

[Act No. 1159, May 19, 1904]

AN ACT MAKING FURTHER PROVISIONS THAN ARE CONTAINED IN ACT NUMBERED ONE HUNDRED AND NINETY RELATING TO THE PROCEDURE OF THE SUPREME COURT IN THE EXERCISE OF ITS ORIGINAL JURISDICTION IN CIVIL ACTIONS AND IN RELATION TO COSTS TO BE ALLOWED IN SUCH PROCEEDINGS.

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

SECTION 1. Whenever certiorari proceedings shall be instituted in the Supreme Court in relation to the proceedings of a Court of First Instance, as provided in section five hundred and fourteen 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," and whenever mandamus proceedings shall be instituted in the Supreme Court against a judge or Court of First Instance in accordance with section five hundred and fifteen of said Act Numbered One hundred and ninety, and whenever prohibition proceedings shall be instituted in the Supreme Court against a judge or Court of First Instance in accordance with section five hundred and sixteen of Act Numbered One hundred and ninety, the party instituting such proceedings in certiorari, mandamus, or prohibition, shall, in addition to the judge or Court of First Instance, make as a party defendant the person or persons interested in sustaining the proceedings in the Court of First Instance; and it shall be the duty of such person or persons to make necessary defense in the Supreme Court, both in his or in their own behalf and in behalf of the judge or Court of First Instance affected by the proceedings, and if costs shall be awarded in favor of the party instituting such proceedings in the Supreme Court, such costs shall be awarded only against the part in interest above stated, and not against the judge or Court of First Instance who is made a defendant to the proceedings, anything in said Act Numbered One hundred and ninety to the contrary notwithstanding.

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, May 19, 1904.



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