

[**Act No. 3517, January 30, 1929**]

AN ACT TO AMEND CERTAIN SECTIONS OF ACT NUMBERED TWENTY-EIGHT HUNDRED AND SEVENTY-FOUR, KNOWN AS "THE PUBLIC LAND ACT."

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

SECTION 1. Section thirteen of Act Numbered Twenty-eight hundred and seventy-four, known as the Public Land Act, is hereby amended to read as follows:

"SEC. 13. Upon the filing of an application for a home-stead, the Director of Lands, if he finds that the application should be approved, shall do so and authorize the applicant to take possession of the land upon the payment of five pesos, Philippine currency, as entry fee. Within six months from and after the date of the approval of the application, the applicant shall begin to work the homestead, otherwise he shall lose his prior right to the land."

SEC. 2. Section fourteen of the same Act is hereby amended to read as follows:

"SEC. 14. No certificate shall be given or patent issued for the land applied for until at least one-fourth of the land has been improved and cultivated. The period within which the land shall be cultivated shall not be less than one nor more than five years, from and after the date of the approval of the application. The applicant shall, within the said period, notify the Director of Lands as soon as he is ready to acquire the title. If at the date of such notice or at any time within the two years next following the expiration of said period, the applicant shall prove to the satisfaction of the Director of Lands by affidavits of two credible witnesses, that he has resided in the municipality in which the land is located, or in a municipality adjacent to the same, and has cultivated at least one-fourth of the land continuously since the approval of the application, and shall make affidavit that no part of said land has been alienated or encumbered, and that he has complied with all the requirements of this Act, then, upon the payment of five pesos, he shall be entitled to a patent."

SEC. 3. Section nineteen of the same Act, as amended by section one of Act Numbered Thirty-two hundred and nineteen, is hereby further amended to read as follows:

"SEC. 19. Not more than one homestead shall be allowed to any person; but if a homesteader has made final proof as provided in this chapter and is occupying and cultivating at least one-fourth of the land applied for and the area thereof is less than twenty-four hectares, he may apply successively for additional homesteads which must lie in the same municipality or municipal district or in an adjacent municipality or municipal district, until the total area of said homesteads shall reach twenty-four hectares, but not more, with the understanding that he shall with regard to the new tracts or additional homesteads comply with the

same conditions as prescribed by this Act for an original homestead entry."

SEC. 4. Section twenty-two of the same Act, as amended by section two of Act Numbered Thirty-two hundred and nineteen, is hereby further amended to read as follows:

"SEC. 22. Any non-Christian native who has not applied : for a homestead, desiring to live upon or occupy land on any of the reservations set aside for the so-called 'non-Christian tribes' may request a permit of occupation for any tract of land of the public domain reserved for said non-Christian tribes under this Act, the area of which shall not exceed four hectares. It shall be an essential condition that the applicant for the permit cultivate and improve the land, and if such cultivation has not been begun within six months from and after the date on which the permit was received, the permit shall be canceled. The permit shall be for a term of one year. If at the expiration of this term or at any time theretofore, the holder of the permit shall apply for a homestead under the provisions of this chapter, including the portion for which a permit was granted to him, he shall have the priority, otherwise the land shall be again open to disposition at the expiration of the permit.

"For each permit the sum of one peso shall be paid."

SEC. 5. Section thirty of the same Act is hereby amended to read as follows:

"SEC. 30. Before any patent is issued, the purchaser must show actual occupancy, cultivation, and improvement of at least one-fourth of the land applied for until the date on which final payment is made."

SEC. 6. Section thirty-three of the same Act is hereby amended to read as follows:

"SEC. 33. This chapter shall be held to authorize only one purchase of the maximum amount of land hereunder by the same person, corporation, association, or partnership; and no corporation, association, or partnership, any member of which shall have received the benefits of this chapter or of any of the two last preceding chapters, either as an individual or as a member of any other corporation, association, or partnership, shall purchase any other lands of the public domain under this chapter.

"But any purchaser of public land, after having made the last payment upon and cultivated at least one-fourth of the land purchased, if the same shall be less than the maximum allowed by this Act may purchase successively additional agricultural public land adjacent to or not distant from the land first purchased, until the total area of such purchases shall reach the maximum established in this chapter: Provided, That in making such additional purchase or purchases, the same conditions shall be complied with as prescribed by this Act for the first purchase."

