature our people are a law-abiding and peace-loving people, but there are still, in some parts of the Philippines, misguided elements who continue to obstruct our efforts; whose lawless acts, have, time and again, embarrassed our government and upset our constructive program. Where such elements abound, the peaceful inhabitants are constantly terrorized and are unable to pursue their legitimate occupations. This lamentable condition must, in one way or another, be brought to an end.

For the accomplishment of this objective, we must depend largely on the Constabulary force. Yours is a task that is at once arduous and perilous, but it is a task that must be accomplished if the innocent is to be protected and the Republic to survive and prosper.

I am familiar with the nature of the training that is given in the Constabulary Academy and I know that nothing has been spared to make you ideal citizens and ideal officers. Physically and spiritually, you are fully prepared to enforce the law. I want you to bear in mind, however, that in the maintenance of peace and order, it is just as important to obey the law as it is to enforce it. Your plain duty in this respect is to see that every man under you is strictly a law-abiding citizen himself. Unless you follow this tenet, success will either be remote or impossible.

Message of His Excellency, Jose P. Laurel, President of the Republic of the Philippines, on the occasion of the graduation exercises of the Kalibapi Leaders' Institute, November 29, 1943:

In congratulating the members of the graduating class of the Kalibapi Leaders' Institute, it is my fervent hope that you are fully aware of the great mission you are about to perform.

The Kalibapi was founded by the Philippine Executive Commission principally for the purpose of uniting our people in order that the whole nation as one man shall help in the work of reconstruction and rehabilitation and in building a new and stronger Philippines in harmony with our customs and traditions. We have just attained an independent existence and with the establishment of the Philippine Republic, we have assumed new and graver responsibilities. There is urgent need of instilling in the minds of our countrymen a new spirit of service and sacrifice so indispensable in this trying period of our country's history.

Herein lies your mission. You must awaken in our people the immortal ideals for which our heroes lived and died. You must preach not once but always the virtues of unity, solidarity, cohesion among all classes. From the platform, in the schools, in the small gatherings where people meet to discuss and comment on the events of the day, you will find that the land is fertile for your patriotic calling. You must break down the apathy of our brethren in civic matters; give life to the dormant consciousness of our common history, our common ideals and aspirations, our common traditions and problems for the future.

Your work as leaders will call for the best that is in you—new conception of public duty, sacrifice and even abnegation, determination to succeed in the attainment of the objectives of the Association you represent.

As you go out, therefore, to your respective cities and towns to execute the policies and plans of the Kalibapi, I want you to draw inspiration from the conviction that in the performance of your task, you are serving, as heroic soldiers in the field, our beloved Republic of the Philippines.

Talumpati ng Kaniyang Kadakilaan, José P. Laurel, Pangulo ng Republiká ng Pilipinas, sa Luneta, dahil sa kaarawan ng paggunitá sa mga bayani at mártir ng Bayan, Nobyembre 30, 1943.

MGA KABABAYAN:

Ikinalulugód ko mulá sa kaibuturan ng aking pusò ang inyóng pagdaló rito sa Luneta sa araw na itó, isáng araw na mahalagáng tunay sa kasaysayan ng ating Bayan, sapagká't itó'y araw ng paggunitá sa mga bayani't mártir ng Lahi: itó'y araw ni Rizal, Mabini, Bonifacio, López Jaena, Jacinto, at mga Del

Pilar; araw ng lahá't ng nangabulíd sa dilim ng gabí upáng maipamana sa kaniláng mga anak at inapó ang liwanag ng Kalayaan at Kasarinlán.

Di kailá sa akin, mga kapatíd, na kayó'y nagdaranas sa kasalukuyan ng marahás at masagansáng pagsubok ng panahón; kaipaláy pagsubok na higit pa sa lahá't ng pinagdanasan ng ating Lahi. Nguni't ang aking tagubilin sa inyó ay itó, na kayó'y tumulad sa mga bayani't mártir ng ating Lahi, sa katangi-tangi niláng pagtititís at pagpapakasakit, alang-alang lamang sa minumutyáng bayan.

Ganyán ang aking tagubilin, sapagká't kung nais nating ihantóng ang ating Repúbliká sa taluktók ng Tagumpáy, kinakailangan na tayong mga mamamayan ay tumuluntón sa mga landasin ng ating mga ninuno't bayani. Kung nais nating mapatunayan sa buóng daigdig na ang ating Repúbliká ay karapat-dapat sa kalayaa't kasarinlán, kinakailangang ihubog natin ang ating puso't diwá nang ayon sa halimbawá ng ating mga bayani.

Hindi man nilá tiniyák ang paraán ng pagmamahál sa sariling bayan, mábabanaag namán natin sa pinagdaanan ng kaniláng buhay ang iláng aral na sukat nating sundín. Tatlong aral ang idinudulot nilá sa atin. Una'y ang pagmamahál sa Lupang Tinubuan; ikalawáy ang pagmamahál sa kadugó't kababayan; at ikatlo'y ang pagtutulungán sa pagpapanibagong-tatag ng bayang Pilipinas.

Ang pagmamahál sa Lupang Tinubuan ay hindi náiturò ng mga Amerikano sa ating mga Pilipino, at waláng sinumáng kápupulutan ng gintóng aral na itó kundí ang ating mga bayani, na buóng pusong yumakap sa sapin-saping hirap, at buóng lakás na sumalunga sa lupit ng tadhana, upáng ang kaniláng Bayan ay magtamasa ng minimithing kalayaan. Ná-itó ngá, at tayo'y nagsásarilí na, at ang kasarinláng itó'y utang natin sa kanilá.

Mahalín natin ang bayang Pilipinas. At mahalín natin ang bawá't isá sa ating mga kababayan, nang gaya ng pagmamahál sa sarili, pagká't ang dugóng nanáalaytáy sa ugát ng kababayan ay tulad din ng sa ating sarili, at isá pa'y ang kababayang iyán ay supling din ng ating Ináng Bayan. Ngayón, higit kailán man, ay dapat tayong magtulungán at magkaisá, upáng makagitaw ang Repúbliká ng Pilipinas na siyang pinangarap ng ating magiging na ninunò.

Tayo'y magmahalan, magtulungán, magdamayan. Makiramay sa dusa ng kapitbahay kung itó'y nagdurusa; sumaklolo ang malalakás sa mahihiná; pakanin ang nagugutom at huwág pagkaitán ng pang-agdóng-buhay. Yaóng panggigipít ng bigás, yaóng panghuhutót at pagsasamantalá sa mga marálitá, yaóng pagpapalusog at pagpapatabá ng tilan-ilán sa

pagod-at pawis ng malilit, ay di-dapat papatilhin. Kung ang mga walang-awa at walang-bahala ay di-kusang makikisá sa ating layon ng pagtutulungan, ang Pámahalaan na rin ang siyang kikilos at silá'y babawian ng karapatang mamayan, silá'y ibibigtí nang hayagan. Walang kailangang buhayin at paramihin pa ang masasamang damong iyán.

Aral din ng ating mga bayani ang magtulangán tayo sa pagpapanibagong-tatag ng ating Repúbliká. Mga kapatid ko, mga kababayan, kaming nahirang na manguna sa bansá ay nanánawagan sa inyóng lahat na sumanib at tumulong sa amin sa ikapagtatagumpáy ng ating Repúbliká. Walá kaming hinihiling sa inyó kundí ang pakikipagtulangán; dapat nating paglakipin ang ating lakás at sabay-sabay na gumawá. Di-dapat mahati ang bayan, di-dapat magkani-kanyang laká.

