

AN ACT PENALIZING THE MONOPOLY AND HOARDING OF, AND SPECULATION IN, PALAY, RICE, AND CORN UNDER EXTRAORDINARY CIRCUMSTANCES, REGULATING THE DISTRIBUTION AND SALE THEREOF, AND AU...

Act No. 2868, July 30, 1919

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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. The Governor-General is hereby authorized, whenever, for any cause, conditions arise resulting in an extraordinary rise in the price of palay, rice or corn, to issue and promulgate, with the consent of the Council of State, temporary rules and emergency measures for carrying out the purposes of this Act, to wit:

- (a) To prevent the monopoly and hoarding of, and speculation in, palay, rice or corn.
- (b) To establish and maintain a government control of the distribution or sale of the commodities referred to or have such distribution or sale made by the Government itself.
- (c) To fix, from time to time, the quantities of palay, rice, or corn that a company or individual may acquire, and the maximum sale price that the industrial or merchant may demand.
- (d) To purchase, if necessary, through any Government Department or Bureau or through any company established by the Government, or through any other agency that the Government may designate, the amounts of rice, palay or corn that may be necessary for distribution and resale, preferably and as far as possible at the centers of production.

SEC. 2. It shall be unlawful to destroy, limit, prevent or in any other manner obstruct the production or milling of palay, rice or corn for the purpose of raising the prices thereof; to corner or hoard said products as denned in section three of this Act; to charge prices in excess of those fixed in accordance with this Act; to possess or sell larger quantities of said products than those fixed in accordance with this Act; and in general, it shall be unlawful to conspire or combine with any other person to limit, restrict, or prevent the production, importation, harvesting, milling, storing and distribution of said foodstuffs for the purpose of raising the price thereof;

SEC. 3. For the purposes of this Act, a monopoly or hoarding of palay, rice, or corn shall be considered to exist: (1) whenever any person other than a dealer in or industrial using said products shall have in his possession, or shall have contracted for himself for a quantity of said products in excess of that reasonably necessary for the use of himself and his family; (2) or whenever any industrial or wholesale or retail merchant, or any agent of the same, shall have in his possession or shall have contracted for himself for a quantity of said products greater than that ordinarily required for his business during a reasonable period; (3) or whenever any person, for the purpose of unreasonably raising or decreasing the prices/shall withdraw said foodstuffs from the market, retaining them either in his own possession or in the hands of another, under any contract or arrangements made with the latter: Provided, That the storing or accumulation of the said foodstuffs by any planter or cooperative association of

planters of said foodstuffs shall not be deemed a hoarding or monopoly prohibited by this Act, if such foodstuffs are of their own production.

SEC. 4. The violation of any of the provisions of this Act or of the regulations, orders and decrees promulgated in accordance therewith shall be punished by a fine of not more than five thousand pesos, or by imprisonment for not more than two years, or both, in the discretion of the court: Provided, That in the case of companies or corporations, the manager or administrator shall be criminally liable.

SEC. 5. The Emergency Board at present organized under section three of Act Numbered Twenty-seven hundred and eighty-five, and any other board that may hereafter be created for the disposition of the emergency funds, is hereby authorized to appropriate out of said funds the sums necessary for the purposes of subsection (d) of section one of this Act or to cover any loss incurred by reason of such operations by the Insular Government, by the provinces or municipalities, or by any companies or agencies acting as Government agents in said operations: Provided, That for the purposes of this Act, the Emergency Board shall continue in its functions even while the Legislature is in session.

SEC. 6. For the purposes of the last preceding section the sum of two million pesos is hereby appropriated out of any funds in the Insular Treasury not otherwise appropriated, to increase the funds for the year nineteen hundred and nineteen at the disposal of the Emergency Board.

SEC. 7. At any time that the Governor-General, with the consent of the Council of State, shall consider that the public interest requires the application of the provisions of this Act, he shall so declare by proclamation, and any provisions of other laws inconsistent herewith shall from then on be temporarily suspended.

Upon the cessation of the reasons for which such proclamation was issued, the Governor-General, with the consent of the Council of State, shall declare the application of this Act to have likewise terminated, and all laws temporarily suspended by virtue of the same shall again take effect, but such termination shall not prevent the prosecution of any proceedings or cause begun prior to such termination, nor the filing of any proceedings for an offense committed, during the period covered by the Governor-General's proclamation.

SEC. 8. This Act shall take effect on its approval.

Approved, July 30, 1919.

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