

[Commonwealth Act No. 691, October 15, 1945]

AN ACT TO PROVIDE FOR THE FREE DISTRIBUTION, UNDER CERTAIN CONDITIONS, OF LOTS OF TWENTY-FOUR HECTARES EACH OF AGRICULTURAL LAND OF THE PUBLIC DOMAIN.

Be it enacted by the Senate and House of Representatives in Congress assembled:

SECTION 1. Any citizen of the Philippines or of the United States of America, who is more than eighteen years of age and who does not own more than twenty-four hectares of land in the Philippines, nor who shares in the benefits of any free distribution of any public land since the occupation of the Philippines by the United States, may apply for the cultivation of a lot of agricultural land of the public domain, which is neither occupied nor reserved for public purposes, having an area of twenty-four hectares, and obtain free title to the same, as provided for herein, giving preference to those who are indigents as well as who have dependents to support.

SEC. 2. For the purposes of this Act, the Director of Lands shall take steps for the classification and survey of agricultural lands of the public domain, especially those bordering on national highways. The lands thus classified shall be subdivided into lots of twenty-four hectares each, and in order to speed up the survey and subdivision work, the services of private surveyors duly qualified may be employed, in which case the Director of Lands shall impose the condition that not more than five thousand hectares in superficial area shall be assigned to a surveyor, nor more than ten thousand hectares to a partnership or group of surveyors. The survey work shall be given to the best bidder and same shall not be adjudicated until the surveyor or partnership or group of surveyors shall have furnished a bond satisfactory to the Director of Lands in sum equivalent to thirty per centum, at least, of the total value or amount agreed upon for the survey work, to answer for its faithful performance.

SEC. 3. The Government, under the provisions of this Act shall furnish every applicant with work animals, seeds and agricultural implements necessary for the clearing and cultivation of his lot, and the sum of thirty pesos monthly for expenses, payable in advance during the first six months in which the applicant has taken possession of his lot of land; Provided, however, That if the applicant is in a position to provide for himself all that he needs for the clearing and cultivation of his lot, he shall not be entitled to the aid provided for in this section. The cost of the work animals, seeds and agricultural implements, together with the sums of money advanced to the applicant, shall be paid to the Government without interest in ten annual installments the first installment to be payable after the first year in which he has taken possession of and cultivated the land.

SEC. 4. In order to carry out the provisions of section 3 hereof, the President of the Philippines shall include in the appropriations for the following fiscal year after the approval of this Act, and in each successive year thereafter, an amount which the President may deem necessary, until such amounts reach a sum which the President may consider sufficient for the creation of a revolving fund, which shall be utilized to furnish capital to the applicants who are to be benefited by this Act. The proceeds of annual receipts derived from the payments made by the applicants to the Government for the advances given to them shall form part of the revolving fund

which shall be known as the "Revolving Fund of the Colonists."

SEC. 5. The "Revolving Fund of the Colonists" mentioned in the preceding section and such appropriations as may be approved for advances to the applicants, shall be administered by the Bureau of Lands under the control and supervision of the Secretary of Agriculture and Commerce, and the remaining unexpended balance of the funds at the end of the fiscal year shall be added to the revolving fund. As soon as the Auditor General shall have certified that all the sums advanced by the Government have been paid back and the purposes of this Act have been accomplished, the revolving fund herein created shall revert to the General Funds of the National Treasury.

SEC. 6. The application for the cultivation of a lot of agricultural land in accordance with this Act shall be filed with the Director of Lands who, if he finds that the application should be approved, shall do so and shall authorize the applicant to take possession of the land. Within six months from the date of approval of the application, the applicant shall commence cultivation of the land; otherwise, he shall forfeit his right of preference to the said land.

SEC. 7. No certificate whatever shall be issued nor shall any deed of ownership of the land applied for be extended until at least one-fourth of the land has been improved and cultivated. The period in which cultivation of the said land shall be made shall not be less than one year nor more than five years, from the date of approval of the application. The applicant, during that period, shall notify the Director of Lands as soon as the said applicant is in readiness to acquire the title. If on the date of said notification the applicant proves to the satisfaction of the Director of Lands that he personally or through a representative has cultivated continuously at least one-fourth of the land since the date of approval of the application, and subscribes to an affidavit that no part of the said land has been transferred or encumbered, and that he has fulfilled all the requisites set forth in this Act, he shall then be entitled to a free title to the said land.

SEC. 8. If within any time before the expiration of the period allowed by law for the presentation of definite evidence it should be proved to the satisfaction of the Director of Lands, upon notification to the applicant, that said applicant has voluntarily abandoned the land for more than six consecutive months during the years required of its occupation, or that he has violated or failed to comply in any other manner with the terms set by this Act, the Director of Lands may cancel the application.

SEC. 9. Before any person claiming to have complied with the provisions of this Act may present definite evidence as herein above set forth due notice shall be given to the public of the intention of said person to offer said proof, in the manner which the Secretary of Agriculture and Commerce may prescribe, and in said notice there shall be given the name and address of the applicant, the description of the land as to its boundaries and area, the names of witnesses through whom it is proposed to justify the necessary facts, and the time, place and name of the public official before whom said evidence is to be presented and who may be the justice of the peace of the municipality wherein the land is located, or the judge or the clerk of the court of first instance of the province concerned, or any official or employee of the Bureau of Lands who is authorized by law to administer oaths.