Tayo'y maging tunay na Pilipino, tunay na makabayan at makakapwá. Ang tunay na Pilipino ay hindi ang buong kasiyahang nakapó sa kanyang silyón at nakahalukipkip samantalang abalá ang kaniyang mga kapatid sa pagbubungkál ng mga lupa, sa pagtatanim, at sa iba pang malalaking gawain.

Ang Kasarinlán ng Pilipinas ay maitutulad natin sa isang punong-kahoy na itanin ng ating mga bayani, pinagpala't dinilig ng kanilang dugó't pawis, at itó'y tumubó, at ngayó'y namumunga na. Anó namán ang tungkulin natin, tayong naiigaya ngayón sa kanyang mga bulaklák at nag-aani ng matatamis niyang bunga? Anó ang sukat nating gawin upang ang pamanang iyán ay mamalaging sariwa't malusog? Ang dapat nating gawin ay pangalagaang mabuti ang punong-kahoy na itó, butan ng masasamang damó, itabóy ang nagalang hayop, laló na ngayóng itó'y namumunga na. Ang tungkulin ng lahat ng Pilipino ay huwág pahintulutan kailán man na mamatáy ang punong-kahoy na itó at laging itanin sa isip na itó'y naging punó dahil sa pawis at dugó ng ating mga bayani.

Bayang Pilipinas, ikaw ay magpakilalang kapat-dapat sa kalayaang binanal ng ating mga mártir at bayani sa pamamagitan ng kanilang luhá, pawis, at dugó; ipakilala mong karapat-dapat ka sa Kasaganaang Sama-sama ng Malaking Silangang Asya. Doón sa makasaysayang Kapulungán ng mga Bansa sa Malaking Silangang Asya, na kamakailán lamang ay ginanáp sa Tokyo, pinagkayarian ng mga kinatawán ng Nippon, Pilipinas, Burma, Thai, at Manchukuo, ang pagbuklód ng Asya at pagkakaisá ng mga Asyátikó upang iwaksí ang

anumang may bahid-kanluranin. Kayá't ang mga katangiang tagláy ng mga bayani ng Lahi nating silanganin, ay maging atin: ang pagmamahál sa Bayan at sa kababayan, at ang pagtutulungan sa pagpapanibagong-tatag ng Pilipinas.

Iyán ang tangi kong tagubilin sa inyó, mahal kong mga kapatid. At sa wakás, ay batiin natin ang Kalibapi at ang mga punó ng lunsód, sa kanilang matagumpáy na pagbubunyi sa Araw ng Ating mga Bayani.

Salamat pó.

Message of His Excellency, Jose P. Laurel, President of the Republic of the Philippines, read by Acting Minister of the Interior Arsenio Bonifacio, at the memorial service in honor of Filipino heroes held at the Mount Samat Cemetery, Bataan, November 30, 1943:

One year and a few odd months ago, the gallant young men who fought here to uphold the honor of Filipino manhood joined our nation's galaxy of heroes and martyrs. These young heroes who rest in these hallowed foothills went to battle, fired by ideals of patriotism and the strong belief that their beloved country would be made happier and nobler by bold adventure. It is fitting that we honor them on this day which national custom has consecrated to the memory of those who knew how to sacrifice the interests of self and the rich pleasures of living for the sake of the dignity and welfare of the greatest number.

The sacrifice of these men who willingly tendered the golden promise of their youth to the demands of the collective welfare would remain a standing rebuke upon us, the living, if we should fail to curb the selfish and narrow passions of individualism that at present threaten to obstruct the national efforts toward economic and social reorganization. In a larger sense, those whom we gratefully remember today fought and died for the noble cause of a new world order; they had dreamed of a peaceful country, free from wants and fear, free from the shackles of foreign sovereignties, free from the blighting influences of a materialist civilization.

It is much, therefore that, we owe the youths who sleep here now; and our gratitude and occasional remembrance would indeed be meaningless to them should we neglect to dedicate all our strivings to the great cause for which they died—peace and plenty for all, liberty and justice for all nations, equality among all races, progress for all mankind.

LEGAL AND OFFICIAL NOTICES

Courts of First Instance

REPUBLIC OF THE PHILIPPINES
IN THE COURT OF FIRST INSTANCE OF TACLOBAN
PROVINCE OF LEYTE

SPECIAL PROCEEDINGS CASE No. 9.—In the matter of the testate estate of Petra Moreto, deceased. Ursula M. de Deriada, petitioner.

ORDER

A petition having been filed by Ursula M. de Deriada alleging, among other things, that Petra Moreto Shorburno died on August 26, 1943 that at the time of her death she was a resident of Tacloban, Leyte, that she left properties to be settled, and that letters of administration issue in favor of Ursula M. de Deriada;

It is hereby ordered that said petition be set for hearing on January 8, 1944, at 9 a. m., First Branch.

Any interested person may, by filing a written opposition, contest the petition on the ground of incompetency of the person for whom letters are prayed herein, or on the ground of the contestant's own right to the administration, and may appear on the date and hour and place set forth above in order that he may be heard.

Let this order be published, at the expense of the petitioner, in the *Official Gazette*, Manila, once in one month only, and copies be posted at the doors of this Court, of the post office of the municipality where the decedent died and of that where he had had his last permanent residence; and, further, let copies hereof be served upon all such heirs and creditors and other interested persons, if any, as are specified in the petition.

It is so ordered.

November 12, 1943.

FERNANDO HERNANDEZ
Judge

REPÚBLICA DE FILIPINAS
JUZGADO DE PRIMERA INSTANCIA DE ILOCOS SUR
PRIMER DISTRITO JUDICIAL

CADASTRAL CASE No. 21, G. L. R. O. RECORD
No. 453.—Manuel J. Udarbe, petitioner.

MOCIÓN

Comparece Manuel J. Udarbe, por medio de su abogado que suscribe, y al Juzgado respetuosamente alega:

1. Que es mayor de edad y vecino de Magsingal, Ilocos Sur.
2. Que el peticionario compró el lote No. 714 del catastro de Magsingal, Ilocos Sur, según consta en una escritura pública y dicho lote es el lote a que se

refiere el certificado original de título No. 1797 expedido por el registrador de títulos de Ilocos Sur.

3. Que la escritura de venta a favor del peticionario no se ha podido y no se puede inscribir en la oficina del registrador de títulos, porque el duplicado para el dueño de dicho certificado original de título No. 1797 se perdió cuando, con motivo de la presente guerra, cierto número de personas entraron en la casa de Simeón Tabbada, y se apoderaron de todo lo que contenía dicha casa, y entre las cosas que desaparecieron era el duplicado para el dueño del susodicho certificado original de título No. 1797.

4. Que dicho certificado original de título No. 1797 (duplicado), estuvo en poder de dicho Simeón Tabbada, porque había comprado con pacto de retro el referido lote No. 714, con pacto de retroventa, pero que dicha venta con pacto de retro fué cancelada por dicho Simeón Tabbada y Lucio Tabbada, según consta en una escritura de venta notarial.

5. Que se une a la presente el affidavit de Simeón Tabbada para que forme parte integrante de la misma, como Anexo A de esta moción.

6. Que el peticionario desea tener otro duplicado para el dueño del referido certificado original de título No. 1797, para que la escritura a su favor pueda ser registrada en la oficina del registrador de títulos.

