

[Act No. 535, November 25, 1902]

AN ACT AUTHORIZING THE COURT OF FIRST INSTANCE OF THE CITY OF MANILA TO TAKE COGNIZANCE OF CERTAIN CLAIMS MADE AGAINST THE GOVERNMENT OF THE UNITED STATES ON ACCOUNT OF CASCOES SEIZED IN AND ABOUT THE HARBOR OF MANILA FOR THE USE OF THE NAVY AT VARIOUS TIMES SUBSEQUENT TO MAY, EIGHTEEN HUNDRED AND NINETY-EIGHT, AND OF CLAIMS FOR RENTAL FOR THE USE OF SUCH CASCOES.

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

Whereas there are now pending before the Navy Department of the United States certain claims upon account of cascoes seized in and about the harbor of Manila, Philippine Islands, for the use of the Navy at various times subsequent to May, eighteen, hundred and ninety-eight, and claims for rental based upon the use of such cascoes by the Navy; and

Whereas the Secretary of the Navy has requested that the Court of First Instance of the city of Manila may be authorized to take cognizance of the claims aforesaid:

SECTION 1. The Court of First Instance of the city of Manila is hereby authorized to take cognizance of all such claims against the United States Government, or the Navy Department thereof, upon account of cascoes seized in and about the harbor of Manila, Philippine Islands, for the use of the Navy at various times subsequent to May eighteen hundred and ninety-eight, and claims for rental based upon the use of such cascoes by the Government of the United States, as may be submitted to it by the senior officer of the United States Navy commanding in Philippine waters.

SEC. 2. It shall be the duty of said court upon due notice to the claimants and to the representative of the Navy Department as hereinafter provided, to determine the ownership, identification, and value of the cascoes in question, as well as their status and use prior to the time of seizure, and whether or not, under the guise of trading, they were so disposed as to be of service to or were actually used by the insurgents, and whether in any other manner they or their owners continued to aid the insurrectionary movement, and to determine what sums, if any, ought to be paid to the several claimants. The court may receive all evidence heretofore taken by the board of officers on claims in respect in the claims aforesaid, and such other competent evidence as the parties may tender.

SEC. 3. The Attorney-General shall detail a law clerk or other competent subordinate in his office to represent the Government of the United States in the hearings aforesaid, with the aid of a naval official to be detailed for that purpose by the senior officer commanding the United States Navy in Philippine waters.

SEC. 4. The fees of the clerk of the Court, of First Instance in each of the claims aforesaid shall be such as are provided by section seven hundred and eighty-eight of Act Numbered One hundred and ninety, the Code of Civil Procedure, for special proceedings in distinction from actions, and shall be paid by the Insular Government or by the claimants, as the court shall determine to be just, and award in its judgments.