
MALACAÑAN PALACE
MANILA

BY THE PRESIDENT OF THE PHILIPPINES

EXECUTIVE ORDER NO. 379
DECLARING EXECUTIVE ORDER NO. 213, DATED JULY 10, 1939, ENTITLED
"ANNEXING A CERTAIN PORTION OF THE TERRITORY OF THE MUNICIPALITY
OF MAJAYJAY, PROVINCE OF LAGUNA, TO THE MUNICIPALITY OF LILIO,
SAME PROVINCE", TO BE IN FULL FORCE AND EFFECT.

Executive Order Numbered Two hundred and thirteen, dated July tenth, nineteen hundred and thirty-nine, entitled "ANNEXING A CERTAIN PORTION OF THE TERRITORY OF THE MUNICIPALITY OF MAJAYJAY, PROVINCE OF LAGUNA, TO THE MUNICIPALITY OF LILIO, SAME PROVINCE," was promulgated upon recommendation of the Secretary of Interior and the Secretary of Finance on the following grounds: (1) the territory in question is much nearer to the municipality of Lilio than to the municipality of Majayjay; (2) it has already been surveyed, and its exact limits are now known and can be described with certainty and accuracy; (3) the Maimpis River which separates it from the rest of Majayjay is very much bigger than the Bungkol River which separates it from Lilio; hence, the Maimpis River is a more ideal boundary line between the two municipalities than the Bungkol River; (4) of the municipal share of the land tax corresponding to the territory in question amounting to ₱1,679.37, only ₱1,100.11 is actually being paid to Majayjay, the remaining ₱579.26 being paid to Lilio, so that the proposed change would reduce the average income of Majayjay, which is about ₱20,000.00, by only ₱1,100.00, and even with said reduction, Majayjay would still have a surplus of ₱2,800.00 of income over its expenditures; (5) even if Lilio will bear the corresponding share of the territory in question on account of the indebtedness of Majayjay to the Postal Savings Bank, Lilio would not be placed in any financial difficulty because it has an average income of ₱16,000.00, plus the ₱1,100.00 land tax corresponding to the territory in question; and (6) the proposed transfer will not affect the school organization and activities of either Lilio or Majayjay, as the children in the disputed territory attend school in Lilio rather than in Majayjay.

Upon recommendation of the Secretary of the Interior and the Secretary of Finance, the effectivity of Executive Order Numbered Two hundred and thirteen was suspended by Executive Order Numbered Two hundred and nineteen, dated August thirty-first, nineteen hundred and thirty-nine, pending the resolution of the petition for reconsideration filed by the municipality of Majayjay.

The Secretary of the Interior now recommends the revocation of Executive Order Numbered Two hundred and thirteen on the following grounds: (1) the fact that the children in the territory in question are attending the primary schools in Lilio has lost force as an argument for the annexation of the said territory to Lilio, inasmuch as under Commonwealth Act Numbered Three hundred and eighty-one, municipalities are relieved of the obligation of providing for primary instruction which has been assumed by the National Government, so that it will not be unjust to Lilio if those children continue to attend its primary schools instead of in Majayjay; and (2) while the Maimpis River is a more ideal dividing line between the two municipalities than the Bungkol River, boundary disputes awarding a disputed territory to one municipality should not be nullified by subsequent recommendation to award the very same territory to the municipality which lost in a boundary dispute as it would be

granting by indirection what has been denied directly. The Secretary of Finance finds no objection to the maintenance of the status quo from the financial point of view as both municipalities are able to adequately meet their obligations, and he agrees with the Secretary of the Interior that it would make for the stability of administrative decisions.

Upon careful review of the record, I find that the reasons which prompted the promulgation of Executive Order Numbered Two hundred and thirteen still exist. The fact that the children in the disputed territory attend the primary schools in Lilio instead of in Majayjay was raised in the petition for annexation not because of the expenses involved, but rather to show accessibility of the schools in Lilio to the school children of the territory in question, which necessarily indicated a closer social and civic relationship between the inhabitants of the territory in question and the inhabitants of Lilio more than with the inhabitants of the municipality of Majayjay. The fact that the municipality of Lilio lost to Majayjay in the administrative case regarding boundaries affecting the very territory sought to be transferred should not prevent the segregation of said territory, if such segregation is demanded by public welfare and the interest and convenience of the inhabitants affected. Different principles necessarily govern the solution of boundary disputes and petitions for the transfer of territory from one political subdivision to another. In the first case, what is to be determined is the real dividing line between two political subdivisions. In the latter case, the boundary line is admitted and what is at issue is whether or not public interest is to be served by the requested transfer.

In view of the foregoing, Executive Order Numbered Two hundred and thirteen, dated July tenth, nineteen hundred and thirty-nine, entitled "ANNEXING A CERTAIN PORTION OF THE TERRITORY OF THE MUNICIPALITY OF MAJAYJAY, PROVINCE OF LAGUNA, TO THE MUNICIPALITY OF LILIO, SAME PROVINCE," is hereby declared to be in full force, except that the effective date thereof is set for January first, nineteen hundred and forty-two, instead of September first, nineteen hundred and thirty-nine.

Executive Order Numbered Two hundred and nineteen, dated August thirty-first, nineteen hundred and thirty-nine, entitled "SUSPENDING THE EFFECTIVITY OF EXECUTIVE ORDER NO. 213, DATED JULY 10, 1939," is hereby revoked.

Done at the City of Manila, this 10th day of December, in the year of our Lord, nineteen hundred and forty-one, and of the Commonwealth of the Philippines, the seventh.

(SGD.) MANUEL L. QUEZON

By the President:

JORGE B. VARGAS

Secretary to the President

Source: Presidential Museum and Library

Office of the President of the Philippines. (1941). [Executive Order Nos.: 335 - 400]. Manila: Presidential Museum and Library.