

AN ACT TO AMEND SECTION SEVEN HUNDRED AND EIGHTY-EIGHT OF ACT NUMBERED ONE HUNDRED AND NINETY, COMMONLY KNOWN AS THE CODE OF CIVIL PROCEDURE

Act No. 3099, March 16, 1923

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Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. The first paragraph of section seven hundred and eighty-eight of Act Numbered One hundred and ninety is hereby amended to read as follows:

"SEC. 788. Fees shall be charged according to the following schedule:

1. When the subject of litigation is not capable of pecuniary estimation, sixteen pesos.
2. When the amount of the demand, exclusive of interest and damages, or the value of the subject-matter of the litigation is less than two hundred pesos, eight pesos.
3. When the amount of the demand, exclusive of interest and damages, or the value of the subject-matter of the litigation is two hundred pesos or more, but less than six hundred pesos, twelve pesos.
4. When the amount of the demand, exclusive of interest and damages, or the value of the subject-matter of the litigation is six hundred pesos or more, but less than one thousand pesos, sixteen pesos.
5. When the amount of the demand, exclusive of interest and damages, or the value of the subject-matter of the litigation is one thousand pesos or more, but less than five thousand pesos, twenty pesos.
6. When the amount of the demand, exclusive of interest and damages, or the value of the subject-matter of the litigation is five thousand pesos or more, but less than twenty thousand pesos, thirty pesos.
7. When the amount of the demand, exclusive of interest and damages, or the value of the subject-matter of the litigation is twenty thousand pesos or more, but less than fifty thousand pesos, forty pesos.
8. When the amount of the demand, exclusive of interest and damages, or the value of the subject-matter of the litigation is fifty thousand pesos or more, but less than one hundred thousand pesos, fifty pesos.
9. When the amount of the demand, exclusive of interest and damages, or the value of the subject-matter of the litigation is one hundred thousand pesos or more, but does not exceed one hundred and fifty thousand pesos, seventy-five pesos; and one peso additional for each five thousand pesos in excess when the amount of the demand, exclusive of interest and damages, or the value of the subject-matter of the litigation is greater than one hundred and fifty thousand pesos: Provided, That in regulating the fees in accordance with this Act, the assessed valuation shall be taken into consideration whenever the litigation involves real property: Provided, further, That when an amended complaint is filed claiming a greater amount or property of greater value than that claimed in the original complaint, the difference in the fees shall be collected in accordance with the above scale: Provided, finally, That in case the value of the property claimed is less, according to the estimate of the sentence, the excess paid shall be returned.

For all services as referee or as commissioner to take testimony under appointment by the court, such sum as the judge shall allow, which shall be proportionate to the other fees in this section provided.

For certifying the official act of a justice of the peace or other certificate, with seal, one peso.

For filing and recording all papers relating to an adoption, in each case of adoption, twelve pesos.

For certified copies or any paper, record, decree, judgment, or entry of which any person is entitled to demand and receive a copy, for each one hundred words, twenty centavos.

For all clerical services in the allowance of wills, granting letters of administration, appointment of guardians, trustees, settlement of the accounts of executors, administrators, guardians, trustees, and recording final and interlocutory orders, judgments, and decrees therein, filing all inventories and appraisements, and for all other work as clerk pertaining to any one estate the fees charged shall be in accordance with the value of the property involved in each case, as definitively appraised by the committee appointed under section six hundred and seventy of Act Numbered One hundred and ninety, and after allowance of all claims against said property, as follows :

For property not exceeding one thousand pesos in value, sixteen pesos.

For property not exceeding two thousand pesos, but over one thousand pesos in value, twenty pesos.

For property not exceeding ten thousand pesos, but over two thousand pesos in value, thirty pesos.

For property not exceeding thirty thousand pesos, but over ten thousand pesos in value, eighty pesos.

For property not exceeding fifty thousand pesos, but over thirty thousand pesos in value, one hundred and thirty-five pesos.

For property not exceeding seventy-five thousand pesos, but over fifty thousand pesos in value, two hundred and twenty pesos.

For property not exceeding one hundred thousand pesos, but over seventy-five thousand pesos in value, two hundred and seventy pesos.

For property exceeding one hundred thousand pesos in value, two hundred and seventy pesos for the first one hundred thousand pesos, plus one twentieth of one per centum on the amount in excess thereof.

For services of all clerks of the court in the performance of their duties in criminal proceedings, sixteen pesos shall be charged."

SEC. 2. This Act shall be in force and effect until December thirty-first, nineteen hundred and twenty-four.

Approved, March 16, 1923.

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