

## [ Act No. 876, September 09, 1903 ]

### **AN ACT AMENDING SECTION TWENTY-EIGHT OF ACT NUMBERED EIGHTY-THREE, AS SET FORTH IN SECTION TWO OF ACT NUMBERED ONE HUNDRED AND THIRTY-THREE, AND LEVYING A PENALTY UPON NOTARIES PUBLIC WHO FAIL TO ENTER IN THE CERTIFICATION OF INSTRUMENTS ACKNOWLEDGED BY THEM THE NUMBER, PLACE OF ISSUE, AND DATE OF THE CEDULA CERTIFICATE OF EACH OF THE PARTIES TO SAID INSTRUMENTS.**

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

SECTION 1. Section twenty-eight of Act Numbered Eighty-three, as set forth in section two of Act Numbered One hundred and thirty-three, entitled "An Act to amend the Provincial Government Act, Numbered Eighty-three," is hereby amended by striking out the whole of said section twenty-eight and inserting in lieu thereof the following:

"SEC. 28. The cedula or certificate of registration herein provided for may be used for purposes of identification, admitted in evidence, and must be presented by any one liable to pay such tax whenever (1) he appears in any court of the Archipelago, either as a suitor or as a witness in his own behalf in any civil proceeding, (2) he transacts any business with any public office or officer, (3) he pays any taxes or receives money from any public funds, (4) he acknowledges any document before a notary public, (5) he assumes any public office, whether by appointment or by election, and (6) he receives any license, certificate, or permit from any public authority. Every contract, deed, or other document acknowledged before a notary public shall have certified thereon that the thereto parties have presented their certificates of registration or are exempt from the tax, and there shall be entered by the notary public as a part of such certification the number, place of issue, and date of each certificate of registration. Any notary public failing to certify as above on any deed, contract, or other document acknowledged before him shall incur a penalty of one hundred Philippine pesos, payable to the treasurer of the proper province, for each such omission, and be subject to revocation of his commission as notary public upon failure to pay such penalty upon proper notice. It shall be the duty of every public official to whom shall be presented any contract, deed, or other instrument acknowledged before a notary public in which the certificate of acknowledgment does not show that the parties thereto produced their cedulas to the notary, to bring the fact of such omission to the attention the Attorney-General of the Islands, describing in his communication the character of the instrument, the date of same, the purpose of it, and the probable custodian of the instrument, together with the name of the notary certifying the acknowledgment. The Attorney-General shall thereupon notify the offending notary that he must pay into the provincial treasury of his province the sum of one hundred Philippine pesos on penalty of having his commission as notary public revoked. On the failure of the notary to make this payment and to notify the Attorney-General of such payment by forwarding the receipt of the provincial treasurer, the