

[Commonwealth Act No. 422, May 31, 1939]

AN ACT EXEMPTING MUNICIPALITIES AND MUNICIPAL DISTRICTS FROM THE PAYMENT OF DOCKET FEES FOR CRIMINAL CASES, INCLUDING VIOLATIONS OF MUNICIPAL ORDINANCES, IN JUSTICE OF THE PEACE COURTS.

Be it enacted by the National Assembly of the Philippines:

Sec. 1. Paragraph two of section seven hundred and ninety of Act Numbered One hundred and ninety, as amended; by Acts Numbered Two thousand and forty-one and Twenty-two hundred and ninety-seven, is further amended to read as follows:

"Sec. 790. Fee bill. - The following are the legal fees which a justice of the peace shall collect:

"For each criminal proceeding, including preliminary investigations, five pesos: Provided, That in prosecutions for infractions of municipal ordinances, the fee shall be one peso and fifty centavos."

Sec. 2. Section twenty-seven of Act Numbered Sixteen hundred and twenty-seven is amended to read as follows:

"Sec. 27. *Fee bill; exceptions; liability.* - Testimony of witnesses in preliminary investigations and in criminal proceedings shall not be considered as depositions within the meaning of the previous sections: *Provided*, That nothing in this section contained shall be construed to require the taking of such testimony in writing except as required in preliminary investigations by section thirteen of this Act. In cases of non-suit or default the justice shall be entitled to but one-half of the fees provided by this Act. In civil actions the fee may be demanded from the plaintiff by the justice in advance, and shall be taxed as a part of the costs against the defeated party. In criminal actions, including violations of municipal ordinances, the fee shall be taxed as a part of the costs to be paid by the defendant, if he be convicted and sentenced to pay the costs.

Sec. 3. This Act shall take effect on its approval.

Approved, May 31, 1939.



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