

AN ACT PRESCRIBING REGULATIONS GOVERNING THE LOCATION AND MANNER OF RECORDING MINING CLAIMS, AND THE AMOUNT OF WORK NECESSARY TO HOLD POSSESSION OF A MINING CLAIM, UNDER THE PRO...

Act No. 624, February 07, 1903

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

SECTION 1. The term "mineral claim" as used in these regulations shall be understood to mean "lode claim," and the term "mining claim" shall be understood to include both "lode" and "placer" claims. A placer claim shall be understood to mean a claim of land more valuable for placer mining, stone quarrying, or for the securing of earth for use in tile, brick, pottery, paint, or other manufacture, of petroleum, guano, or other mineral product, than for other purposes. The rules and regulations for the securing of claims so defined as placer claims shall be as for placer claims as mentioned in this Act.

SEC. 2. Until other officers may be designated by the Government of the Philippine Islands as mining recorders, the provincial secretaries shall act as such in their respective provinces. In provinces or districts where civil government has not been established such military officers as may be designated for that purpose by the Commanding General, Division of the Philippines, shall act as mining recorders.

SEC. 3. All declarations and affidavits regarding mining claims shall be recorded in the order in which they are filed for record, and under no circumstances shall any departure be made from that course.

The form of declaration of location of a mining claim shall be as follows:

DECLARATION OF LOCATION.

The undersigned hereby declares and gives notice that, having complied with the provisions of the Act of Congress, approved July 1, 1902, relative to the location of mining claims, he has located linear feet on a lode of mineral-bearing rock, situate in the barrio of within the jurisdictional limits of the municipality of, Province of, district of, Island of, P. I.

That the name of the above location is the mineral claim, and that the same was located by him on the day of, A. D. 190

That there is written on post No. 1 (here insert an exact copy of what is inscribed on post No. 1); and upon post No. 2 (here insert an exact copy of what is inscribed on post No. 2).

That the said claim is situate (here state as accurately as possible, preferably by course and distance, the position of the claim with reference to some natural object or permanent monument).

.....
Locator.

Witness:

.....

Witness:

.....

SEC. 4. The mining recorder shall note on each instrument filed for record the year, month, and day, and the hour and minute of the day on which the same was so filed, and after it has been recorded he shall indorse on the back thereof a certificate in the following form:

OFFICE OF THE MINING RECORDER,
....., PROVINCE OF....., DISTRICT OF

....., 190

The within instrument was filed for record in this office at o'clock and minutes m., on the day of A. D. 190; and has been recorded in book of Records of Mining Claims, at page

.....

Mining Recorder.

SEC. 5. For recording each declaration of location of a claim, and for each affidavit accompanying the same, the recorder shall collect a fee of one dollar in currency of the United States or its equivalent in local currency at the authorized ratio.

SEC. 6. The fees collected by authority of the preceding section shall be turned into the treasury of the province in which the mining claim for the recording of which said fees may be paid is situate; or in provinces or districts where civil government has not been established, into the office of the Collector of Internal Revenue. The books necessary for the recording of mining claims shall be provided by the provincial authorities of the respective provinces, or in provinces or districts where civil government has established, by the Chief of the Bureau of Public Lands. In addition to the requirements of sections twenty-three and twenty-four of: the Act of Congress, approved July first, nineteen hundred and two, in regard to placing posts numbers one and two on the line of location, and marking the line between them, each locator of a mineral claim shall establish each of the four of the claim by marking a standing tree or rock in place, or by soiling in the ground, where practicable, a post or stone. Each corner shall be distinctly marked to indicate that it is the northeast, southeast, southwest, or other corner, as the case may be, of the claim in question; and the posts or stones used to mark such corners shall be of the dimensions required by these regulations for posts and stones marking corners or angles of a placer claim.

SEC. 9. The locator of a placer claim shall post upon the same a notice containing the name of the claim, designating it as a placer the name of each locator, the date of the location, and the number of hectares claimed. He shall also define the boundaries of a the claim by marking a standing tree or rock in place, or by setting a post or stone at each corner or angle of the claim. When a post is used it must be at least five inches in diameter or four inches on each side by four feet six inches in length, and, where practicable set one foot in the around and surrounded by a mound of earth or stone four feet in diameter by two feet in height. When a stone, not a rook in place, is used, it must be not less than six inches on each side by two and one-half feet in length, and must be set so as to project half its length above the ground. Where a stone, a rock in place, is used, a cross must be cut in the

stone, the arms of which cross must be at least four inches long, intersecting, approximately, at right angles and in their centers, the cutting to be at least one-half inch deep. The intersection of the arms shall constitute the corner. Each tree, rock in place, stake, or stone used to designate a corner or angle of a placer claim must be so marked as to clearly indicate its purpose, and the objects selected to designate the corners of a claim shall be marked with a series of consecutive numbers, thus: "Cor. No. 1," "Cor. No. 2," "Cor. No. 3," and so forth: Provided, That nothing in this section shall be understood to require the establishment and marking of any corner or angle of a placer claim located upon surveyed public lands at a point where a corner of the Philippine system of public land surveys has previously been established, in which case it shall suffice in describing said claim for record to correctly describe said corner of the public surveys, and to state that such corner stands for corner number one, corner number two or corner number three, and so forth, as the case may be, of such placer claim.

