

## **AN ACT PROVIDING FOR THE CONSTRUCTION, REPAIR, AND MAINTENANCE OF PUBLIC HIGHWAYS, BRIDGES, WHARVES, AND TRAILS IN THOSE PROVINCES ORGANIZED UNDER THE PROVINCIAL GOVERNMENT ACT ...**

*Act No. 1511, July 13, 1906*

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

SECTION 1. Every male inhabitant of the Philippine Islands who is subject to the payment of a poll or cedula personal tax by virtue of the provisions of the Internal Revenue Law as now existing or as hereafter amended shall labor on the public highways, bridges, wharves, or trails for five days of eight hours each, every calendar year, or pay the equivalent in cash of such days' labor commuted at the rate and in the manner hereinafter provided, subject, however, to the provisions of section eighteen of this Act: Provided, That this Act shall not apply to the city of Manila nor to bona fide residents thereof, nor to members of the Philippines Constabulary and municipal police, nor to residents of provinces organized under Act Numbered Thirteen hundred and ninety-six: And provided further, That this Act shall not apply to a township or settlement of any non-Christian tribe in any province until made applicable to such township or settlement by resolution of the provincial board approved by the Secretary of the Interior.

SEC. 2. Every person subject to the labor provided for in section one of this Act shall be permitted to elect whether lie will himself perform such labor, or in lieu thereof will pay in cash to the treasurer of the municipality within which he resides the commuted value of such labor: Provided, That upon payment by any person of the commuted value of the labor herein provided for the person so paying shall be relieved therefrom: And Provided further, That any person who is liable for the performance of labor upon public highways under the provisions of this Act may furnish a substitute who is able and who shall perform the labor in his stead, but no person furnishing a substitute shall be relieved from the liability of rendering the labor personally unless and until the required labor is actually performed.

SEC. 3. The commuted value of the labor herein provided for shall, between the first and fifteenth days of December of each year, be fixed at a rate not less than twenty-five centavos nor more than two pesos per day's labor, for the ensuing year, by a committee to be composed of the provincial board and two residents of the province owning property therein, to be named by the Governor-General during the month of October. The figures so reached shall be forwarded to the municipal council of each "municipality throughout the province and shall be the basis to be used for the commuted value of the labor herein provided for: Provided, That the rate so fixed shall be the same for all municipalities in the province, and shall be fixed at a sum equal to a fair day's wages for that class of labor in the province: And provided further, That the legislative council of the Moro Province shall fix the commuted value for that province.

SEC. 4. (a) The provincial treasurer shall, during the month of November of each year, present to the municipal council of each municipality of the province a list of all persons who are shown, by his list of cedulas sold, to be residing within the respective municipalities.

(b) The municipal council shall, between the first and fifteenth days of December, cause an examination of this list to be made and specify the barrio in which each person resides and shall remove therefrom the names of any persons who are not liable for the performance of the labor required by this Act, and shall add thereto Additions to list. the names of any persons liable for the performance of this labor but whose names were not included in such list by the provincial treasurer. The municipal council shall then forward to the provincial treasurer and to the district engineer a copy of said list and shall advise the provincial board of the number of names included therein.

SEC. 5. The commuted rate for the labor provided for by section one of this Act shall be due and payable at the office of the municipal treasurer in such municipality any time during the three months ending March thirty-first of each year, and shall be collected by the municipal treasurer on every day, except Sundays and other legal holidays, during the collection period in the same general manner as municipal taxes. Failure to pay the commuted value of said labor within the period fixed by this section shall operate as a final election to perform the required labor in lieu of the payment in cash of the commuted value thereof, and said labor shall be performed by the person so electing to labor, or by substitute, as provided in section two hereof, at any time during the calendar year.

SEC. 6. For all moneys collected by the municipal treasurer pursuant to the provisions of this Act, he shall account in the same manner as for other collections made by him. He shall also render a report monthly to the municipal council setting out in detail the sum of money received by him as the commuted value of the labor provided for by this Act, and shall specify by name and locality in such manner that they may be identified the persons paying said sums of money. Copies of the report required by this section shall be forwarded by the municipal treasurer to the provincial treasurer, and summaries of the report, stating the amount paid in cash and the amount paid and payable in labor, shall be reported to the district engineer, and the district engineer shall at all times be entitled to have access to the copies of the report filed with the provincial treasurer and in the office of the municipal treasurer.

SEC. 7. All labor accruing under the provisions of this Act, and all money collected by municipal treasurers as the commuted value of the labor herein provided for, shall be expended upon the public highways, bridges, wharves, or trails, within the municipality in which the same accrues or is collected, under the supervision of the municipal president, except as hereinafter provided.

SEC. 8. The district engineer shall prepare, prior to December thirty-first of each year, after consultation with the municipal presidents, a detailed plan showing the public highways, bridges, wharves, and trails on which construction or repair shall be made during the succeeding year, and shall set forth and specify therein the general nature and extent of the required improvements, and shall submit such plans and general specifications to the provincial board for approval, and when so approved the provincial board shall furnish to each municipal president throughout the province a copy of the plans and general specifications relating to his municipality.

SEC. 9. The municipal presidents shall be charged with carrying out the plans of the district engineer for the work to be performed within their respective municipalities, and shall follow in the prosecution of the work the general specifications of the district engineer. They shall utilize the labor provided for in this Act in the prosecution of said work and shall be authorized to expend such . sums from the money accruing under this Act as are necessary for the purchase of tools and material and the hire of foreman labor and of the transportation of materials for the proper prosecution of the work, except as hereinafter provided.