7. Que el caso cae bajo el artículo 109 de la Ley del Registro de la Propiedad (Ley No. 496).

Por tanto, pide respetuosamente que, previos los trámites legales, ordene al registrador de títulos de Ilocos Sur, para que expida otro duplicado para el dueño de dicho certificado original de título No. 1797, con el memorándum correspondiente, de conformidad con el artículo 109 de la Ley No. 496, y que se adjudique a favor del solicitante cualquier otro remedio que en justicia y equidad proceda a juicio del Juzgado.

Vigan, Ilocos Sur, octubre 20, 1943.

(Fdo.) B. QUITORIANO
Abogado del peticionario
Vigan, Ilocos Sur

Yo, B. Quitóriano, después de prestar juramento en forma legal, declaro: Que soy el abogado del peticionario Manuel J. Udarbe; que los hechos alegados en la preinserta moción son ciertos y verdaderos según mi leal saber y entender e informes fidedignos que tengo del caso.

(Fdo.) B. QUITORIANO

Suscrito y jurado ante mí, hoy a 20 de octubre, 1943, habiéndome exhibido el declarante su certificado de residencia No. A-1296310 expedido en Vigan, Ilocos Sur, el día 15 de enero, 1943.

(Fdo.) ALFONSO ROSAL
Escribano

Sr. REGISTRADOR DE TITULOS
Vigan, Ilocos Sur

SEÑOR:

Por la presente le notifico a Vd. que la precedente moción será sometida al Juzgado para su resolución, en el primer día de mociones, a las 9 de la mañana.

(Fdo.) B. QUITORIANO
Abogado del peticionario

Recibí copia, hoy a 20 de octubre, 1943.

C. HORRILLEN
Registrador de Títulos ex-officio

Por: (Fdo.) MARCELINO C. PILAR
Clerk

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REPUBLIC OF THE PHILIPPINES
COURT OF FIRST INSTANCE OF NUEVA VIZCAYA
FIRST JUDICIAL DISTRICT

CIVIL CASE No. 533.—*In re petition for a change of name. Esther I. Lagasca, petitioner.*

NOTICE

A petition having been filed by Atty. L. Abigania, in representation of the petitioner Esther I. Lagasca praying, for the reasons therein stated, that the name Esther I. Lagasca be changed to Esther I. Pecson;

Wherefore, notice is hereby given that the hearing of said petition will be held on October 14, 1944, at 9 o'clock in the morning, before this Court at Bayombong, Nueva Vizcaya, and let a copy hereof be published in the *Official Gazette* for three consecutive issues, which last publication should be made on or before June 14, 1944, for the information of all concerned, pursuant to the order of this Court dated November 9, 1943, rendered in said case.

Witness the Hon. Feliciano B. Gardiner, Judge of the Court of First Instance of Nueva Vizcaya, this 9th day of November, 1943.

JUAN MACSINO
Clerk of Court

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PHILIPPINE EXECUTIVE COMMISSION
COURT OF FIRST INSTANCE OF ISABELA
FIRST JUDICIAL DISTRICT

NOTICE

To: The Honorable, The Commissioner of Justice, Manila
The Solicitor-General, Manila
The Director of Lands, Manila
The Chief, Judicial Land Title Division, Department of Justice, Manila
The Clerk of the Supreme Court, Manila
The Clerk of the Court of Appeals, Manila
The Register of Deeds, Ilagan, Isabela
The Provincial Fiscal, Ilagan, Isabela
All Interested Lawyers and Parties

GREETING:

Notice having been received from the Clerk of this Court about the loss of all records pertaining to the Court of First Instance of Isabela, except the records of cases appearing in the list below, as a consequence of the present emergency, I have the honor to advise you that the interested parties should appear and file application for the reconstruction of the records in which they might be interested within thirty (30) days from the date of the last publication of this notice in the *Tribune*, a newspaper of general circulation in this province, in accordance with the provisions of Act No. 3110. This notice will also be published in the *Official Gazette*.

Civil cases.—The records of all civil cases from No. 1 up to the last number in the docket were lost.

Criminal cases.—The records of all criminal cases from No. 1 up to the last number in the docket were lost except the following:

No. 4124—*People vs. Agustin Pintang et al.* The exhibits presented by the accused Simon Guillermo, Guillermo Blas, and Francisca Nicolas which were not attached to the record were lost.

No. 4268—*People vs. Hilarion Corales et al.*

No. 4234—*People vs. Andres Morales alias Bio Morales.*

No. 4235—*People vs. Andres Morales alias Bio Morales et al.*

Special Proceedings.—The records of all special proceedings from No. 1 up to the last number in the docket were lost.

Land registration cases.—The records of all land registration cases from No. 1 up to the last number in the docket were lost except the following:

No. 111—Eulogio Cabbaccang, applicant.

No. 119—Luis Belnes, applicant.

No. 186—Vicente Ruiz et al., applicants.

No. 188—Joaquin Cabangan, applicant.

No. 189—Vicente Ochoa, applicant.

No. 190—Francisco Halcab, applicant.

No. 545—The Municipality of Angadanan, applicant.

No. 557—Rosalia Baccay, applicant.

No. 562—Pedro Menor et al., applicants.

No. 564—Heirs of Bruno Cabauatan, applicant.

No. 566—Lope Nieto, applicant.

No. 567—Manuel Nieto, applicant.

No. 568—Isidoro Guzman, applicant.

No. 570—Fernando Guingab, applicant.

No. 571—Juan del Rosario, applicant.

Cadastral cases.—The records of all cadastral cases from No. 1 up to the last number in the docket were lost except the following:

Case 11—G. L. R. O. Record 1063—Echague (2 volumes).

Case 12—G. L. R. O. Record 1062—Echague (2 volumes).

Case 13—G. L. R. O. Record 1064—Echague (2 volumes).

Case 14—G. L. R. O. Record 1066—Echague (2 volumes).

Case 15—G. L. R. O. Record 1065—Echague (2 volumes).

REPUBLIC OF THE PHILIPPINES
IN THE COURT OF FIRST INSTANCE
PROVINCE OF LAGUNA

Land Registration Case No. 4. G. L. R. Record No. 43

FELIPE ARCIGAL and MINERVA P. LUCIDO, applicants

NOTICE OF INITIAL HEARING

To the Solicitor-General, the Director of Lands, the Director of Public Works, and the Director of Forestry and Fishery, all these in Manila; the Provincial Governor, the Provincial Fiscal, and the District Engineer, all these in Santa Cruz, Laguna; the heirs of Jose Lucido, in Nagcarlan, Laguna; Benigno Magtibay, Gabriel Grantosa, Wenceslao Formales, and the heirs of Pedro Orta c/o Pablo Urrea, all these in Rizal, Laguna; Francisco Plantilla, in the City of San Pablo, Laguna; and to all whom it may concern:

Whereas an application has been presented to this court by the spouses, Felipe Arcigal and Minerva P. Lucido, in Avenida Rizal street, Nagcarlan, Laguna, to register and confirm their title to the following property:

A parcel of land (plan Psu-107335), with the improvements thereon, situated in the barrio of Santo Angel, municipality of San Pablo Province of Laguna, Philippines. Bounded on the NE. by property of the heirs of Jose Lucido separated by a creek; on the SE. by properties of Benigno Magtibay, Gabriel Grantosa, and Wenceslao Formales; on the SW. by properties of Wenceslao Formales and the heirs of Pedro Orta; and on the NW. by properties of the heirs of Jose Lucido and Francisco Plantilla. Point 1 is N. 43° 38' E., 3,779.36 m., more or less from B. L. B. M. No. 2, barrio of Santa Isabel. Area 66,163 square meters, more or less. Said parcel being more particularly determined and described on the plan and technical description attached to the records of the above-numbered case.

