

AN ACT AUTHORIZING THE RECLAMATION AND DEVELOPMENT OF THE PORT OF PULUPANDAN, PROVINCE OF OCCIDENTAL NEGROS, PROVIDING FOR THE PAYMENT OF SUCH WORK, AND FOR OTHER PURPOSES

Act No. 3220, January 19, 1925

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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 and empowered to enter into an agreement on behalf of the Government of the Philippine Islands with the Maaos Sugar Central Co., Inc., a corporation duly organized under the laws of the Philippine Islands, whereby the said corporation, its successors and assigns, shall be authorized, under the terms and conditions hereinafter set forth, to undertake the development and improvement of the Port of Pulupandan by constructing such breakwaters and sea walls as may be necessary, by dredging the harbor formed thereby, and by reclaiming portions of the foreshore not exceeding thirty hectares in area; all of the said work to be around the present pier built by the said corporation on the fore shore of the municipality of Pulupandan, Province of Occidental Negros, Philippine Islands.

SEC. 2. The agreement referred to in the preceding section, in addition to the usual provisions for the protection of Government interests, shall provide the following:

(a) The total cost of the reclamation to be solely for the account of the Maaos Sugar Central Co., Inc., its successors and assigns, the Government to incur thereby no expense whatsoever.

(b) The total cost of the development and improvement, such as the construction of breakwaters, sea walls, piers, and dredging the harbor formed thereby, in a sum not to exceed a total of seven hundred fifty thousand pesos to be advanced by the Maaos Sugar Central Co., Inc., its successors and assigns, and repaid by the Government from year to year as hereinafter provided, deducting the cost of needed dredging for the reclamation work to be solely for the account of the corporation as provided in the preceding subsection.

(c) The work of reclamation and development to be done under the supervision of the Director of Public Works in accordance with plans and specifications to be agreed upon between the said Maaos Sugar Central Co., Inc., or its successors and assigns, and the Director of Public Works, subject to the approval of the Governor-General upon recommendation of the Secretary of Commerce and Communications.

(d) The Government shall retain control and remain the owner of all breakwaters or sea walls, bulkheads, piers, and such other strips of land as may be indicated in the plans agreed upon as hereinbefore provided.

(e) The Government shall retain control of the harbor to be formed by virtue of the reclamation and development herein authorized; and said harbor as well as all piers, docks, and other port works to be constructed shall be administered and regulated under such general laws as may be in force in the Philippine Islands concerning harbors, piers, docks, and other port works.

(f) In consideration of the Maa Sugar Central Co., Inc., bearing the total cost of reclamation work done under this Act, one-half of all areas which may have been filled in and reclaimed, and not herein reserved to the Government, shall thereby become the property of the Maa Sugar Central Co., Inc., its successors and assigns, in fee simple, and the Chief Executive of the Philippine Islands shall confirm the corporation's title thereto by appropriate instruments in writing: Provided, That the other half of all reclaimed areas shall continue to be the property of the Government of the Philippine Islands to be administered in accordance with the provisions of the Public Land Act then in force.

SEC. 3. There is hereby appropriated, out of any funds in the Insular Treasury not otherwise appropriated, the sum of seven hundred fifty thousand pesos or so much thereof as may be necessary, to be used for the payment, with interest at the rate of four and one-half per cent per annum, to the Maa Sugar Central Co., Inc., its successors and assigns, of such sums as the said corporation may have advanced for the work of development and improvement of the Port of Pulupandan as set forth in subsection (b) section one hereof. The payments herein provided shall be made from time to time upon the certificate of the Director of Public Works as to the value of the work accomplished in accordance with the usual practice followed on other Government constructions: Provided, That there shall be available for payment for each year the sum of one hundred fifty thousand pesos only: And provided, further, That interests of the sum to be advanced shall be computed and paid in accordance with the usual commercial practice governing bank overdrafts.

SEC. 4. The Chief Executive of the Philippine Islands is hereby authorized and empowered on behalf of the Government of the Philippine Islands to execute from time to time such deeds and other instruments as may be necessary to carry out the provisions of this Act.

SEC. 5. This Act shall take effect on the date of its approval insofar as it refers to the development and improvement of the Port of Pulupandan and the appropriation to pay for such work, and, with respect to the reclamation of thirty hectares of the foreshore of the municipality of Pulupandan, Province of Occidental Negros, when this Act shall have been approved, expressly or impliedly, by the President of the United States as provided in section nine of the Act of Congress of August twenty-nine, nineteen hundred sixteen, known as the Jones Law, such fact shall be made known by proclamation by the Governor-General of the Philippine Islands, and it then shall take effect with respect to such reclamation as of the date of such proclamation.[1]

Approved, January 19, 1925.

[1] "Declared in force by Proclamation No. 7 (1925). See Appendix

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