

AN ACT TO AMEND CERTAIN SECTIONS OF THE ADMINISTRATIVE CODE, AND FOR OTHER PURPOSES

Act No. 3077, March 16, 1923

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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 eighteen hundred and forty-four of the Administrative Code is hereby amended to read as follows:

"SEC. 1844. Powers and functions of Bureau of Lands.— The Bureau of Lands shall be charged with the administration of all laws relative to public lands not classified as timber lands, the mineral lands, the friar lands, and of all other public real property not placed under the control of any other branch, department, bureau or office of the Government by legislative enactment or competent administrative authority.

"As custodian and administrator of the public lands classified by the Bureau of Forestry as non-timber lands, and of other real property of the Insular Government, the Bureau of Lands, with the approval of the Department Head, shall have power to regulate the occupation or provisional use thereof, specifying in its regulations what kinds of licenses shall be issued by the Bureau of Lands, including licenses for the taking of stone, earth, and other products, where such taking is not otherwise regulated under existing law.

The officers and employees of the Bureau of Lands shall have police authority over lands classified by the Bureau of Forestry as non-timber public lands, and other public real property under the custody and control of said Bureau and declared to be of the public domain by the courts, and shall have power to execute the decisions, resolutions, and decrees of the Bureau of Lands relative thereto, unless such decisions, resolutions or decrees are revoked or suspended by order of the Court of First Instance of the province in which the public land or real property in question is situated.

"The said Bureau shall conduct surveys of the public domain and other public property, cadastral surveys, and official surveys or private property, and shall exercise such other powers as are hereinafter conferred.

"All existing records of Spanish grants and concessions of agricultural or mineral lands shall be preserved in the Bureau of Lands.

"The Director of Lands shall furnish, or cause to be furnished, to any private person or persons applying for the same, one or more copies of such records in which such person or persons may be personally concerned and to which he or they may be entitled, the same to be accompanied by a certificate of its correctness, if desired, on the payment of the following fees:

"For each certificate of correctness, with seal of office, one peso.

"For each folio, or fraction thereof, consisting of a sheet approximately two hundred and sixteen by three hundred thirty millimeters with proper heading, double space, and approximately three centimeters margin, one peso."

SEC. 2. Section eighteen hundred and fifty-seven of the same Code is hereby restored and amended to read as follows:

"SEC. 1857. Cadastral survey funds—Monthly statements of Director of Lands.—The Director of Lands shall at the end of each month certify to the Insular Auditor and the Insular Treasurer a statement showing the amounts reimbursed or collected on cadastral surveys made by the Bureau of Lands, and the Insular Treasurer is authorized and empowered to pay to the Bureau of Lands an amount equal to the amounts so certified as having been collected, and the necessary amounts to make such payments are hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, and such amounts shall be credited to the appropriation of the Bureau of Lands for further cadastral surveys."

SEC. 3. The second paragraph of section eighteen hundred and fifty-eight of the same Code is hereby amended to read as follows:

"Private land surveys may also be made by private land surveyors, duly qualified as hereinafter provided; but no plan of such survey, whether it be original or subdivision, shall be admitted in land registration proceedings until approved by the Director of Lands."

SEC. 4. Section twenty-seven hundred and fifty-three of the same Code is hereby amended to read as follows:

"SEC. 2753. Interference with surveys and monuments, and violation of the decisions, resolutions or decrees of the Bureau of Lands.— (a) Any person who shall interfere with the making of any survey undertaken by the Bureau of Lands, or shall interfere with the placing of any monument in connection with any such survey, or shall deface, destroy, or remove any monument so placed, or shall alter the location of any such monument, or shall destroy or remove any notice of survey posted on the land pursuant to law, shall be punished by a fine of not more than one hundred pesos or by imprisonment for not more than thirty days, or both.

"(b) Any person who shall interfere, violate or abet in the interference or violation or in any manner whatsoever is instrumental in the interference or violation of any valid decision, resolution or order of the Bureau of Lands affecting the concession or disposition of any portion of the public domain or shall resist in any manner whatsoever the enforcement of such decision or resolution, shall be punished by a fine of not more than one hundred pesos or by imprisonment of not more than thirty days, or both, and shall also reimburse the party entitled by virtue of said decision or resolution for such damages to his interest in said tract of public land or to his crops and other improvements thereon as might have been sustained by him because of such violation or interference."

SEC. 5. All acts or parts of acts, proclamations, executive orders, circulars, and regulations inconsistent with the provisions of this Act are hereby amended.

SEC. 6. This Act shall take effect on its approval.

Approved, March 16, 1923.

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