

AN ACT GRANTING TO JUAN BAUTISTA FERNANDEZ, OF CEBU, A LICENSE TO CONSTRUCT, OPERATE; AND MAINTAIN A SLIPWAY OR MARINE RAILWAY ON A TRACT OF LAND SITUATED IN THE BARRIO OF CANGH...

Act No. 1256, November 01, 1904

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

SECTION 1. Juan Bautista Fernandez, of the municipality of Cebu, Province of Cebu, his successors and assigns, is hereby granted a license to construct, operate, and maintain a slipway or marine railway for the period of fifty years, consisting of one or more slips, in that portion of the waters lying between the Island of Cebu and the Island of Alactan which constitutes the water front of a tract of land owned by the said Juan Bautista Fernandez in the barrio of Canghana, in the municipality of Opon, in the Province of Cebu.

SEC. 2. Said slipway or marine railway must be constructed according to detailed plans approved in writing by the Consulting Engineer to the Commission, and such plans shall be submitted for such approval by the said Fernandez within forty days after the passage of this Act.

SEC. 3. Said slipway or marine railway shall not, be put in operation or opened for public use until the same has been inspected and a permit to operate it and open it for public use shall have been issued by the said Consulting Engineer to the said Fernandez.

SEC. 4. The grantee of this license shall begin the construction of said slipway or marine railway within ninety days, and shall fully complete said slipway or marine railway and put the same in operation for the public convenience within eighteen months after the passage of this Act; and for a failure to begin the work of construction within the time limited by this section, or to put said slipway or marine railway in full operation for the public convenience within the time herein proscribed, the license granted by this Act to construct, maintain, and operate said slipway or marine railway shall be forfeited and revoked.

SEC. 5. The rates to be charged for the use of said slipway or marine railway, or for services rendered by said slipway or marine railway, shall always be subject to examination and regulation by Act of the Commission or other legislative authority of these Islands.

SEC. 6. The grantee of this license, his lessees, grantees, or successors in interest, shall at all times maintain said slipway or marine railway in good repair to the satisfaction of the Consulting Engineer to the Commission, and in a suitable state of efficiency for the proper carrying out of the work for which said slipway or marine railway is constructed. The duly authorized agent of the Government of the Philippine Islands shall always have the right to enter and examine any and all parts of said property at any time, either in person or by agent.

SEC. 7. The grantee of this license, his lessees, grantees, or successors in interest, shall pay annually to the Government of the Philippine Islands one-half of one per centum per annum of the gross receipts derived from the operation of said slipway or marine railway from and after the date of the acceptance of this license. Said payment

shall be made on the fifteenth day of January of each and every year for the year preceding, and any accredited officer of the Insular Government shall, upon demand, have the right to examine and inspect the books of the grantee, his successors or assigns, for the purpose of ascertaining the gross receipts of the said slipway or marine railway for any year but nothing in this section shall be construed to interfere with the rights of the municipal, provincial, or Insular Government to assess taxes upon the land in question or improvements thereon, nor shall it affect the right of the Government to assess and collect any business or income tax on his business.

SEC. 8. The license granted herein is subject to amendment, alteration, or repeal by the Congress of the United States as provided in section seventy-four of Act of Congress approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes."

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, November 1, 1904.

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