

Mpl Bond file

REPUBLIC OF THE PHILIPPINES  
MUNICIPAL BOARD  
ORMOC CITY  
Office of the Secretary

EXCERPT FROM THE MINUTES OF THE REGULAR SESSION OF THE  
MUNICIPAL BOARD OF ORMOC CITY, PHILIPPINES, HELD IN  
ITS SESSION HALL ON DECEMBER 10, 1955

PRESENT:

His Honor, Potenciano A. Larrazabal...Actg. City Mayor  
Presiding Officer  
Hon. Esteban C. Conejos .....City Councilor  
" Guillermo T. Parrilla..... " "  
" Teotimo Ocubillo..... " "  
" Alvaro I. Gutierrez..... " "  
" Cleto P. Evangelista..... " "  
" Porfirio Ayuyao..... " "

ABSENT:

Hon. Rafael M. Mejia.....Actg. Vice Mayor  
" Jorge S. Tan .....City Councilor  
" Usualdo F. Laguitan ..... " "



RESOLUTION NO. 178

WHEREAS, an appeal for death compensation for the death of the late S/Sgt. Mamerto Delgado, Warden, Ormoc City Police Department, was presented before the Municipal Board of Ormoc City by Chief of Police Ciriaco Porcadilla in behalf of the bereaved family of the deceased;

WHEREAS, according to the findings of the Committee on Police and Fire of the Municipal Board of Ormoc City, said S/Sgt. Mamerto Delgado died in line of duty;

WHEREAS, the City Attorney of Ormoc, in a written opinion numbered III, series of 1954, opined that the heirs of the late S/Sgt. Mamerto Delgado should be entitled to enjoy the benefit of Republic Act 784 by then receiving from the City and National Government such compensation of ONE THOUSAND PESOS (P1,000.00) and funeral expenses of TWO HUNDRED PESOS (P200.00);

WHEREAS, the Municipal Board, basing on this opinion of the City Attorney, in its Resolution No. 3, current series, appropriated the amount of SIX HUNDRED PESOS (P600.00) representing one-half of the death compensation and funeral expenses as the city's share, the same being paid to and collected by Mrs. Jovita Magno Vda. de Delgado on January 17, 1955; and

WHEREAS, in order that such death compensation may be paid in full, pertinent papers relative to the claim were forwarded to higher authorities in Manila seeking approval for the payment of SIX HUNDRED PESOS (P600.00) by the National Government; and

WHEREAS, the National Government basing on the decision of the Supreme Court on the case of Teofila S. Tibon versus the Auditor General, disapproved the payment of its share of SIX HUNDRED PESOS (P600.00) for the reason that the provisions of Republic Act 784 is applicable only to members of the Police Force of municipalities and not to chartered cities; and

WHEREAS, because of this disapproval of the National Government to pay the other half of the death compensation and funeral expenses, the heirs of the



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late S/Sgt. Mamerto Delgado appealed back to the City of Ormoc, thereby requesting the city government to shoulder the whole compensation; and

WHEREAS, in view of the precarious financial condition of the City of Ormoc, it can no longer grant further payment of such claim;

NOW, THEREFORE, the Board, on motion of Councilor Esteban C. Conejos seconded by Councilor Alvaro I. Gutierrez;


BE IT RESOLVED, as is hereby resolved, to petition the National Government to reconsider its disapproval on the payment of its share on the herein claim, and to respectfully request proper authorities of the National Government to pay to the heirs of the late S/Sgt. Mamerto Delgado the amount of SIX HUNDRED PESOS (P600) so as to complete payment of the death compensation and funeral expenses as contemplated above;

RESOLVED FURTHER, to respectfully request the help of the Honorable Executive Secretary in seeking approval of this appeal by proper authorities of the National Government who have jurisdiction over this matter;


RESOLVED FINALLY, to furnish copies of this Resolution each to His Excellency, the President of the Philippines, Malacañang, Manila; the Honorable Executive Secretary, Manila; the Honorable Auditor General, Manila; the Honorable City Mayor, the City Treasurer, the City Auditor and the City Chief of Police, all of Ormoc City.

CARRIED UNANIMOUSLY.


I HEREBY CERTIFY to the correctness of the above-quoted Resolution.

  
RAMON BANTASAN  
Secretary

APPROVED:

  
POTENCIANO A. LARRAZABAL  
Acting City Mayor  
Presiding Officer

ATTESTED:

  
ARTEMIO T. DERECHO  
Secretary to the City Mayor

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