

AN ACT TO AMEND SECTION SIXTY-EIGHT, AS AMENDED, OF ACT NUMBERED ONE HUNDRED AND THIRTY-SIX, AUTHORIZING JUSTICES OF THE PEACE, WHO ARE LAWYERS, TO HEAR, UPON ASSIGNMENT BY THE ...

Acts No. 4090, November 29, 1933

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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 second paragraph of section sixty-eight of Act Numbered One hundred and thirty-six, as amended by Act Numbered Three thousand eight hundred and eighty-one, is hereby further amended to read as follows:

"The jurisdiction of a justice of the peace shall not extend to civil actions in which the subject of litigation is not capable of pecuniary estimation except in forcible entry and detainer cases; nor to those which involve the legality of any tax, impost, or assessment; nor to actions involving admiralty or maritime jurisdiction; nor to matters of probate, the appointment of guardians, trustees or receivers; nor to actions for annulment of marriages: Provided, however, That justices of the peace in the capitals of provinces and subprovinces organized under the Provincial Law and justices of the peace of municipalities considered as provincial capitals in accordance with the provisions of Act Numbered Three thousand six hundred and twenty-two may, with the approval of the Secretary of Justice first had, by assignment of the respective judge of the Court of First Instance in each case have like jurisdiction within the province as the Court of First Instance to hear and determine cases originally cognizable by said court in which the subject of litigation is capable of pecuniary estimation and the value of the subject matter or amount of the demand does not exceed two thousand pesos exclusive of interest and costs, except cases involving the legality of any tax, impost, or assessment, or action involving admiralty or maritime jurisdiction: And provided, further, That justices of the peace who are duly qualified members of the bar may, with the approval of the Secretary of Justice, be assigned by the respective judge of the Court of First Instance in each case to hear and determine cadastral or land registration cases covering lots where there is no controversy or opposition, or contested lots the value of which does not exceed two thousand pesos, such value to be ascertained by the affidavit of the claimant or by agreement of the respective claimants, if there are more than one, or from the corresponding declarations of real property."

SEC. 2. This Act shall take effect upon its approval.

Approved, November 29, 1933.

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