You are hereby cited to appear before the Court of First Instance of Laguna, at its session to be held in the municipality of Santa Cruz, Province of Laguna, Philippines, on the 27th day of March, 1944, at 9 o'clock in the forenoon, to show cause, if any you have, why the prayer of said application shall not be granted; and unless you appear at the time and place aforesaid, your default will be recorded and the said application will be taken as confessed, and you will be forever barred from contesting said application or any decree entered thereon.

Witness the Hon. Claudio Sandoval, judge of said Court, the 20th day of September, in the year 1943.

Issued at Manila, Philippines, this 2nd day of November, 1943.

Attest: ENRIQUE ALTAVAS
Chief, Judicial Land Title Division
Ministry of Justice

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Case 16—G. L. R. O. Record 1055—Echague (2 volumes).

Case 33—G. L. R. O. Record 1542—Jones (2 volumes).

Case 39—G. L. R. O. Record 1549—Jones (2 volumes).

Pieza 1—Cases 33, 36, 37, 38 and 39—Jones.

Pieza 7—(6 piezas), cases 11 to 16 of Echague.

Pieza 7—(6 piezas), cases 33 to 39 of Jones.

Case 11—2 piezas of cadastral answers.

Case 12—3 piezas of cadastral answers.

Case 13—2 piezas of cadastral answers.

Case 14—2 piezas of cadastral answers.

Case 15—Pieza 2.

Case 12—Lot 1375 and lot 1332; lots 889 and 892.

Case 11—Lot 49.

Case 14—Lot 3342.

Case 15—Lot 4489.

Cases 11 to 16—Pieza 8.

Cases 11 to 16—Pieza 5.

Case 39—Pieza 2 (9 volumes).

Cases 35, 36, and 38—Pieza 8 (3 volumes).

Cases 31—32—Lots 7450, etc.

Case 38—Pieza 2 (1 volume).

Case 21—Pieza 2 (2 volumes).

Case 22—Pieza 2 (3 volumes).

Case 25—Pieza 2 (2 volumes).

Case 27—Pieza 2 (1 volume).

Case 28—Pieza 2 (1 volume).

Case 30—Pieza 2 (3 volumes).

Case 11—Pieza 1.

Case 13—Pieza 1.

Case 14—Pieza 1.

Case 15—Pieza 1.

Pieza 1—Cases 20, 21, 22, 23, 24, 27, 28, 31, and 32 of Santiago cadastre.

Pieza 7—Cases 21, 22, 23, 24, 25, 26, 27, and 29 of Santiago cadastre.

Case 21—Pieza 8-a of Santiago cadastre.

Case 22—Piezas 5 and 8 of Santiago cadastre.

Case 23—Pieza 8 of Santiago cadastre.

Case 24—Piezas 2 and 8 of Santiago cadastre.

Case 25—Piezas 2 consisting of 2 volumes; 5, 5-a, 8, and 8-a of Santiago cadastre.

Case 26—Pieza 8.

Case 27—Piezas 5, 5-a, 8 and 8-a of Santiago cadastre.

Case 28—Piezas 5 and 8 of Santiago cadastre.

Case 29—Piezas 5, 5-a, 8, and 8-a of Santiago cadastre.

Case 30—Piezas 5 and 8 of Santiago cadastre.

Case 30—Lots 392-B, 565, 21, and 522 of Santiago cadastre.

Case 30—Lots 421 and 424, 422 and 423, 4314 and 4315 of Santiago cadastre.

Case 35—Record of cadastral answers of Jones (2 volumes).

Case 36—Record of cadastral answers of Jones (2 volumes).

Done at Ilagan, Isabela, this 1st day of June, 1943.

(Sgd.) N. Roxas

Judge

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Bureau of Public Works

Office of the Director of Public Works

NOTICE OF APPLICATIONS FOR WATER RIGHTS

(Arranged alphabetically by provinces)

BATAAN

To whom it may concern:

Notice is hereby given—

(a) That an application has been filed with the Honorable, the Minister of State for Public Works and Communications, through the Director of Public Works, by the Bureau of Plant Industry, giving address as Manila, for the appropriation of the public waters of Pilar River, in accordance with the provisions of Acts Nos. 2152, 2652, 3208, 3523, and 3982.

(b) That said application was filed in the office of the Director of Public Works on October 21, 1943, and that the source from which the appropriation is to be made is in the Pilar River, in Pilar, Bataan.

(c) That the proposed site of diversion is located on the Pilar River, in the municipality of Pilar, Province of Bataan, S. 23° 35' W., 2,720 meters from B. L. L. M. No. 1, Pilar, Bataan, as shown on the sketch filed with the application.

(d) That the amount of water to be diverted by the proposed works, per second of time, is 1,450 liters.

(e) That the proposed works are to consist of a permanent dam made of cement, 4.80 meters high, 2.30 meters wide at the top, 4.55 meters wide at the bottom, 20.20 meters long at the top, and 20.20 meters long at the bottom, and a canal 7,940 meters long and 3 meters wide.

(f) That the appropriation of said waters is desired for irrigation purposes.

(g) That the land to be irrigated is located in the municipality of Pilar, Province of Bataan, containing an area of 715 hectares and its boundaries are: north, Pilar Irrigation Project and Pilar River; east, Manila Bay; south, Calungusan River; west, Pilar River.

(h) That the water requested will be used throughout the year.

In view of such application, you are hereby further notified that any person interested may object to the appropriation of said water and that a written protest, stating the reasons for such objection, must be filed in the office of the Director of Public Works within thirty (30) days beginning with the last day of the four weeks period counted from the date of actual publication in the *Official Gazette* of this notice.

V. FRAGANTE

Director of Public Works

To whom it may concern:

Notice is hereby given—

(a) That an application has been filed with the Honorable, the Minister of State for Public Works and Communications, through the Director of Public Works, by the Bureau of Plant Industry, giving address as Manila, for the appropriation of the public waters of Pampanga River, in accordance with the provisions of Acts Nos. 2152, 2652, 3208, 3523, and 3982.

dress as Manila, for the appropriation of the public waters of San Juan River, in accordance with the provisions of Acts Nos. 2152, 2652, 3208, 3523, and 3982.

(b) That said application was filed in the office of the Director of Public Works on November 10, 1943, and that the source from which the appropriation is to be made is in the San Juan River, in Samal, Bataan.

(c) That the proposed site of diversion is located on the San Juan River, in the municipality of Samal, Province of Bataan, N. 73° 00' W., 2,230 meters from B. L. L. M. No. 2, Samal, Bataan, as shown on the sketch filed with the application.

(d) That the amount of water to be diverted by the proposed works, per second of time, is 650 liters.

(e) That the proposed works are to consist of a permanent dam made of cement, sand, gravel and stones, 6.10 meters high, 2.30 meters wide at the top, 6.20 meters wide at the bottom, 25.90 meters long at the top, and 25.90 meters long at the bottom, and a canal 5,905 meters long and 2.2 meters wide.

(f) That the appropriation of said waters is desired for irrigation purposes.

(g) That the land to be irrigated is located in the municipality of Samal, Province of Bataan, containing an area of 300 hectares and its boundaries are: north, Lalawigan River; east, Orani-Abucay Provincial Road; south, Lacamari River; west, Lacamari River and San Juan River.

(h) That the water requested will be used throughout the year.

In view of such application, you are hereby further notified that any person interested may object to the appropriation of said water and that a written protest, stating the reasons for such objection, must be filed in the office of the Director of Public Works within thirty (30) days beginning with the last day of the four weeks period counted from the date of actual publication in the *Official Gazette* of this notice.

V. FRAGANTE

Director of Public Works

NUEVA ECIJA

To whom it may concern:

Notice is hereby given—

(a) That an application has been filed with the Honorable, the Minister of State for Public Works and Communications, through the Director of Public Works, by the Bureau of Plant Industry, giving address as Manila, for the appropriation of the public waters of Pampanga River, in accordance with the provisions of Acts Nos. 2152, 2652, 3208, 3523, and 3982.

(b) That said application was filed in the office of the Director of Public Works on October 30, 1943, and that the source from which the appropriation is to be made is in the Pampanga River, in Rizal, Nueva Ecija.

(c) That the proposed sites of diversion are located on the Pampanga River, Dibulo and Calsiwan Creeks, in the barrio of Agbannawag, Pako Roman, Pasong Hari, and Cabucbucan, municipality of Rizal, Province of Nueva Ecija. The proposed points of diversion are

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as follows: Dam No. 1 on the Pampanga River is N. 24° 41' E., 810 meters from B. L. L. M. No. 1, Rizal, Nueva Ecija; dam No. 2 on the Dibulo Creek is S. 20° 10' W., 3,620 meters from the said monument; dam No. 3 on the Dibulo Creek is S. 23° 09' W., 4,130 meters from the said monument; dam No. 4 on the Calsiwan Creek is S. 16° 23' W., 5,760 meters from the said monument; and Dam No. 5 on the Dibulo Creek is S. 1° 32' E., 6,980 meters from the said monument, as shown on the file with the application.

(d) That the amount of water to be diverted by the proposed works, per second of time, is 2,500 liters (840 liters per second from dam No. 1; 580 liters per second from dam No. 2; 900 liters per second from dam No. 3; and 180 liters per second from dam No. 5).

(e) That the proposed works are to consist of five temporary dams made of sand, gravel, and others, and a canal 22,965 meters long and 1 meter wide.

(f) That the appropriation of said waters is desired for irrigation purposes.

(g) That the land to be irrigated is located in the barrios of Cabucbucan, Cabalunetan, Pinagrealan, Calsiwan, Pasong Hari, and others, municipality of Rizal, Province of Nueva Ecija, containing an area of 1,250 hectares and its boundaries are: north, barrio of Santa Monica; east, barrios of Garambul, Estrella, and Ticul; south, barrio of Kagasatan; west, barrios of Bardabas and Agbanawag.

(h) That the water requested will be used throughout the year.

In view of such application, you are hereby further notified that any person interested may object to the appropriation of said water and that a written protest, stating the reasons for such objection, must be filed in the office of the Director of Public Works within thirty (30) days beginning with the last day of the four weeks period counted from the date of actual publication in the *Official Gazette* of this notice.

V. FRAGANTE

Director of Public Works

PAMPANGA

To whom it may concern:

Notice is hereby given—

(a) That an application has been filed with the Honorable, the Minister of State for Public Works and Communications, through the Director of Public Works, by the Bureau of Plant Industry, giving address as Manila, for the appropriation of the public waters of Porac River, in accordance with the provisions of Acts Nos. 2152, 2652, 3208, 3523, and 3982.

(b) That said application was filed in the office of the Director of Public Works on October 30, 1943, and that the source from which the appropriation is to be made is in the Porac River, in Lubao, Pampanga.

(c) That the proposed site of diversion is located on the Porac River, in the barrio of Concepcion, Municipality of Lubao, Province of Pampanga, 90 meters south from the railroad bridge, as shown on the sketch filed with the application.

(d) That the amount of water to be diverted by the proposed works, per second of time, is 600 liters.

(e) That the proposed works are to consist of a temporary dam made of bamboo, brush, and earth, 1 meter high, 1.40 meters wide at the top, 2.60 meters wide at the bottom, 50 meters long at the top, and 50 meters long at the bottom, and a canal 5,400 meters long and 5 meters wide.

(f) That the appropriation of said waters is desired for irrigation purposes.

(g) That the land to be irrigated is located in the barrios of San Antonio, San Nicolas, San Juan, Santa Lueta, and Santa Barbara, municipality of Lubao, Province of Pampanga, containing an area of 300 hectares and its boundaries are: north, Porac River; east, Porac River, nipa groves, and fish ponds; south, barrio of Santa Barbara, Sapang Bitas, and barrio of San Nicolas; west, Sapang Bitas.

(h) That the water requested will be used throughout the year.

In view of such application, you are hereby further notified that any person interested may object to the appropriation of said water and that a written protest, stating the reasons for such objection, must be filed in the office of the Director of Public Works within thirty (30) days beginning with the last day of the four weeks period counted from the date of actual publication in the *Official Gazette* of this notice.

V. FRAGANTE

Director of Public Works

TARLAC

To whom it may concern:

Notice is hereby given—

(a) That an application has been filed with the Honorable, the Minister of State for Public Works and Communications, through the Director of Public Works, by the Bureau of Plant Industry, giving address as Manila, for the appropriation of the public waters of Caagusan Creek, in accordance with the provisions of Acts Nos. 2152, 2652, 3208, 3523, and 3982.

(b) That said application was filed in the office of the Director of Public Works on October 30, 1943, and that the source from which the appropriation is to be made is in the Caagusan Creek, in Concepcion, Tarlac.

(c) That the proposed site of diversion is located on the Caagusan Creeks, in the barrio of Santa Monica, municipality of Concepcion, Province of Tarlac, N. 72° 11' W., 2,786 meters from B. L. L. M. No. 1, barrio of Santa Monica, as shown on the sketch filed with the application.

(d) That the amount of water to be diverted by the proposed works, per second of time, is 1,600 liters.

(e) That the proposed works are to consist of a permanent dam made of cement, sand, and stones, 2.60 meters high, 1.80 meters wide at the top, 2.80 meters wide at the bottom, 16 meters long at the top, and 16 meters long at the bottom, and a canal 3,480 meters long and 2 meters wide.

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(f) That the appropriation of said waters is desired for irrigation purposes.

(g) That the land to be irrigated is located in the barrio of Santa Monica, municipality of Concepcion, Province of Tarlac, containing an area of 800 hectares and its boundaries are: North and east, Caagusan Creek; south, provincial road to Concepcion; west, lots Nos. 531, 533, and 534.

(h) That the water requested will be used throughout the year.

In view of such application, you are hereby further notified that any person interested may object to the appropriation of said water and that a written protest, stating the reasons for such objection, must be filed in the office of the Director of Public Works within thirty (30) days beginning with the last day of the four weeks period counted from the date of actual publication in the *Official Gazette* of this notice.

V. FRAGANTE
Director of Public Works

TAYABAS

To whom it may concern:

Notice is hereby given—

(a) That an application has been filed with the Honorable, the Minister of State for Public Works and Communications, through the Director of Public Works, by the Director of Plant Industry, giving address as Manila, for the appropriation of the public waters of Hanagdung River, in accordance with the provisions of Acts Nos. 2152, 2652, 3208, 3523, and 3982.

