

# [ Act No. 3219, January 19, 1925 ]

## **AN ACT TO AMEND CERTAIN SECTIONS OF THE ACT KNOWN AS "THE PUBLIC LAND ACT," AND FOR OTHER PURPOSES**

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 nineteen of Act Numbered Twenty- eight hundred and seventy- four is hereby 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 all the land applied for and the area thereof is less than twenty-four hectares, he may apply successively for an additional homestead on one or more tracts of land which must lie in the same municipality or municipal district or in an adjacent, municipality or district, provided the total area of said parcels does not exceed twenty- four hectares, and 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. 2. Section twenty-two of the same Act is hereby amended to read as follows:

"SEC. 22. Any non-Christian native desiring to live upon or occupy land on any of the reservations set aside for the so-called 'non-Christian tribes' without applying for a homestead, may request a permit of occupation for any tract of land of the public domain open to homestead entry under this Act, the area of which shall not exceed sixteen 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 *ipso facto* be canceled. The permit shall be for a term of five years. 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 five years.

"For each permit the sum of five pesos shall be paid, which may be done in annual installments."

SEC. 3. Section twenty-three of the same Act is hereby amended to read as follows:

"SEC. 23. Any citizen of lawful age of the Philippine Islands or of the United States, and any such citizen not of lawful age who is head of a family, 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., and corporate bodies organized in the Philippine Islands authorized under their charters to do so, may purchase any tract of public agricultural land disposable under this Act, not to exceed one hundred and forty-four hectares in the case of an individual and one thousand and twenty-four hectares in that of a corporation or association, by proceeding as prescribed in this chapter: *Provided*, That partnerships shall be entitled to purchase not to exceed one hundred and forty-four hectares for each member thereof, but the total area so purchased shall in no case exceed the one thousand and twenty-four hectares authorized in this section for associations and corporations: *Provided, further*, That citizens of countries the laws of which grant to citizens of the Philippine Islands the same right to acquire public land as to their own citizens, may, while such laws are in v force, but not thereafter, with the express authorization of the Legislature, purchase any parcel of agricultural land, not in excess of one hundred and forty-four hectares, available under this Act, upon complying with the requirements of this chapter."

SEC. 4. Section twenty-five of the same Act is hereby amended to read as follows:'

"SEC. 25. Lands sold under the provisions of this chapter must be appraised in accordance with section one hundred and fourteen of this Act. The Director of Lands shall announce the sale thereof by publishing the proper notice once a week for six consecutive weeks in the Official Gazette and in two newspapers, one published in Manila and the other published in the municipality or in the province where the land is located, or in a neighboring province, and the same notice shall be posted on the bulletin board of the Bureau of Lands in Manila, and in the most conspicuous place in the provincial building and the municipal building of the province and municipality where the land is located, and, if practicable, on the land itself; but if the value of the land does not exceed two hundred and forty pesos, the publication in the Official Gazette and newspapers may be omitted. The notices shall be published one in English and the other in Spanish or in the local dialect, and shall fix a date not earlier than sixty days after the date of the notice upon which the land will be awarded to the highest bidder, or public bids will be called for, or other action will be taken as provided in this chapter."

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

"SEC. 26. All bids must be sealed and addressed to the Director of Lands and must have inclosed therewith cash or a certified check or post-office money order payable to the order of the Director of Lands, for ten per centum of the amount of the bid, which amount shall be retained in case the bid is accepted, as part payment of the purchase price: Provided, That no bid shall be considered the amount of which is less than the appraised value of the land."

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

"SEC. 27. Upon the opening of the bids the land shall be awarded to the highest bidder. If there are two or more bids which are higher than other bids and are equal, and one of such higher and equal bids is the bid of the applicant, his bid shall be accepted. If, however, the bid of the applicant is not one of such equal and higher bids, the Director of Lands shall at once submit the land for public bidding, and to the person making the highest bid on such public auction the land shall be awarded. In any case the applicant, if any, shall always have the option of raising his bid to equal that of the highest bidder, and in this case the land shall be awarded to him. No bid received at such public auction shall be finally accepted until the bidder' shall have deposited ten per centum of his bid, as required in section twenty-six of this Act. In case none of the tracts of land that are offered for sale or the purchase' of which has been applied for, has an area in excess of twenty-four hectares, the Director of Lands may delegate to the provincial treasurer concerned the power of receiving bids, holding the auction, and proceeding in accordance with the provisions of this Act, but the provincial treasurer, in his capacity as delegate of the Secretary of Agriculture and Natural Resources, shall submit his recommendations to the Director of Lands, for the final decision of the latter in the case."

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

"SEC. 28. The purchase price shall be paid as follows: The balance of the purchase price after deducting the' amount paid at the time of submitting the bid, may be paid in full upon the making of the award, or in not more than ten annual installments from the date of the award: Provided, That it shall be an inherent and essential condition of the sale that the purchaser shall have not less than one third of the land broken and cultivated within five years after the date of the award."

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

"SEC. 35. The Director of Lands shall announce the lease of lands under this chapter by publishing the proper notice once a week for six consecutive weeks in the Official Gazette and in two newspapers, one published in Manila and the other published in the municipality or in the province where the land is located, or in a neighboring province, and the same notice shall be posted on the bulletin board of the Bureau of Lands in Manila, and in the most conspicuous place in the provincial building and the municipal building of the province and municipality where the land is located, and if practicable, on the land itself; but if the value of the land does not exceed two hundred and forty pesos, the publication in the Official Gazette and newspapers may be omitted. The notices shall be published one in English and the other in Spanish or in the local dialect, and shall fix a date not earlier than sixty days after the date of the notice, upon which the land will be awarded to the highest bidder, or public bids will be called for, or other action will be taken as provided in this chapter.

"All bids must be sealed and addressed to the Director of Lands and must have enclosed therewith cash or a certified check or post-office money order payable to the order of the Director of Lands, for a sum equivalent to the rental for the first three months of the lease: *Provided*, That no bid shall be considered in which the proposed annual rental is less than three per centum of the value of the land according to the appraisal or reappraisal thereof made in conformity with section one hundred and fourteen of Act numbered Twenty-eight hundred and seventy-four.

"Upon the opening of the bids the land shall be awarded to the highest bidder. If there are two or more bids which are higher than the others and equal, and one of such higher and equal bids is the bid of the applicant, his bid shall be accepted. If, however, the bid of the applicant is not one of such equal and higher bids, the Director of Lands shall at once submit the land for public bidding, and to the person making the highest bid on such public auction the land shall be awarded. In any case the applicant, if any, shall always have the option of raising his bid to equal that of the highest bidder, and in this case the land shall be awarded to him. No bid received at such public auction shall be accepted until the bidder shall have deposited the rental for the first three months of the lease."

SEC. 9. Section thirty-seven of the same Act is hereby 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. It shall be an inherent and essential condition of the