

[Act No. 1108, April 05, 1904]

**AN ACT AMENDING SEVERAL SECTIONS OF ACT NUMBERED
FOUR HUNDRED AND NINETY-SIX, ENTITLED "THE LAND
REGISTRATION ACT."**

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

SECTION 1. Section six of Act Numbered Four hundred and ninety-six, the Land Registration Act is hereby amended by adding at the end thereof, the following words:

"Any judge at large of the Court of First Instance, appointed by virtue of Act Numbered Three hundred and ninety-six, may likewise be required to perform the duties of judge of the Court of Land Registration in any province in the Philippine Islands or in the city of Manila, when directed in writing to do so by the Civil Governor, in which case his acts, proceedings, and judgments shall be of the same validity as though he were a regular judge or associate judge of the Court of Land Registration in the city of Manila or in the province in which he shall perform such duties. In case such order is given, the judge performing duties as judge of the Court of Land Registration shall receive an allowance for traveling expenses in the same manner and to the same extent as he would receive if performing the duties of a judge of the Court of First Instance."

SEC. 2. Section twelve of said Act is hereby amended by striking out the word "fifteen" in the third line thereof and by adding at the end thereof the following words:

"In case no examiner of titles has been appointed for a judicial district, or in other cases where such action is deemed advisable, the Secretary of Finance and Justice may issue an order that the register of deeds or the provincial fiscal of any province shall perform the duties of examiner of titles within his province, either permanently or until a regular examiner of titles shall be appointed for the judicial district within which the province lies; such order may be revoked at any time by the Secretary of Finance and Justice. In case such order is issued, the register of deeds or the provincial fiscal, as the case may be shall be entitled, in addition to his regular salary as register of deeds or as fiscal, to receive from the clerk of the court one-half the fee of five dollars provided by law for an examination of title, and the remainder of the fee and the percentage on the value of the land shall be paid into the Insular Treasury, notwithstanding the provisions of section thirteen of this Act or any other provisions of existing law."

SEC. 3. The first sentence of section thirteen of said Act is hereby amended to read as follows:

"The salary of the judge of the Court of Land Registration shall be five thousand dollars per annum, and that of the associate judge shall be four thousand dollars per annum until the first day of January, nineteen hundred and five, and thereafter four thousand five hundred dollars per

annum, and that of the clerk of the court shall be two thousand five hundred dollars per annum, the salary of any associate judge hereafter appointed under this Act shall be four thousand dollars per annum for the first two years of service as associate judge, and thereafter four thousand five hundred dollars."

SEC. 4. Section fourteen of said Act is hereby repealed and a new section fourteen is hereby inserted, to read as follows:

"SEC. 14. Every order, decision, and decree of the Court of Land Registration may be reviewed by the Supreme Court in the same manner as an order, decision, decree, or judgment of a Court of First Instance might be reviewed, and for that purpose sections one hundred and forty-one, one hundred and forty-two one hundred and forty-three, four hundred and ninety-six, four hundred and ninety-seven except that portion thereof relating to assessors, four hundred and ninety-nine, five hundred, five hundred and one, five hundred and two, five hundred and three, five hundred and four, five hundred and five, five hundred and six, five hundred and seven, five hundred and eight, five hundred, and nine, five hundred and eleven, five hundred and twelve, five hundred and thirteen, five hundred and fourteen, five hundred and fifteen, five hundred and sixteen, and five hundred and seventeen of Act Numbered One hundred and ninety, entitled 'An Act providing a Code of Procedure in civil actions and special proceedings in the Philippine Islands,' are made applicable to all the proceedings of the Court of Land Registration and to a review thereof by the Supreme Court, except as otherwise provided in this section: *Provided, however,* That no certificates of title shall be issued by the Court of Land Registration until after the expiration of the period for perfecting a bill of exceptions for filing: *And Provided further,* That the Court of Land Registration may grant a new trial in any case that has not passed to the Supreme Court, in the manner and under the circumstances provided in sections one hundred and forty-five, one hundred and forty-six, and one hundred and forty-seven of Act Numbered One hundred and ninety: *And provided also,* That the certificates of judgment to be issued by the Supreme Court, in cases passing to it from the Court of Land Registration, shall be certified to the clerk of the last-named court as well as the copies of the opinion of the Supremo Court: *And provided also,* That in the bill of exceptions to be printed no testimony or exhibits shall be printed except such limited portions thereof as are necessary to enable the Supremo Court to understand the points of law reserved. The original testimony and exhibits shall be transmitted to the Supreme Court.

"(a) Where the associate judges, or the judge and an associate judge, sitting together in any proceeding in the Court of Land Registration, shall disagree as to any decision, they shall certify the fact of their disagreement and the record to the Supreme Court of the Islands, which shall thereupon proceed to examine the case and issue a mandate to the Court of Land Registration as to the judgment that should be rendered."

SEC. 5. Section seventeen of said Act is hereby amended by inserting in the fourth line, after the words "in the Courts of First Instance" and before the words "and, upon the request of the judge of the Court of Land Registration," the following