

AN ACT TO AMEND ACT NUMBERED TWENTY-FOUR HUNDRED AND SEVENTY-FOUR, GRANTING TO THE SOCIEDAD ANONIMA KNOWN AS MALOLOS ELECTRIC LIGHT, POWER, AND ICE PLANT COMPANY; A FRANCHISE ...

Act. No. 2621., February 04, 1916

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

SECTION 1. Section six of Act Numbered Two thousand four hundred seventy-four is hereby amended so as to read as follows:

"SEC. 6. Whenever any person has obtained permission to use any of the streets or public highways of the municipality for the purpose of removing any building or in the prosecution of any municipal work or for any other cause whatsoever, making it necessary to raise or remove any of said wires which may obstruct the removal of said building or hinder the prosecution of said work, the said grantee, upon forty-eight hours' notice from the municipal council of Malolos, shall raise or remove any of said wires which may hinder the prosecution of such work or obstruct the removal of said building so as to allow the free and unobstructed passage of said building and the free and unobstructed prosecution of said work. The person or entity which caused the removal of said building or the prosecution of said work shall pay one half the real cost of replacing the poles and raising or removing the wires or other conductors either aerial or subterranean. Such notice shall be a duly adopted resolution of the municipal council, in writing, and served upon said grantee or its duly authorized representative or agent by any person competent to be a witness in a civil action; and in case of the refusal or failure of said grantee to comply with such notice, the municipal president, with the approval of the municipal council first had, shall order such wires to be raised or removed at the expense of said grantee for the purposes aforesaid: Provided, however, That the grantee may appeal from any resolution of the municipal council adopted under the provisions of this section to the provincial board of Bulacan whose decision shall be final."

SEC. 2. Section nine of Act Numbered Twenty-four hundred and seventy-four is hereby amended to read as follows:

"SEC. 9. At the time of filing the acceptance mentioned in the last preceding section, the grantee shall deposit in the Insular Treasury one thousand pesos Philippine currency as an earnest of the good faith of its application, and within twelve months thereafter it shall deposit in the Insular Treasury the additional sum of nine thousand pesos Philippine currency as a guaranty of the faithful performance of the conditions mentioned in this section, and in case said deposit of nine thousand pesos Philippine currency is not made within twelve months after the date of filing said acceptance, the sum of one thousand pesos already deposited shall be forfeited to the municipality of Malolos. In case, after the deposit of said sum of nine thousand pesos, the work to be done under this franchise is not begun within the time specified, or is not completed within the time provided, both said deposits shall be forfeited to the municipality of Malolos as damages for the breach of contract involved in the acceptance of the franchise, and this franchise shall become null and void. In case of the fulfillment of the conditions prescribed by this section, both said deposits of one thousand and nine thousand pesos shall be returned by the Insular Treasurer

to the grantee, upon proper certificate of the district engineer of the fulfillment of said conditions: Provided, That if work shall be begun by the grantee within the time specified, the funds deposited may be returned to the grantee as the work progresses, in monthly or quarterly installments, in the discretion of the municipal authorities in the proportion which the work done bears to the work to be done: Provided, further, That the Insular Treasurer may accept duly executed bonds of a fidelity company in lieu of the cash deposit by this section required."

SEC. 3. This Act shall take effect on its passage.

Enacted, February 4, 1916.

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