

[Act No. 2131, February 01, 1912]

AN ACT AMENDING CERTAIN SECTIONS OF ACTS NUMBERED ONE HUNDRED AND THIRTY-SIX, FOURTEEN HUNDRED AND FIFTY, AND SIXTEEN HUNDRED AND TWENTY-SEVEN, AS AMENDED, AND ACT NUMBERED TWO THOUSAND AND FORTY-ONE, BY INTRODUCING CERTAIN REFORMS IN THE JURISDICTION OF THE JUSTICE OF THE PEACE COURTS, AND CHANGING THE SALARIES OF CERTAIN JUSTICES OF THE PEACE.

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

SECTION 1. Section sixty-eight of Act Numbered One hundred and thirty-six, as amended by section three of Act Numbered Two thousand and forty-one, is hereby amended to read as follows:

"SEC. 68. *Civil jurisdiction and powers.*—In all civil actions, including those mentioned in section two hundred and sixty-two to two hundred and seventy-two as hereby amended, inclusive, and chapter eighteen of Act Numbered One hundred and ninety, arising in his municipality, and not exclusively cognizable by the Court of First Instance, the justice of the peace shall have exclusive original jurisdiction where the value of the subject matter or amount of the demand does not exceed two hundred pesos, exclusive of interest and costs; and where such value or demand exceeds two hundred pesos but is less than six hundred pesos, the justice of the peace shall have jurisdiction concurrent with the Court of First Instance. In forcible entry and detainer proceedings the justice shall have original jurisdiction, but he may receive evidence upon the question of title therein solely for the purpose of determining the character and extent of possession and damages for detention. In forcible entry proceedings he may grant preliminary injunctions, in accordance with the provisions of Act Numbered One hundred and ninety, to prevent the defendant from committing further acts of dispossession against the plaintiff.

"Justices of the peace shall have exclusive original jurisdiction to adjudicate the questions of title to real estate or any interest therein when the value of the property in litigation does not exceed two hundred pesos, and where such value exceeds two hundred pesos but is less than six hundred pesos the justice of the peace shall have jurisdiction concurrent with the Court of First Instance.

"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 organized under the Provincial Government Act may 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 First Instance 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 actions involving admiralty or maritime jurisdiction.

"Justices of the peace in the capitals of provinces organized under the Provincial Government Act, and the governors of provinces not organized under said Act acting as ex officio justices of the peace, in the absence of the judge of the district from the province may exercise within the province like interlocutory jurisdiction as the Court of First Instance, which shall be held to include the hearing of all motions for the appointment of a receiver, for temporary injunctions, and for all other orders of the court which are not final in their character and do not involve a decision of the case on its merits, the hearing of petitions for a writ of habeas corpus, and all questions which may arise concerning the appointment of inspectors of election, or the inclusion in or exclusion from the register of voters of the names of electors.

"A justice of the peace shall have power anywhere within his territorial jurisdiction to solemnize marriages, authenticate merchants' books as provided by articles nineteen and thirty-six of the Code of Commerce, administer oaths, take depositions and acknowledgments, and to perform all other acts which under the law may be performed by a notary public."

SEC. 2. Section four of Act Numbered Sixteen hundred and twenty-seven, as amended by section four of Act Numbered Two thousand and forty-one, is hereby further amended so as to read as follows:

"SEC. 4. *Jurisdiction to try and sentence.*—Justices of the peace, except in the city of Manila, shall have original jurisdiction to try parties charged with misdemeanors, offenses, violations of regulations adopted by the respective provincial boards, under the provisions of section thirteen (k), as amended, of Act Numbered Eighty-three, entitled 'The Provincial Government Act,' and infractions of municipal ordinances, committed within the territory within their jurisdiction, in which the penalty provided by law does not exceed six months' imprisonment or a fine of two hundred pesos, or both such imprisonment and fine.

"Justices of the peace in the capitals of provinces organized under the Provincial Government Act, and the governors of provinces not organized under said Act acting as ex officio justices of the peace, may by assignment of the respective judge of the district in each case have like jurisdiction as the Court of First Instance to try parties charged with an offense committed within the province in which the penalty provided by law does not exceed two years' imprisonment or a fine of two thousand pesos or both such imprisonment and fine, and in the absence of the judge of the district shall have like jurisdiction within the province as the Court of First Instance to hear applications for bail.