

AN ACT TO BRING IMMEDIATELY UNDER THE OPERATION OF THE LAND REGISTRATION ACT; ALL LANDS LYING WITHIN THE BOUNDARIES LAWFULLY SET APART FOR MILITARY RESERVATIONS, AND ALL LANDS ...

Act No. 627, February 09, 1903

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

SECTION 1. All lands or buildings, or any interest therein, within the Philippine Islands lying within the boundaries of the areas now or hereafter set apart and declared to be military reservations shall be forthwith brought under the operations of "The Land Registration Act," and such of said lands, buildings, and interests therein as shall not be determined to be public lands shall become registered land in accordance with the provisions of said "The Land Registration Act," under the circumstances hereinafter stated.

SEC. 2. Whenever the Commanding General of the United States Army, Division of the Philippines, shall certify to the Civil Governor that all public lands within limits by him described in the Philippine Islands have been reserved by the President of the United States for military purposes, and are lawfully announced and declared military reservations, it is hereby made the duty of the Civil Governor in writing to notify the judge of the Court of Land Registration that such public lands have been reserved for military purposes and announced and declared to be military reservations, and that all private lands, buildings, or interests therein, within the limits described, ought forthwith to be brought within the operation of "The Land Registration Act," and to become registered land within the meaning of said "The Land Registration Act."

SEC. 3. Immediately upon receipt of the notice from the Civil Governor in the preceding section mentioned it shall be duty of the judge of the Court of Land Registration to issue a notice, stating that the lands within the limits aforesaid have been reserved for military purposes, and announced and declared to be military reservations, and that claims for all private lands, buildings, and interests therein, within the limits aforesaid, must be presented for registration under "The Land Registration Act" within six calendar months from the date of issuing the notice, and that all lands, buildings, and interests therein within the limits aforesaid not so presented within the time therein limited will be conclusively adjudged to be public lands, and all claims on the part of private individuals for such lands, buildings, or an interest therein not so presented will be forever barred. The clerk of the Court of Land Registration shall immediately upon the issuing of such notice by the judge cause the same to be published once a week for three successive weeks in two newspapers, one of which newspapers shall be in the English language, and one in the Spanish language in the city or province where the land lies, then it shall be a sufficient compliance with this section if the notice be published, as herein provided, in a daily newspaper in the Spanish language and one in the English language, in the city of Manila, having a general circulation. The clerk shall also cause a duly attested copy of the notice in the Spanish language to be posted in a conspicuous place at each angle formed by the lines of the limits of the land so reserved. The clerk shall also issue and cause to be personally served the notice in the Spanish language upon every person living upon or in visible possession of any part of the military reservation. If the person in possession is the head of a family living upon the land, it shall be sufficient

to serve the notice upon him, and if he is absent it shall be sufficient to leave a copy at his usual place of residence. The clerk shall certify the manner in which the notices have been published, posted, and served, and his certificate shall be conclusive proof of such publication, posting, and service, but the court shall have power to cause such further notice to be given as in its opinion may be necessary.

SEC. 4. All claims for private lands, buildings, and interests therein within the limits of such military reservation not presented to the Court of Land Registration within six months from the date of the notice in the previous section provided, shall be forever barred, and the lands, buildings, and interests therein shall be deemed to be public and not private property: Provided, nevertheless, That it shall be in the power of the Court of Land Registration, on suitable application, filed within three months after the expiration of the six months first aforesaid, to allow an application and claim to be filed upon proof that the failure to file it within the six months' limitation resulted from fraud, accident, mistake, or excusable negligence.

SEC. 5. Upon the filing of claims and applications for registration in the Court of Land Registration, the same procedure shall be adopted as is by "The Land Registration Act" provided for other claims and applications; but in case of all claims and applications which are finally dismissed, the judgment shall be that the lands embraced therein or applications which are favorably acted upon by the court. It shall be the duty of the court to expedite proceedings under this Act, and give to them precedence over other claims for registration under "The Land Registration Act." All rights of appeal secured by "The Land Registration Act" shall be applicable to proceedings under this Act.

SEC. 6. The provisions of sections thirty-eight, thirty-nine, forty, forty-one, and forty-two of Act Numbered One hundred and ninety, entitled "An Act providing a code of procedure in civil actions and special proceedings in the Philippine Islands," are hereby made applicable to all lands, not more than sixteen hectares in extent, within the limits of any military reservation, notwithstanding such lands would be public lands were it not for the titles acquired in the manner stated in said sections thirty-eight, thirty-nine, forty, forty-one, and forty-two.

SEC. 7. When the Commanding General of the United States Army, Division of the Philippines, shall certify to the Civil Governor that the military authorities of the United States wish to acquire by purchase for military purposes property owned by private individuals in the Philippine Islands, and not within the boundaries set apart for military reservations, and shall describe specifically the lands so desired to be purchased, and shall certify that the titles to the same are so uncertain that it is impracticable to determine who the true individual owners thereof are, and asking relief in accordance with the provisions of this section, it is hereby made the duty of the Civil Governor in writing to notify the judge of the Court of Land Registration of such certification, and request that the lands mentioned forthwith be brought under the operations of "The Land Registration Act," and to become registered land within the meaning thereof. Immediately upon the receipt of such notice from the Civil Governor, it shall be the duty of the judge of the Court of Land Registration to issue a notice stating the contents of the notice received by him from the Civil Governor, and that claims for all private lands, buildings, and interests therein, within the limits described in such notice, must be presented for registration under "The Land Registration Act" within six calendar months from the date of issuing notice, and that all lands, buildings and interests therein, within the limits aforesaid, not so presented within the time therein limited, will be conclusively adjudged to be public lands, and all claims on the part of private individuals for such lands, buildings, or an interest therein not so presented will be forever barred. And thereupon such proceedings shall be had by the Court of Land Registration for the determination of the true ownership of the lands included in such limits as are provided in cases of land lying within the boundaries of military reservations, as set forth in sections three, four, and five of this act; and the provisions of section six are likewise made applicable to all lands in this section mentioned.

SEC. 8. 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. 9. This act shall take effect on its passage.

Enacted, February 9, 1903.

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