

AN ACT TO PROVIDE FOR FURTHER IMPROVING THE PORT OF MANILA, TO AUTHORIZE THE CONSTRUCTION OF AN EXTENSION TO THE LUNETTA IN THE CITY OF MANILA, AND TO PROVIDE FOR THE LOAN OF THR...

Act No. 1360, June 26, 1905

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Whereas the contracts made with the Atlantic, Gulf and Pacific Company, a corporation, for dredging the port of Manila, under Act Numbered Twenty-two as amended, have been completed, and it is necessary to provide for further contracts for a continuance of the work on improving the harbor of Manila; and

Whereas the said Atlantic, Gulf and Pacific Company is fully equipped to proceed with the work of continuing the improvements to Manila Harbor without delays and has offered to make new contracts for said work upon terms which are considered by the Commission reasonable: Now, therefore.

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

SECTION 1. The Officer in Charge of Port Works is hereby authorized to enter into a contract: or contracts with the Atlantic, Gulf and Pacific Company for additional improvements to the harbor of Manila as follows:

- For the construction of such rock and timber bulkheads or sea walls as may be necessary for the making of an extension to the Luneta in the city of Manila, which shall lie constructed in accordance with plans and specifications to be prepared by the Officer in Charge of Port Works, which plans and specifications shall be based upon the plan referred to in section three of this Act and shall be approved by the Governor-General and the Municipal Board of Manila. The rock work necessary in constructing said bulkheads shall be done at the price of two pesos and sixty centavos per ton of rock in place and the necessary timber bulkheads shall be constructed at the price of twenty pesos per linear foot.

- For the extension of the so-called east breakwater of the Manila Harbor improvements for a distance of one thousand feet into the harbor upon such plans and specifications as may be prepared by the Officer in Charge of Port Works and approved by the Governor-General, at the price of two pesos and sixty centavos per ton of rock in place.

- For additional dredging of the harbor of Manila beyond that previously authorized and contracted for in the amount of two million cubic yards, at the price of twenty-four centavos per cubic yard for material dredged, one million six hundred thousand cubic yards thereof, more or less, to be placed by the contracting company inside the bulkheads constructed to inclose the Luneta extension above referred to and the remainder of such dredged material to be utilized in raising the existing area of ground reclaimed under previous contract with said company.

SEC. 2. Such contract or contracts shall contain all provisions necessary to secure proper performance of the work contemplated by section one hereof and shall be signed and duly acknowledged by the Officer in Charge of Port Works and the properly authorized representative of the contracting company. The contract or contracts shall be made and executed in quadruplicate, one copy to be retained by the Officer in Charge of Port Works, one copy

each to be filed with the Governor-General and the Municipal Board of Manila, and the fourth copy to be retained by the contracting company. The contracting company shall give a bond or bonds for the faithful performance of the work contracted for in such amount as may be required by the Officer in Charge of Port Works, which bond or bonds shall be approved by the Governor-General. The contract or contracts shall contain a provision by which there shall be retained from all partial payments made thereunder at least ten per centum of the amount due until the acceptance of the work under contract and the final payment therefor, as additional security for the performance of the contract or contracts.

SEC. 3. The plan to be followed in the making of the Luneta extension referred to in section one shall be that prepared by Architect D. H. Burnham, dated January fourteenth, nineteen hundred and five, which is now on file in the office of the Philippine Commission, which plan is hereby adopted as a general outline for the extension and improvement of the Luneta in the city of Manila, with the addition of a boulevard eighty meters in width to extend along the bay shore from the south wall of said projected Luneta extension to the mouth of the Estero de San Antonio Abad. The reclamation from the Bay of Manila of the land included in said projected Luneta extension and said boulevard is hereby authorized and the land thereby reclaimed shall be the property of the city of Manila.

SEC. 4. The city of Manila is hereby authorized to provide for, the construction, as in the case of other municipal public works, of a sea wall to inclose and protect the boulevard referred to and to provide for the filling, grading, and other improvement of the same, the plans and specifications for the construction of said work, however, to be prepared by the Officer in Charge of Port Works and to be approved by the Governor-General and the Municipal Board of Manila before work is commenced thereon. Appropriations for the construction of said boulevard shall be made when the Municipal Board of Manila shall certify to the Commission that the plans and specifications therefor are prepared and that municipal funds are available for such work.

SEC. 5. The city of Manila is hereby authorized to set aside a tract of the reclaimed land formed by the Luneta extension authorized by this Act at the north end of said tract, not to exceed five hundred feet by six hundred feet in size, for a hotel site, and to lease the same, with the approval of the Governor-General, to a responsible person or corporation for a term of not to exceed ninety-nine years. Such lease shall be made to the person or corporation who, in the opinion of the Municipal Board and the Governor-General, shall make the best bid for the same, and who shall agree to construct and maintain thereon a hotel the plans and specifications of which shall be approved by the Municipal Board after inspection by an architect to be designated by said Board.

SEC. 6. The work authorized by paragraphs (b) and (c) of section one hereof shall be paid for out of funds of the Insular Government realized by the sale of public improvement bonds under the Act of Congress approved February sixth, nineteen hundred and five, and which have heretofore been or may hereafter be appropriated for the improvement of the harbor of Manila. The work authorized by paragraph (a) of said section shall be paid for out of funds of the city of Manila, but the area to be reclaimed by said proposed Luneta extension shall be tilled, without cost to the city of Manila, with material dredged from Manila Bay at the expense of the Insular Government.

SEC. 7. The city of Manila is hereby authorized to borrow from the Insular Government, by resolution of the Municipal Board, the sum of three hundred and fifty thousand pesos, to be expended in the construction of the Luneta extension provided for by paragraph (a) of section one hereof. The sum thus borrowed shall be repaid in seven equal installments, the first installment to be payable one year after the date of the loan, and the remaining payments each year thereafter. There is hereby appropriated, out of the funds realized by the sale of public improvement bonds, issued under Act Numbered Thirteen hundred and one, the sum of three hundred and fifty thousand pesos, to comply with the provisions of this section, and repayments made on said loan shall be credited

to the fund from which appropriated. Such funds shall be available for expenditure as an appropriation for the city of Manila for the purposes contemplated, upon the acceptance by the Municipal Board of said loan, and appropriation is hereby made for said purpose.

SEC. 8. The Officer in Charge of Port Works shall make detailed monthly reports of the progress of all work authorized hereunder to the Governor-General and shall make similar detailed monthly reports to the Municipal Board of Manila as to the progress of the work which is paid for from municipal funds, such reports to contain statements of expenditures made, together with suggestions of any modifications which may be shown to be advisable during the progress of the work. In case modifications or additions to the work herein authorized are deemed desirable, the Officer in Charge of Port Works may be authorized by resolution of the Commission to make supplemental or new contracts for such modifications or additions in such manner as may be provided in the resolution.

SEC. 9. 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. 10. This Act shall take effect on its passage.

Enacted, June 26, 1905.

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