SEC. 7. Section thirty-four of the same Act is hereby amended to read as follows:

"SEC. 34. Any citizen of lawful age of the Philippine Islands or of the United States, and any corporation or association of which at least sixty-

one per centum of the capital stock or of any interest in said capital stock belongs wholly to citizens of the Philippine Islands or of the United States, and which is organized and constituted under the laws of the Philippine Islands or of the United States or of any state thereof and authorized to transact business in the Philippine Islands, may lease any tract of agricultural public land available for lease under the provisions of this Act, not exceeding a total of one thousand and twenty-four hectares: *Provided*, That no member, stockholder, officer, representative, attorney, agent, employee or bondholder of any corporation or association holding or controlling under lease or otherwise agricultural land in excess of one hundred and forty-four hectares shall apply, directly or indirectly, for agricultural public land except under the homestead and free patent provisions of this Act: *Provided, further*, That citizens of countries the laws of which grant to citizens of the Philippine Islands the same rights to lease public land as to their own citizens, may, while such laws are in force, but not thereafter, with the express authorization of the Legislature, lease any parcel of agricultural land, not in excess of one thousand and twenty-four hectares, available for lease in accordance with : this Act: *Provided, finally*, That no lease shall be permitted to interfere with any prior claim by settlement or occupation, until the consent of the occupant or settler is first had, or until such claim shall be legally extinguished, and no person, corporation, or association shall be permitted to lease lands hereunder which are not reasonably necessary to carry on his business in case of an individual, or the business for which it was lawfully created and which it may lawfully pursue in the Philippine Islands, if an association or corporation.

"Corporations and associations not having all and each of the requirements established in the preceding paragraph of this section may, with the express authorization of the Legislature, lease agricultural public lands available for lease the total area of which shall not exceed one thousand and twenty-four hectares."

SEC. 8. Section thirty-six of the same Act is hereby amended to read as follows:

"SEC. 36. The annual rental of the land leased shall not be less than three per centum of the value of the land, according to the appraisal and reappraisal made in accordance with section one hundred and fourteen of this Act. Every contract of lease under the provisions of this chapter shall contain a clause to the effect that a reappraisal of the land leased shall be made every ten years from the date of the approval of the contract, if the term of the same shall be in excess of ten years. In case the lessee is not agreeable to the reappraisal and prefers to give up his contract of lease, he shall notify the Director of Lands of his desire within the six months next preceding the date on which the reappraisal takes effect, and in case his request is approved, the Director of Lands may, if the lessee should so desire, proceed in accordance with section ninety-eight of this Act.

"The rent, which shall be paid yearly in advance, shall accrue from the date of the approval of the lease, and the first payment thereof shall be

made in the Bureau of Lands on the date of the approval of the application."

SEC. 9. Section thirty-seven of the same Act, as amended by section nine of Act Numbered Thirty-two hundred and nineteen, is hereby further amended to read as follows:

"SEC. 37. Leases shall run for a period of not more than twenty-five years, but may be renewed for another period of not to exceed twenty-five years, at the option of the lessee. In case the lessee shall have made important improvements which, in the discretion of the Secretary of Agriculture and Natural Resources, justify a renewal of the lease, a further renewal for an additional period not to exceed twenty-five years may be granted. Upon the final expiration of the lease, all buildings and other permanent improvements made by the lessee, his heirs, executors, administrators, successors, or assigns shall become the property of the Government, and the land together with the said improvements shall be disposed of in accordance with the provisions of chapter five of this Act. It shall be an inherent and essential condition of the lease that the lessee shall have not less than one-third of the land broken and ; cultivated within five years after the date of the approval of the lease and shall not assign, encumber, or sublet his' rights without the consent of the Secretary of Agriculture and Natural Resources, and that the violation of this condition shall avoid the contract: Provided, That assignment, encumbrance, or subletting for purposes of speculation shall not be permitted in any case: *Provided, further,* That nothing contained in this section shall be understood or construed to permit the assignment, encumbrance, or subletting of lands leased under this Act or under the former Public Land Act, to persons, corporations, or associations which under this Act, are not authorized to lease public lands, unless otherwise provided by general or special legislation by the Legislature."

SEC. 10. Section thirty-nine of the same Act is hereby amended to read as follows:

"SEC. 39. The lessee of agricultural public land, after having made two or more payments of rent and improved the land leased, if the same is less than the maximum allowed by law, may lease successively additional agricultural public land adjacent to or near the land originally leased, until the total area of such leases shall reach the maximum established in this chapter: *Provided,* That in making such additional lease, the same conditions shall be complied with as prescribed by this Act for the first lease."

SEC. 11. Section forty of the same Act is hereby amended to read as follows:

"SEC. 40. During the life of the lease, any lessee who shall have complied with all the conditions thereof and shall have the qualifications required by section twenty-three, shall have the option of purchasing the land leased subject to the restrictions of chapter five of this Act."

SEC. 12. Section sixty of the same Act, as amended by section twelve of Act Numbered Thirty-two hundred and nineteen, is hereby further amended to read as follows: