

[Act No. 3615, December 04, 1929]

AN ACT AMENDING SECTION SEVENTY-SIX OF THE CODE OF CIVIL PROCEDURE, AS AMENDED BY ACT NUMBERED SIXTEEN HUNDRED AND TWENTY-SEVEN, RELATIVE TO APPEALS IN CIVIL CAUSES IN THE JUSTICE OF THE PEACE COURTS.

Be it enacted by the Senate and House of Representatives of a the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Section seventy-six of the Code of Civil Procedure, as amended by Act Numbered Sixteen hundred and twenty-seven, is hereby amended to read as follows:

"SEC. 76. *Appeals, how perfected.*—An appeal in civil causes shall be filed within fifteen days after notification of the party of the judgment complained of, and shall be perfected (a) by filing with the justice of the peace a notice that the party intends to appeal; (b) by delivering a certificate of the municipal treasurer showing that the appellant has deposited the sum of sixteen pesos as appellate court docket fee, or, in Manila, by the delivery of said sum to the clerk of the court; and (c) by giving bond. It shall be the duty of the clerk of the Court of First Instance, upon receipt of the record, to deliver the deposit certificate within five days to the provincial treasurer, who shall immediately pay said sum of sixteen pesos, and the clerk, as soon as said sum shall be in his possession, shall enter the appeal upon the docket of the clerk's office. The bond to be given by the appellant shall be filed with the justice of the peace and shall be in the sum of fifty pesos, executed to the adverse party, with at least one sufficient surety, conditioned that the appellant will pay all costs which the Court of First Instance may award against him. In lieu of such a bond, the appellant may file with the justice a certificate of the proper official that the appellant has deposited twenty-five pesos with the municipal treasurer (in Manila with the Collector of Internal Revenue) and that said sum is available for the satisfaction of any judgment for costs that may be rendered against appellant by the Court of First Instance in said cause. In case judgment is rendered in appellant's favor the sum deposited in lieu of appeal bond shall be returned to him by the official with whom it was deposited. The expense of notification of the judgment appealed from shall be assessed as part of the costs."

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

Approved, December 4, 1929.



Source: Supreme Court E-Library

This page was dynamically generated by the E-Library Content Management System (E-LibCMS)