

AN ACT TO AMEND SECTION EIGHTEEN OF ACT NUMBERED TWENTY-TWO HUNDRED AND FIFTY-NINE, ENTITLED "AN ACT PROVIDING CERTAIN SPECIAL PROCEEDINGS FOR THE SETTLEMENT AND ADJUDICATION OF..."

Act No. 2558., February 02, 1916

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

SECTION 1. Section eighteen of Act Numbered Twenty-two hundred and fifty-nine, entitled "An Act providing certain special proceedings for the settlement and adjudication of land titles," as amended by Act Numbered Twenty-three hundred and thirty-eight, is hereby amended to read as follows:

"SEC 18. One-tenth of the cost of the survey and monumenting and the registration proceedings had under this Act shall be borne by the Insular Government, one-tenth shall be paid by the province or provinces and one-tenth by the municipalities, townships or settlements in which the land is situated, to be apportioned by the Court of First Instance, the city of Manila to be considered for this purpose, both as a province and a municipality: Provided, That when in the opinion of the provincial board, a municipality, township, or settlement is without sufficient funds to meet this obligation, its share may be paid by the province: And provided further, That the one-tenth assessed against provinces, and the one-tenth assessed against municipalities, townships, or settlements, may be paid, with the approval of the Governor-General, in five equal annual installments. The court shall in its final decision, or by subsequent order, designate the share of the Insular Government, and the amounts to be paid by the province or provinces and municipalities, townships or settlements and shall tax and apportion the remaining seven-tenths of the cost of the survey, monumenting and registration proceeding against the various lots and the owners thereof, and the clerk of the court shall transmit to the provincial treasurer a statement of such taxation and apportionment, specifying the amounts taxed against each lot or parcel of land as aforesaid: Provided, That the proportional part of the cost of the cadastral survey and monumenting shall be taxed against each and all of the lots included in a cadastral proceeding, although the same may have been surveyed at the request and expense of the proprietor thereof and although a plat other than the cadastral plat may have been made of them by a duly authorized surveyor, prior to the decision of the cadastral proceedings. Likewise there shall be taxed against each and all of the lots the proportional part of the cost of the cadastral survey and monumenting and of the costs and expenses of the registration proceedings, even though a certificate of title to said lots may have been issued prior to the decision of the cadastral proceedings, under the provisions of Act Numbered Four hundred and ninety-six, entitled "The Land Registration Act," or even if they be declared to be public land by the court: Provided, however, That the amounts represented by the proportional parts of the costs taxed against the lots so surveyed at the expense of their owner, or registered prior to the decision of the cadastral proceedings, declared to be public land by the court, shall not constitute a lien upon the same nor be collected by the provincial treasurer. The amount taxed against each of the lots or parcels of land not of the class last specified in this section shall be considered a special assessment of taxes against the respective parcels, shall constitute a first lien upon the land, and shall be collected by the provincial treasurer in equal annual installments in not less than five nor more than fifteen years, as the Governor-General may, in his discretion, determine in each case, bearing interest at

the rate of six per centum per annum. The first installment shall become due and payable at the same time as the general land taxes for the year next succeeding the year in which the decision of the Court of First Instance is rendered and shall be collected in the same manner as such general land taxes. Each succeeding installment shall become due and payable at the same time as the general land taxes for the corresponding current year and shall be collected in the same manner: Provided, however, That the owner of any lot may also, if he so desires, at any time before it becomes due, pay any installment of the costs taxed against such lot: Provided further, That the Director of Lands shall at the end of each month certify to the Insular Auditor and the Insular Treasurer a statement showing the amounts expended on each cadastral survey project, and the Insular Treasurer is hereby to authorized and empowered to pay to the Bureau of Lands an amount equal to the amounts so certified as having been expended, and the necessary amounts to make such payments are hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, and such amounts shall be credited to the appropriation for the Bureau of Lands.

"The court having fixed the share of the Insular Government and the amounts to be paid by the province or provinces, the municipalities, townships, or settlements, and the owners of the various lots, the Insular Treasurer is hereby authorized and empowered to pay to the Judiciary an amount equal to the cost of the registration proceedings, and the necessary amounts to make such payment are hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, such amounts to be credited to the appropriations for the Judiciary. The amounts to be paid by the province or provinces and the municipalities, townships or settlements and the "amounts collected by the provincial treasurer from the owners of the various lots shall be paid into the Insular Treasury: Provided, however, That the various provincial governments may, in their discretion, with the approval of the Governor-General, assume s and pay, in addition to the proportion chargeable to them under the provisions of this section, the seven-tenths of the cost of the survey, monumenting, and registration taxed and apportioned against the various lots and owners thereof, and in such event the payments required to be made by said owners shall be made as herein provided and shall be covered into the provincial treasury as a part of the general funds of the province."

SEC. 2. This Act shall have retroactive effect and shall be applicable to all cadastral proceedings in which an order of apportionment of the costs has not been issued at the time of its promulgation.

Enacted, February 2, 1916.

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