Each person, upon the performance of the labor required by this Act, shall receive a certificate, in such form as the Insular Auditor shall prescribe, stating that he has performed such labor and specifying the dates, place, and nature oil the work upon which such labor was performed.

SEC. 10. The municipal president shall select from the list of names of persons liable to the performance of labor upon highways, bridges, wharves, and trails within his municipality the number of persons required by this Act for the works then in progress, and shall serve upon each person so selected a notice in writing to that effect requiring the person so notified to present himself at a designated time and place within the limits of the municipality, such time and place to be set forth in (he notice, and there to perform the required labor in the manner directed by the person officially in charge of the work. All such notices shall be served upon the persons named therein by a person designated by the president for that purpose who shall make to the president a written return of the service in each case, which return shall be filed with the records of the municipal treasurer. It shall be the duty of the president to make every effort so to designate the laborers that they shall work in the part most convenient to their place of residence, but this shall not prejudice the performance of work in any part of the municipality if necessary: Provided, That the method of selecting the men from the said list and the proper time of the year for the rendition of the service in view of the planting and harvesting season and the rules specifying how long in advance said notice shall be served shall be determined and duly promulgated by the provincial board, a copy of such determination being furnished in each case by the provincial board to the district engineer.

SEC. 11. If the person so notified shall fail to present himself for the required labor the president shall cause him to be arrested by the municipal police, and shall, unless good cause is shown for his delinquency, require him to work upon flu; highways, bridges, wharves, or trails under guard for a period of eight days or to pay the commuted value of eight days' labor: Provided, however, That if the delinquent can show good cause for such failure and he is still eligible to perform the labor the president shall order that he do the required five days' labor forthwith or that his name be put-back on the list for a later call during the same calendar year.

SEC. 12. Upon the expiration of each calendar year the respective municipal councils shall forward a report to the provincial board, setting out by name and address the persons who have not rendered the labor required by this Act nor paid the commuted value thereof, and it shall thereupon become the duty of the provincial treasurer to collect from such persons in cash the commuted value of eight days' labor. In case of the inability of the treasurer to collect in money the commuted value of eight days' labor, it shall be the duty of the district engineer to compel eight days' labor by the delinquent under such guard as may be necessary upon the provincial public works. All money so collected shall be deposited to the credit of the provincial road and bridge fund.

SEC. 13. The district engineer is hereby authorized to appoint any municipal president within his district as his official representative for the prosecution and supervision of repairs on provincial highways, bridges, wharves, and trails within the municipality of the president so appointed.

SEC. 14. Each municipal president shall submit to the district engineer, at such times and in such detail as may be required by the Director of Public Works, a report showing the progress of the work on the public highways, bridges, wharves, and trails under his supervision, and shall state the number of days' labor and the amount of money expended by him during the period covered by said report.

SEC. 15. The district engineer shall submit annually to the Director of Public Works a report of the work accomplished in each province under the operation of this Act, showing therein what highways, bridges, wharves, and trails have been constructed or repaired, the nature and extent of such construction and repair, the total number of days' labor, and the amount of money expended. Said report shall be submitted before the fifteenth day of January each year and shall contain such detailed information as the Director of Public Works may direct. A copy of such report, so far as it appertains to each province, shall be furnished to the provincial board of such province.

SEC. 16. It shall be unlawful for any person to convert any part of any public highway, bridge, wharf, or trail to

his own private use, or to obstruct or damage the same in any manner, or to remove any tool or road-making material therefrom or to mutilate, damage, destroy, or in any manner interfere with any public bridge, culvert, or drainage canal, or to use any public ditch for irrigation or other private purposes, and any person so offending shall be punished by a fine of not more than one hundred pesos, or by imprisonment at hard labor not exceeding three months, or by both such fine and imprisonment, in the discretion of the court. The provisions of this section shall likewise be applicable to highways, bridges, wharves, and trails in provinces organized under Act Numbered Thirteen hundred and ninety-six, notwithstanding the limitations contained in sections one to six of this Act.

SEC. 17. All money collected in fines under the provisions of the preceding section shall be transmitted to the municipal treasurer to be credited to the funds created by section seven of this Act, and all labor accruing under the provisions of the said preceding section shall be expended under the supervision of the municipal president as provided for in section nine of this Act.

SEC. 18. This Act shall not be effective in any province until it shall have been adopted for that province by a majority vote of those present at an assembly as hereinafter provided.

Within six months from the passage of this Act the provincial board of each province affected by this Act shall call an assembly of the municipal presidents and councilors for the purpose of voting on the application of the provisions of this Act as a whole to the Act to province, province, and in the event of a majority vote of those present, after adequate discussion, so to apply this Act, the same shall become effective on and after the date of its approval by the provincial board. In case the assembly of presidents and councilors fail to vote in the affirmative upon the acceptance of this Act the provincial board may at any time after one year call another meeting for the purpose of again voting upon the application of the provisions of this Act as a whole: Provided, That in the Moro Province this shall become effective when accepted by the legislative council without submission to the vote of the presidents: And provided further That section sixteen shall be applicable to all provinces of the Philippine Islands, irrespective of whether of this Act are or are not extended thereto.

SEC. 19. The short title of this Act shall Road Law."

SEC. 20. This Act shall take effect on its passage.

Enacted, July 13, 1906.

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