

## **AN ACT AMENDING CHAPTER VI OF ACT NUMBERED ONE HUNDRED AND THIRTY-SIX, ENTITLED "AN ACT PROVIDING FOR THE ORGANIZATION OF COURTS IN THE PHILIPPINE ISLANDS," BY PRESCRIBING THE M...**

*Act No. 2035, February 03, 1911*

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

SECTION 1. Section eighty-seven of Act Numbered One hundred and thirty-six, entitled "An Act for the organization of courts in the Philippine Islands," is hereby amended to read as follows:

"SEC. 87. Register of official acts.— Every notary public, including officials who are ex officio notaries public, shall keep a register of all his official acts, to be known as notarial register, and shall give a certified copy of his record, or any part thereof, to any person applying for it and paying the legal fees therefor.

"The notary public shall enter in such register, in chronological order, the nature of each instrument executed, sworn to, or acknowledged before him, the persons executing, swearing to, or acknowledging the instrument, the witnesses, if any, to the signatures, the date of the execution, oath, or acknowledgment of the instrument, the fees collected by him for his services as notary in connection therewith, and, when the instrument is a contract, a brief description of the substance thereof, and shall give to each entry a consecutive number, beginning with number one in each calendar year. The notary shall give to each instrument executed, sworn to, or acknowledged before him a number corresponding to the one in his register, and shall also state on the instrument the page or pages of his register on which the same is recorded. No blank line shall be left between entries. At the end of each week the notary public shall certify in his register the number of instruments executed, sworn to, or acknowledged before him, and if none have been executed, sworn to, or acknowledged that fact shall appear in the certificate. Such register shall be kept in books to be furnished by the Attorney-General to any notary public upon request and upon payment of the actual cost thereof. The register shall be duly paged, and on the first page the Attorney-General shall certify the number of pages of which the book consists.

"At the end of every month the notary public shall send to the clerk of the court of the province wherein he exercises his office a copy of the entries made in his register during the month, if any. The blank forms for such copies shall be furnished by the Attorney-General to the notary public upon request and upon payment by him of the actual cost thereof.

"For the purposes of this section the city of Manila shall be considered a province.

"Failure to comply with the provisions of this section without just cause shall be ground for the removal of the notary public, and he shall be punished by a fine of not more than five hundred pesos."

SEC. 2. Section ninety-two of said Act Numbered One hundred and thirty-six shall be known as section ninety-four, and the following additional sections are hereby inserted in said Act:

"SEC. 92. Supervision over notaries public.—The judge of the Court of First Instance in each district, and in the city of Manila the senior judge, shall at all times exercise supervision over the notaries public within his

district and shall keep himself informed of the manner in which they perform their duties by personal inspection wherever possible, or from reports which he may require from them, or from any other available source.

"SEC. 93. Disposition of notarial register after the expiration of the notary's commission.—Within fifteen days after the expiration of his commission the notary public shall forward his notarial register to the clerk of the Court of First Instance of the province wherein he exercises his office, who shall examine the same and report thereon to the judge of the Court of First Instance. If the judge finds that no irregularity has been committed in the keeping of the register, he shall forward the same to the chief of the division of archives, patents, copyrights, and trade-marks of the Executive Bureau. In case the judge finds that irregularities have been committed in the keeping of the register, he shall refer the matter to the fiscal of the province—and in the city of Manila, to the prosecuting attorney—for action, and the sending of the register to the chief of the division of archives, patents, copyrights, and trademarks of the Executive Bureau shall be deferred until the termination of the case against the notary public."

SEC. 3. The second paragraph of section seven hundred and ninety-one of Act Numbered One hundred and ninety is hereby amended to read as follows:

"For protesting bill or note for nonacceptance or nonpayment Fees-and giving notice, one peso and fifty centavos; for registering such protest and making record, fifty centavos; for attesting letters of attorney with seal, fifty centavos; for notarial affidavit to an account or other writing, with seal, fifty centavos; for each oath or affirmation with seal, forty centavos; for taking proof of debts to be sent abroad, fifty centavos; for a certified copy of record and affidavit of its correctness, one peso; for writing depositions and affidavits, ten centavos for each one hundred words; for taking proof or acknowledgment of any writing concerning real or personal estate and certificate thereof, for each party, one peso."

Enacted, February 3, 1911.

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