

AN ACT AMENDING ACT NUMBERED FOUR HUNDRED AND NINETY-SIX, ENTITLED "AN ACT TO PROVIDE FOR THE ADJUDICATION AND REGISTRATION OF TITLES TO LANDS IN THE PHILIPPINE ISLANDS."

Act No. 700, March 26, 1903

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

SECTION 1. Act Numbered Four hundred and ninety-six, entitled "An Act to provide for the adjudication and registration of titles to lands in the Philippine Islands," is hereby amended as follows:

1. By adding to section twelve the following:

"The court is authorized to detail an examiner of titles appointed for one judicial district to perform duties in another district whenever in its judgment the public interest will be served thereby.

"The judges of the Court of Land Registration and the clerk of the court or any deputy thereof, and the examiners of titles, in going to and from their respective places of residence to other provinces upon the business of the court, shall be allowed their actual and necessary traveling expenses and actual subsistence expenses, the latter not to exceed two dollars, money of the United States, per day. When transportation by steamship, Government transport, or otherwise includes subsistence, no per diem shall be paid or allowed for such portion of the journey."

2. By striking out the certificate of acknowledgment at the end of section one and inserting in lieu thereof the following:

"UNITED STATES OF AMERICA, PHILIPPINE ISLANDS.

"Province (or city) of _____ (date).

"Then personally appeared the above-named _____, known to me to be the signer (or signers) of the foregoing application, and made oath that the statements therein, so far as made of his (or their) own knowledge are true, and so far as made upon information and belief, that he (or they) believe them to be true. The cedula certificate _____ of the applicant (or applicants, or representative) was exhibited to me, being No. _____, issued at _____, dated _____, 190__

"Before me,

" _____ "

(Notary public or other official authorized to administer oaths.)

3. By adding to section ninety-nine the following:

"In case land is subdivided subsequent to the last assessment and registration proceedings are had as to a portion only of such land, the value of such portion, for the purposes of this section and for the payment required by paragraph four of section one hundred and fourteen, shall be fixed by agreement between the

applicant and the tax collector of the city or province where the land is situated and shall be proportioned to the value such land bears to the whole tract assessed. In case of disagreement between the tax collector and the applicant as to the value of the land, the question shall be submitted to the court for decision.

"Where land sought to be registered has not been assessed for taxation, its value, for the purposes of this Act, shall be its market value, and the applicant shall file with his application the sworn declaration of three disinterested persons that the value fixed by him is to their knowledge a fair valuation.

"The court is authorize to increase the valuation as fixed under the two preceding paragraphs should it appear upon the hearing that the value stated in the application is too small."

4. By adding to section one hundred and twenty-four the following:

"All the powers and faculties conferred by sections two hundred and sixty-eight (paragraph five), two hundred and sixty-nine and two hundred and seventy-six of the Mortgage Law, and sections one hundred and twelve and one hundred and twenty of the regulations for its execution, upon the president of the audiencia and the judges of first instance in the matter of inspecting registries of property, receiving consultations from the registers of deeds, and hearing determining all questions affecting the registration of instruments, are hereby conferred upon the Court of Land Registration created by this Act."

5. By striking out the form of acknowledgment in section one hundred and twenty-seven, being Form Numbered One, and inserting in lieu thereof the following:

"UNITED STATES OF AMERICA, PHILIPPINE ISLANDS.

"Province (or city) of _____ (date).

"At the municipality of _____, in said, province, on this _____ day of _____, A. D. 190____, personally appeared _____ known to me to be the same person (or persons) who executed the foregoing instrument and acknowledged that the same is his (or their) free act and deed. The cedula certificates of the parties to the instrument were exhibited to me, being Nos. _____, issued at _____, dated _____, 190____

"Before me,

" _____ "

(Notary public or other official authorized to administer oaths.)

6. By inserting in each of the forms of deed, mortgage, and lease appearing in section one hundred and twenty-seven, after the space provided therein for the name and address of the grantee, mortgagee, or lessee, the word "...married," followed by a blank space, such instruments being required to show whether or not the grantee, mortgagee, or lessee is married, and, if so, to whom.

7. By amending section one hundred and twenty-eight to read one hundred and twenty-nine, and inserting as section one hundred and twenty-eight the following:

"The Court of Land Registration, for the purpose of giving publicity to the law and to facilitate the work of the court, is authorized to have printed for free distribution such number of blank forms of application, rules and regulations, forms of deeds, mortgages, and leases, or other matter of use or information to the public in the registration of lands as the court may in its discretion deem proper."

"SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section two of "An Act prescribing the order of procedure by the Commission in

the enactment of laws," passed September twenty-sixth, nineteen hundred.

SEC. 3. This Act shall take effect on its passage.

Enacted, March 26, 1903.

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