(b) That said application was filed in the office of the Director of Public Works on October 30, 1943, and that the source from which the appropriation is to be made is in the Hanagdung River in Sariaya, Tayabas.

(c) That the proposed site of diversion is located on the Hanagdung River, in the barrio of Guizguiz, municipality of Sariaya, Province of Tayabas, N. 80° 03' E., 2,124.43 meters from B. B. M. No. 5, barrio of Bignay, Sariaya, Tayabas, as shown on the sketch filed with the application.

(d) That the amount of water to be diverted by the proposed works, per second of time, is 700 liters.

(e) That the proposed works are to consist of a permanent dam made of rubble masonry, 3 meters high, 2 meters wide at the top, 5 meters wide at the bottom, 40 meters long at the top, and 40 meters long at the bottom, and a canal 8,000 meters long and 6 meters wide.

(f) That the appropriation of said waters is desired for irrigation purposes.

(g) That the land to be irrigated is located in the barrio of Bignay, municipality of Sariaya, Province of Tayabas, containing an area of 275 hectares and its boundaries are: north, Estefania Alcola, Florencio Chanco, and others; east, Ignacio Gala, Eilemon Buendia, and others; south, Higinio de Villa, Arcadia Sales, and others; west, Anselmo Marquez, Juana Marquez, and others.

(h) That the water requested will be used throughout the year.

In view of such application, you are hereby further notified that any person interested may object to the appropriation of said water and that a written protest, stating the reasons for such objection, must be filed in the office of the Director of Public Works within thirty (30) days beginning with the last day of the four weeks period counted from the date of actual publication in the *Official Gazette* of this notice.

V. FRAGANTE
Director of Public Works

Bureau of Commerce and Industry

NOTICE OF APPLICATIONS FOR TRADE-MARKS

The following application for trade-mark is published in compliance with section 2 of Act No. 3202, approved December 3, 1924.

All oppositions must be filed not later than fifteen days from the last publication in this Gazette.

(FIRST PUBLICATION)

Name of applicant: Alfredo P. Paguibitan.

Application: No. 123.

Date filed: November 6, 1943.

Feature of the label claimed as a trade-mark: "ISAGANI."

Class: (e). Smoker's articles, including cigars and cigarettes and other tobacco products.

Articles to which affixed: Cigars.

Claims use: From date of registration.



For the Director:

JOSE MORENO
Chief, Corporations and
Trade Regulation Division

(2-7)

Notice is hereby given that applications for the registration of the trade-marks, as shown in the labels herein below reproduced, have been filed in this Office.

All oppositions must be filed not later than sixty days from the date of the publication in this Gazette.

Name of applicant: Chua Tiong.

Application: No. 39.

Date filed: December 31, 1942.

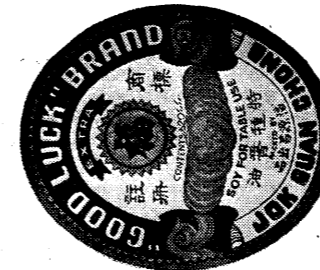
Feature of the label claimed as a trade-mark: "Good Luck."

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Class: (cc). Foods, ingredients of foods, and beverages.

Article to which affixed: Soy.

Claims use: Since October 1, 1942.



Name of applicant: José L. Lizares.

Application: No. 127.

Date filed: November 18, 1943.

Feature of the label claimed as a trade-mark: "J L."

Class: (cc). Foods, ingredients of foods, and beverages.

Articles to which affixed: Wines, liquors, and alcoholic drinks.

Claims use: Since November 12, 1943.



Name of applicant: Manuel E. Moya.

Application: No. 117.

Date filed: October 21, 1943.

Feature of the label claimed as a trade-mark: "GLAMOUR."

Class: (d). Chemicals, medicines, and pharmaceutical preparations.

Articles to which affixed: Brilliantine or hair oil.

Claims use: Since January 2, 1942.



Name of applicant: Tan Tong.

Application: No. 115.

Date filed: October 9, 1943.

Feature of the label claimed as a trade-mark: "SUPERMAN."

Class: (d) Chemicals, medicines, and pharmaceutical preparations.

Articles to which affixed: Hair pomade, face powder, and brilliantine.

Claims use: Since 1937.



Name of applicant: Tan Tam.

Application: No. 120.

Date filed: October 23, 1943.

Feature of the label claimed as a trade-mark: "FAIRY."

Class: (cc). Foods, ingredients of foods, and beverages.

Article to which affixed: Soy.

Claims use: Since July 1, 1943.



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Name of applicant: Manuel E. Moya.
 Application: No. 118.
 Date filed: October 21, 1943.
 Feature of the label claimed as a trade-mark:
 "DUKE OF ESSEX."
 Class: (d). Chemicals, medicines, and pharmaceutical preparations.
 Articles to which affixed: Hair pomade.
 Claims use: Since January 2, 1942.

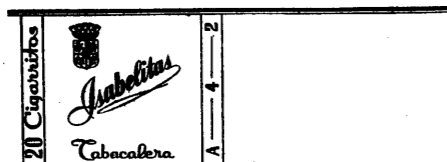


For the Director:
 JOSE MORENO
 Chief, Corporations and
 Trade Regulation Division

The following application for trade-mark is published in compliance with section 2 of Act No. 3202, approved December 3, 1924.
 All oppositions must be filed not later than fifteen days from the last publication in this Gazette.

(FIFTH PUBLICATION)

Name of applicant: Compañía General de Tabacos de Filipinas.
 Application: No. 30.
 Date filed: October 29, 1942.
 Feature of the label claimed as a trade-mark: "ISABELITAS."
 Class: (e). Smoker's articles, including cigars and cigarettes and other tobacco products.
 Articles to which affixed: Cigars.
 Claims use: October 29, 1942.



For the Director of Commerce and Industries:
 JOSE MORENO
 Chief, Corporations and
 Trade Regulation Division
 (8-10; 1-3)

Notice is hereby given that applications for the registration of the trade-marks, as shown

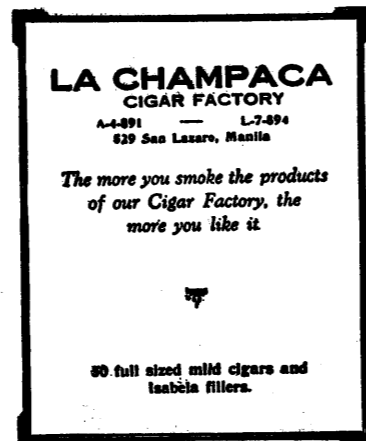
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in the labels herein below reproduced, have been filed in this Office.

All oppositions must be filed not later than fifteen days from the date of the last publication in this Gazette.

(SIXTH PUBLICATION)

Name of applicant: Braulio Itchon.
 Application: No. 50.
 Date filed: January 25, 1943.
 Feature of the label claimed as a trade-mark: "LA CHAMPACA."
 Class: (e). Smoker's articles, including cigars and cigarettes and other tobacco products.
 Articles to which affixed: Cigars.
 Claims use: From the date of registration or from the date of the issuance of the special permit granted by the Director of Commerce and Industries.



