

Editorial Notes

REFERENCES IN TEXT

Date of independence, referred to in text, was July 4, 1946 as recognized by 1946 Proc. No. 2695, eff. July 4, 1946, set out as a note under section 1394 of this title.

SUBCHAPTER VI—MISCELLANEOUS
PROVISIONS

§ 1391. Transfer of property and rights to Philippine Commonwealth

All the property and rights which may have been acquired in the Philippine Islands by the United States under the treaties mentioned in the first section of this Act, except such land or other property as has heretofore been designated by the President of the United States for Military and other reservations of the Government of the United States, and except such land or other property or rights or interests therein as may have been sold or otherwise disposed of in accordance with law, are granted to the government of the Commonwealth of the Philippine Islands when constituted.

(Mar. 24, 1934, ch. 84, § 5, 48 Stat. 459.)

Editorial Notes

REFERENCES IN TEXT

Treaties mentioned in the first section of this Act, referred to in text, were treaty of peace between the United States and Spain of December 10, 1898, and treaty between Spain and the United States concluded at Washington, Nov. 7, 1900.

The first section of this Act, referred to in text, is section 1 of act Mar. 24, 1934, which was classified to section 1231 of Title 48, Territories and Insular Possessions, and was omitted from the Code.

Since their independence, the Philippine Islands have been a republic, and are no longer designated as a "Commonwealth", referred to in text. See note below.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in act Jan. 17, 1933, ch. 11, § 5, 47 Stat. 764.

Statutory Notes and Related Subsidiaries

SEPARABILITY

Act Mar. 24, 1934, ch. 84, § 16, 48 Stat. 464, provided: "If any provision of this Act [enacting this section and sections 1281a, 1393 to 1395 of this title, amending sections 1231 to 1234, 1237 to 1239, 1241 to 1243, 1245, 1247, and 1248 of Title 48, Territories and Insular Possessions] is declared unconstitutional or the applicability thereof to any person or circumstances is held invalid, the validity of the remainder of the act and the applicability of such provisions and circumstances shall not be affected thereby."

Executive Documents

PHILIPPINE INDEPENDENCE

Philippine Islands granted independence by Proc. No. 2695, which is set out as a note under section 1394 of this title.

§ 1392. Acquisition of military and naval bases by United States

After negotiation with the President of the Commonwealth of the Philippines, or the President of the Filipino Republic, the President of the United States is authorized by such means

as he finds appropriate to withhold or to acquire and to retain such bases, necessary appurtenances to such bases, and the rights incident thereto, in addition to any provided for by the Act of March 24, 1934, as he may deem necessary for the mutual protection of the Philippine Islands and of the United States.

(June 29, 1944, ch. 322, § 2, 58 Stat. 626.)

Editorial Notes

REFERENCES IN TEXT

Act of March 24, 1934, referred to in text, is act Mar. 24, 1934, ch. 84, 48 Stat. 456, which enacted sections 1281a, 1391, 1393 to 1395 of this title, and section 1248 of Title 48, Territories and Insular Possessions, amended sections 1231 to 1234, 1237, 1238, 1239, 1241 to 1243, 1245, and 1247 of Title 48, and enacted a provision set out as a note under section 1391 of this title. For complete classification of this Act to the Code, see Tables.

Executive Documents

PHILIPPINE INDEPENDENCE

Philippine Islands granted independence by Proc. No. 2695, which is set out as a note under section 1394 of this title, and they now constitute a republic.

§ 1393. Supplementary sinking fund for bond payments; purchase of bonds by United States; creation of special trust account

(a) to (f). Repealed. Apr. 30, 1946, ch. 244, title V, § 511(2), 60 Stat. 158.

(g)(1) The Philippine Government shall pay to the Secretary of the Treasury of the United States, at the end of each calendar quarter, all of the moneys received during such quarter from export taxes (less refunds), imposed and collected in accordance with the provisions of this section, and said moneys shall be deposited in an account with the Treasurer of the United States and shall constitute a supplementary sinking fund for the payment of bonds of the Philippines, its Provinces, cities, and municipalities, issued prior to May 1, 1934, under authority of Acts of Congress: *Provided, however*, That moneys received from any export tax imposed on any article which is shipped from the Philippines to the United States prior to July 4, 1946, and which is entered, or withdrawn from warehouse for consumption, on or after July 4, 1946, shall be refunded by the independent Government of the Philippines.

(2) The said Secretary of the Treasury is authorized to accept the deposits of the proceeds of the export taxes referred to in subdivision (1) of this subsection in accordance with section 1333¹ of this title.

(3) The Secretary of the Treasury of the United States, with the approval of the Philippine Government, is authorized to purchase with such supplementary sinking-fund bonds of the Philippines, its Provinces, cities, and municipalities, issued prior to May 1, 1934, under authority of Acts of Congress and to invest such fund in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. Whenever the Secretary of the Treasurer² finds

¹ See References in Text note below.

² So in original. Probably should be "Treasury".