

AN ACT AUTHORIZING THE INSULAR PURCHASING AGENT AND PROVINCIAL BOARDS TO SELL CARABAO AND OTHER DRAFT ANIMALS PURCHASED OUT OF THE CONGRESSIONAL RELIEF FUND BY THE INSULAR GOVER...

Act No. 828, August 07, 1903

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

SECTION 1. All carabao and other draft animals purchased by the Insular Government out of the Congressional relief fund shall be branded by the Insular Purchasing Agent with the Government brand and a consecutive number, of which proper entry and account shall be kept by said Insular Purchasing Agent, together with the name of the vessel on which the animals were shipped to the Islands, the number under which they were shipped, the date of their arrival in the Philippines, and their final disposition under proper regulations to be prescribed in executive orders by the Civil Governor.

SEC. 2. The Insular Purchasing Agent may consign to provincial boards for sale upon proper requisition such number of said carabao or other draft animals as may be required by the board and authorized by resolution of the Commission.

SEC. 3. The Insular Purchasing Agent and provincial boards to which consignments of carabao and other draft animals may be made in accordance with section two of this Act are hereby authorized to sell such animals at public auction or in such other manner as may be authorized by resolution of the Commission to farmers and other persons requiring and needing them to perform work or labor on the property of the buyers or on property leased, hired, or occupied by them, or in or about a business owned, managed, or conducted by them. In case of the sale of cattle under this Act a certificate of purchase of the cattle, with the proper descriptions, shall be issued to such purchaser of such cattle by the Insular Purchasing Agent or the provincial treasurer for the provincial board, in the form and containing details to be set forth in regulations of the Civil Governor to accord, so far as may be, with certificates of purchase required by law for private sales of carabao: Provided, however, That no stamp for such sale shall be required.

SEC. 4. Where practicable, reasonable notice of all sales of carabao and other draft animals shall be given by the Insular Purchasing Agent or the provincial board, as the case may be, and if at the time and place of sale more than one purchaser is present the privilege of choice shall be put up at auction and awarded to the person bidding the highest sum therefor, in addition to the minimum price for each carabao purchased, which minimum price is hereby fixed at seventy pesos, Philippines currency, for cash sales, and ninety-three pesos, Philippines currency, for part cash and part credit sales as hereafter defined, or the equivalent of these prices in Mexican or Spanish-Filipino currency at the official rate.

SEC. 5. All animals provided to be sold by this Act shall be sold either for cash or one-third cash, one-third in one year from date of sale, and one-third in two years from date of sale, without interest, or upon such other terms as may be fixed by resolution of the Commission: Provided, That all deferred payments shall be secured by pledge,

mortgage, or personal guaranty satisfactory to the provincial board or the Insular Purchasing Agent, as the case may be: And provided further, That any part of the purchase money unpaid shall constitute a preferred lien on the animals sold, in favor of the Insular Government as against all persons whomsoever: And provided further, That where a purchaser on credit shall desire to anticipate the second installment by payment of the entire price in one year he shall be allowed to satisfy the debt by a total payment of eighty-one pesos, Philippines currency, instead of ninety-three pesos, as above provided.

SEC. 6. The Insular Purchasing Agent shall keep a true and correct account of all sales made by him under the terms of this Act, together with the consecutive numbers and brands of the animals sold, the name, address, business, or occupation of the purchaser, the full price for which sold, the cash paid, the amount due and security given (in case of credit sales), and make true report thereof to the Insular Auditor.

SEC. 7. The provincial treasurer shall keep a true account of all sales of animals made by the provincial board under the terms of this Act, together with the consecutive numbers and brands of the animals sold, the name, address, business, or occupation of the purchaser, the full price for which sold, the cash paid, the amount due and the security given (in case of credit sales), and make a true report thereof to the Insular Auditor and to the Insular Purchasing Agent.

SEC. 8. No animal purchased under the terms of this Act for which the full price has not been paid and a certificate given therefor shall be sold, transferred, or pledged without the permission of the provincial board making the sale by resolution or of the Insular Purchasing Agent in writing, which resolution or written permission shall contain the name of the first purchaser and of the vendee, transferee, or pledgee and his business and address and a description of the animal with its brands, and shall be recorded in the books of the provincial treasurer and of the Insular Purchasing Agent. In case the permission is given by the Insular Purchasing Agent, he shall forward a copy thereof to the Insular Auditor and to the provincial treasurer of the province where the animal was originally sold, and when the permission is granted by a provincial board a copy of the resolution shall be forwarded by the provincial treasurer to the Insular Purchasing Agent and the Insular Auditor. A purchaser or his agent violating the provisions of this section shall be punished by a fine not exceeding five hundred Philippine pesos or by imprisonment not exceeding one year, or by both such fine and imprisonment as to the court may seem just.

SEC. 9. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section two of "An Act prescribing the order of procedure by the Commission in the enactment of laws," passed September twenty-sixth, nineteen hundred.

SEC. 10. This Act shall take effect on its passage.

Enacted, August 7, 1903.

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