SEC. 10. Within thirty days after the location thereof every locator of placer claim shall record the same with the mining recorder of the province or district in which the claim is situated.

SEC. 11. The record of a placer claim shall consist of a declaration of location reciting all the facts necessary to a perfect identification of the claim, and shall contain a true copy of the notice posted thereon at the date of location, as well as a description of the claim as staked and monumented, showing the length and compass bearing, as near as may be, of each side or course thereof, and stating in what manner the respective corners are marked, whether by a standing tree, rock in place, post, or stone and giving in detail the distinguishing marks that are written or cut on each, and also stating as accurately as possible, preferably by course and distance, the position of the claim with reference to some prominent natural object or permanent monument.

SEC. 12. No placer claim shall be recorded unless the declaration of location be accompanied by an affidavit made by the applicant, or some person on his behalf cognizant, of the facts, that the notice required by section nine of these regulations has been posted upon the claim, and that the ground thereby embraced is valuable for placer-mining purposes: that the ground applied for is unoccupied by any other person.

SEC. 13. No mining claim shall be recorded unless the declaration be accompanied by proof that the locator, or each of them in case there be more than one, is a citizen of the United States of America or of the Philippine Islands. The proof of citizenship required by this section may be that set forth in section thirty-five of the Act of Congress approved July first, nineteen hundred and two.

SEC. 14. If at any time the locator of any mining claim heretofore or hereafter located, or his assigns, shall apprehend that his original notice or declaration was defective, erroneous, or that the requirements of the law had not been complied with before recording; or shall be desirous of changing his boundaries so as to include ground not embraced by the location as originally made and recorded or in case the original declaration of location was made prior to the promulgation of these regulations, and the locator or his assigns shall desire to conform the location and declaration hereto, such locator or his assigns may file an amended declaration of location in accordance with the provisions of the Act of Congress of July first, nineteen hundred and two, and these regulations, with the mining recorder of the province or district in which such claim is situated: Provided, That such amended declaration of location does not interfere at the date of its filing for record with the existing rights of any person or persons, and no such amended location or the record thereof shall preclude the locator or his assigns from proving any such title as he or they may have held under the original location.

SEC. 15. Within sixty days after the expiration of the period fixed by law for the annual performance of the labor or the making of improvements upon a mining claim, the locator thereof, or some person on his behalf cognizant of the facts, shall make and file for record with the mining recorder of the province or district in which the claim is situated an affidavit in substance as follows:

AFFIDAVIT OF ANNUAL ASSESSMENT WORK.

PHILIPPINE ISLANDS,

Province of District of, being first duly sworn, deposes and says that he is a citizen of the United States of America (or of the Philippine Islands, as the case may be) and more than twenty-one years of age; that he resides in Province of district of, P. I., and is personally acquainted with the mining, claim known as the (load or placer) claim, situate in the barrio of, Province of, Island of P. I., the declaration of location of which is recorded in the office of the mining recorder of said province (or district), in book of Records of Mining Claims, at page; that between the day of, 190 ..., and the day of, 190..., not less than dollars' worth of labor was performed or improvements made upon said claim, not including the work done prior to the date of recording the same. Such work was done or improvements made by and at the expense of, the owner of said claim, for the purpose of complying with the laws of the United States relating to annual assessment work, and (here name the miners or other persons who did the work) were the persons employed by said owner who did such work or made such improvements, and that said work or improvements consisted of and are described as follows, to wit:

..... (here describe the work done).

(Signature)

Subscribed and sworn to before me this day of, 190 ...

(Signature of officer who administers oath.)

Such affidavit, when recorded, shall be prima facie evidence of the performance of such labor or the making of such improvements, shall be received in evidence by all courts in the Philippine Islands, as shall also the record thereof or a certified copy of the same.

SEC. 15. Actual expenditures and cost of mining improvements by the claimant or his grantors, having a direct relation to the development of the claim, shall be included in the estimate of assessment work. The expenditures may be made from the surface, in running a tunnel, drifts, or crosscuts for the development of the claim. Improvements of any other character, such as buildings, machinery, or roadways, must be excluded from the estimate unless it is clearly shown that they are associated with actual excavations, such as cuts, tunnels, shafts, and so forth, are essential to the practical development of and actually facilitate the extraction of mineral from the claim.

SEC. 16. 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. 17. This Act shall take effect on its passage.

Enacted, February 7, 1903.

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