Name of applicant: Francisco Balagtas.
 Application: No. 83.
 Date filed: June 11, 1943.
 Feature of the label claimed as a trade-mark: "AMBASSADORS."
 Class: (e). Smoker's articles, including cigars and cigarettes and other tobacco products.
 Articles to which affixed: Cigars.
 Claims use: From the date of registration or as soon as the special permit is granted by the Director of Commerce and Industries.



For the Director:
 JOSE MORENO
 Chief, Corporations and
 Trade Regulation Division
 (7-10; 1, 2)

CITY OF MANILA

NOTICE TO OWNERS AND ADMINISTRATORS OF REAL ESTATE IN THE CITY OF MANILA

Notice is hereby given that pursuant to the provisions of section 2487 of the Administrative Code, the undersigned will add to the list of taxable real estate in the city during the first fifteen days of December, 1943, the value of improvements made during this year as well as all property which has heretofore escaped taxation. During the same period, the undersigned will also revise and correct the assessed value of land and improvements in the City of Manila which are not assessed at their true money value, by increasing or reducing the existing assessments as the case may be.

For this purpose, the undersigned will be present in his office in the City Hall from the 1st to the 15th of December, 1943.

JULIO FRANCA
 City Assessor

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大日本帝國政府

政務局 第二課

管合第九一號

昭和十九年四月二十四日

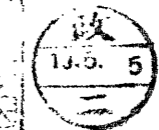
在フイリピン 臨時代理大使 森 重 平 夫

外務大臣 重 光 葵 殿

特別留學生ニ對スル大統領及外務大臣ノ訓示

本年度特別留學生候補者ノ訓練新入所式ハ三月三十日大統領府ニ於テ舉行セラレタルカ大統領ハ公務ノ爲當日列席不可能ナル點ヲ以テ特ニ其前日即三月二十九日當館係官列席ノ上訓練新職員及學生一同ヲ官邸ニ招致シ大要左ノ如キ訓示ヲ與ヘタリ
「フイリピン」人ノ現在最必要トスルコトハ現世界大戰ノ根本原因ヲ知悉スルコトナリ

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大日本帝國政府

從來大東亞諸民族ハ相互ニ接觸スル機會無カリシ爲東洋民族トシテ血ヲ同シクシ共通ノ利害關係ニ基キ行動スヘキコトヲ悟テ得サリシ次第ナリ

今後「フイリピン」青年ハ大イニ日本ニ赴キ現世界ノ動向ヲ知ルト共ニ日本並其文化偉大ナル使命及崇高ナル理想ヲ理解スルヲ要ス

大東亞民族カ東洋人トシテノ自覺ヲ有スルニ至ラハ天ノ賦與セル此地域ヲ支配セントスル侵略者ニ對シ飽クマテ抵抗シ之ヲ排除スルコトヲ得ヘシ

諸子ハ宜シク大東亞會議ノ五原則ヲ熟讀シ吟味スヘシ云々
入所式ハ三月三十日午前十時ヨリ當館ヨリハ村田大使及係官出席シ外務大臣以下各國務大臣其他高官並學生ノ家族列席ノ上大統領府内廣間ニ於テ舉行セラレタルカ大統領ハ再ヒ要旨左ノ如キ訓示ヲ與ヘ情報局總裁ヲシテ之ヲ代讀セシメタリ
諸子ハ我祖先ノ偉業ヲ繼承スルヲ以テ第一ノ任務ト爲スヘキナ

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大日本帝國政府

然シテ我國ノ歴史ヲ研究シ舊來ノ因襲ニ投ヘル、コト無ク風土
 ヲ探究シ私利ヲ論テテ國家社會ノ爲ニ盡シ万人ニ各々其所ヲ待
 シノ以テ正義ヲ維持セントスル新秩序原理ヲ銘記スヘシ諸子カ
 幸仕ノ精神ヲ抱カキル限リ一切ノ修業ハ無益ナリ
 要スルニ諸子ハ徹頭徹尾「フイリビ」人トシテ祖國ノ幸福ト
 發展トノ爲ニ身ヲ兼ケサルヘカラス云々

外務大臣ノ訓示要旨左ノ通

諸子ハ新共和國ノ代表者トシテ神聖ナル使命ヲ有ス
 友邦諸國ノ學生ト交ハルニ當リ祖國ノ名譽ヲ毀損スルカ知ヤコ
 ト有ルヘカラス
 諸子ノ修業ノ機會ハ諸子自身ノ力ニ依ルハ固ヨリナルモ又祖國
 及日本ノ恩恵ナルコトヲ忘ルヘカラス云々
 右何事御參事新聞記者別添ノ上報告申進ス
 本領死先 大東亞大臣、外務大臣

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FILIPINOS SHOULD LEARN WAR PURPOSES—LAUREL

President Talks to Students of Pensionado School—Stresses Need of Sending Young Men to Japan to Understand Japanese

The great need of the Filipinos is the comprehension of the fundamental objectives of the present world conflict, President Jose P. Laurel told the members of the faculty and the students of the Training Institute for Government Pensionados to Japan who called on him at 11 o'clock yesterday morning.

"When two peoples meet, there is likely to be some kind of misunderstanding, and the misunderstanding is due to the fact that they have not known each other very closely," the President said. "It is necessary that young Filipinos should go to Japan in order that they may understand the whole background of this world movement now taking place; to understand not only Japan but her culture, her great mission, and her lofty ideals."

The inaugural program of the Training Institute will be held at 10 o'clock this morning, with Foreign Minister Claro M. Recto delivering the principal address, Arsenio N. Luz, chairman of the Board of Information, will read a message from President Laurel.

Addressing briefly yesterday the students which constitute the second batch to study in Japan, the President said:

Glory for the Philippines

"I would like to congratulate you on your selection, which means that you will have to undergo a very rigid training—spiritually and mentally, particularly—before you qualify for scholarship in Japan. We have a group of Filipinos there now who are doing very well and have made considerable progress in the different subjects which they are studying. You will constitute the second group of Filipinos, and, in the same way that they

are doing honor to our country by studying very diligently and earning for themselves the prestige and glory of being Filipinos. I hope that if you are selected upon the termination of this course, you will do the same.

"The great need of the Filipinos and of the Philippines is the comprehension of the fundamental objectives of this world conflict which is going on. When two peoples meet, there is likely to be some kind of misunderstanding. And the misunderstanding is due to the fact that they have not known each other very closely. The Filipinos have not known the Japanese very closely; the Japanese have not known the Filipinos very closely. Neither do we know the Chinese, the Burmese, the Hindus. On the other hand, do they know the Filipinos; and this because the peoples of Greater East Asia have not been able to get together to understand one another and to realize that, after all, they are inhabitants of the same region, that they have the same blood as Orientals, and that they should be animated by one and the same common interest.

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Japan's Great Mission

"It is necessary for young Filipinos to go to Japan in order that they may understand the whole background of this world movement now taking place all over the world; to understand not only Japan but also her culture, her great mission, and her lofty ideals. If the peoples of Greater East Asia could understand one another and realize that they have their own role to play in the history of human civilization; if they could realize that they are not destined by God to remain always under the exploitation and domination of Occidental powers; if they could realize that they have a right to be happy and prosperous and to live their own way of life; if they could realize that there is no Japanese, no Chinese, no Burmese, no Indian and no Manchoukuan, but only Orientals—if they realize these essential and significant truths, then every one of them would resist any attempt on the part of outsiders to dominate this part of the world God has reserved for us."

"Your study of Japanese will, I hope, place you in a better position not only to serve our country, but also to work towards the glorification of the peoples

(Continued on page 5)

Filipino Should

"I want you to read carefully the five principles enunciated in the Greater East Asia Congress. That document is the political bible, not only of the Filipinos, but also of all the peoples of Greater East Asia. I want you to notice, particularly, the provision pertaining to the establishment of a federation of the peoples of Asia, premised on the recognition of the sovereignty and independence of each unit—to live in their own way in accordance with their own religion and traditions. I want you to notice the provision pertaining to the need on the part of the peoples of Greater East Asia to resist any attempt of the Occidental powers to come back here and to make us nothing but 'hewers of wood and drawers of water.' And I want you to notice the provision pertaining to the abolition of racial discrimination. The peoples of Greater East Asia should be proud that they are Orientals—that they are as good as, if not better than, any other people on the face of the planet.

"When you come back, I hope to be able to welcome you, no longer as students but as men with greater vigor and vitality, with a broader knowledge of your role as Filipinos and as Orientals, with a more profound understanding of your identity with Japan and with the other Oriental nations—ready to assume great responsibilities, in collaboration with your countrymen, not only in the upbuilding of this new Republic, but also in establishing a harmonious union among the peoples of Greater East Asia."

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Loyalty Impressed Upon Pensionados

President's Message Read at Inauguration Of Institute for Candidates for Nippon Study—Foreign Minister Addresses Group

Loyalty to the Motherland, whether in the hour of danger or trouble or in the hour of greatest success, was impressed in a message by President Jose P. Laurel to the 38 student candidates as pensionados to Japan during the inauguration yesterday morning of the Training Institute for these students.

In his message which was read by Arsenio N. Luz, chairman of the Board of Information, the President told the young men they should remember at all times that they are the receivers of a priceless heritage, the rich tradition of heroism and service to the Motherland, and that it is their primary duty to be worthy of their heritage as they prepare themselves for the continuation of the great work started by the fathers of the Filipinos.

A Challenge

Minister of Foreign Affairs Claro M. Recto, who delivered the principal address on the occasion, told the students that their going to Japan is both a privilege and a challenge to their patriotic spirit.

Minister Recto said: "Those of you who will have the good fortune of being finally chosen to go to Japan in search of technical training, scientific information, and cultural blessings that will enrich your own, should consider it as a privilege of which you should be proud

and as a challenge to your patriotic spirit. It is a privilege, because it is given only to a select few. It is a challenge because you will go as representatives of this new Republic, entrusted with the sacred mission not only of enriching your information and culture but also of strengthening the sentiment of friendship and amity among all peoples in East Asia.

"In your association with your brother Orientals it will be your bounden duty to observe such norm of conduct as would not tarnish the honor of your native land. Let it not be said of you that the name of this Republic has suffered from your dereliction or omission of duty.

Inspiration

"Young men, wherever you may be, whatever you may do, at all times remember that you are Filipinos. You owe it to yourselves, to your country, and to the great Empire whose goodwill has opened up to you a new vista of opportunity and of service, to endeavor to bring into

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Loyalty Impressed...

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play the finest and noblest traits of your manhood."

President Laurel's message invited the young men to refresh themselves with the heroic tradition of the Filipinos manifest in their history and get inspiration from it. He said:

"I would have you review our national history as far back as you can and trace faithfully the line and development of the heroic tradition in order to deepen your understanding and appreciation and provide yourselves a lasting inspiration to guide and enrich all your future endeavors.

"Here, as well as abroad, I would have you keep fresh the sense of mental adventure, guarding ever against preconceptions, ready to welcome truths when they have proved their title despite the havoc that they may work with old and cherished beliefs.

Vital Causes

"Now and ever afterwards, I would have you enforce in your everyday activities the most intelligent discipline that knows how to subordinate petty and personal interests to the larger causes that are vital to the community and nation to which you belong.

"I would likewise have you bear in mind at all times the philosophy of the new order to which you all belong. This new order is committed to the establishment and perpetuation of the rule of moral justice in which every opportunity will be given to all to fulfill their highest creative instinct in service, not for their personal advantage but for the welfare and well-being of the entire community.

"All your preparations will mean nothing to yourselves as individuals and to your people as a nation unless you are completely and absolutely animated by this philosophy of service. Nothing short of the supreme sacrifice may be expected of you to live up to this ideal, and I dare say that you will find your greatest joy and gratification in

inspiring to come up to the measure of this ideal."

In conclusion, the President stated: "You will, therefore, carry with you here, as well as abroad, the principle that you are a Filipino first and last and that as a Filipino you will be ready to serve to the extent of sacrificing yourselves in order to insure the happiness of your country and make of it a worthy member of the community of free nations not only in East Asia but in the entire world."

For New Order

The ceremonies yesterday morning in the social hall of Malacanan Palace were presided over by Dr. Mariano V. de los Santos, director of the Institute. The program opened promptly at 10 a.m. with Ambassador Syozo Murata, Speaker Benigno S. Aquino, members of the cabinet, officers of the Imperial Japanese Army and members of the families of the pensionados attending.

After a salute to the Filipino flag as the initial number on the program, Director De los Santos gave the opening remarks in which he said, among others, that one of the most urgent task the Filipinos are duty-bound to undertake is to gain a fuller understanding of the spirit, the cultures, and civilization of their neighboring countries, especially Japan which, in this critical period, "is staking her very existence to the end that a New Order in East Asia may be established."

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For Oriental Self-Realization

The President, in his advice to the students of the Pensionado Training Institute, touched on fundamentals about the New World Order which the Greater East Asia War seeks to realize in this part of the globe. With deep penetration into the psychology and development of races and nations, he laid significant stress upon the necessity of self-realization on the part of all Orientals as a basis for the fulfillment of the ideals of the Co-Prosperity Sphere.

"If the peoples of Greater East Asia," said the President in part, "could understand one another and realize that they have their own role to play in the history of human civilization; if they could realize that they are not destined by God to remain always under the exploitation and domination of Occidental powers; if they could realize that they have a right to be happy and prosperous and to live their own way of life;" and—"if they realize these essential and significant truths, then every one of them would resist any attempt on the part of outsiders to dominate this part of the world that God has reserved for us."

Such an ideal in the development of the East Asian mentality calls naturally for the cultivation of mutual understanding of one another's cultural background, intelligent sympathy, and goodwill amongst neighbor Orientals. To achieve this and make it endure, there is no substitute for actual personal contact and an open-minded attitude towards one another's idiosyncracies and such other differences in manners and ways resulting from a long period of alienation forced upon this region by dominators and oppressors from other spheres.

But, since it is next to impossible for all East Asians to co-mingle to discover by personal contact why certain differences should be overlooked or regarded with generous tolerance until such times as a more harmonious, typical East Asian mind could be developed, it is best to begin the foundations by sending young and unprejudiced men to Japan, the leader-country, "in order that they may understand the whole background of this world movement".

The pensionados who will return from Japan from year to year—and maybe, later, from other East Asian countries also—will hold in their power the new mentality and the new vision to qualify them for intelligent leadership and direction in the development of the Republic; until, in time, all the rough edges that might give cause for discord shall have been smoothed out and the ideals of the Co-Prosperity Sphere finally achieved.

Until such an ultimate fulfillment, it behooves all of us Filipinos to be imbued with true East Asian pride in the destiny of our region by seeking in every way possible to comprehend the just and solemn purposes of the present war.

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