

## AN ACT PROVIDING FOR THE GRANTING OF A FRANCHISE TO CONSTRUCT AN ELECTRIC STREET-RAILWAY ON THE STREETS OF MANILA AND ITS SUBURBS AND A FRANCHISE TO CONSTRUCT, MAINTAIN, AND OPE...

*Act No. 484, October 20, 1902*

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

SECTION 1. There shall be granted by the Municipal Board to the person or persons making the most favorable bid, as hereinafter provided, a franchise to construct and maintain in the streets of Manila and its suburbs an electric street-railway and a franchise to construct, maintain, and operate an electric light, heat, and power system in the city of Manila and its suburbs.

SEC. 2. Subject to the necessary amendments to be fixed by the terms of the successful bid, the form of the franchise to be granted hereunder shall be in the words and figures following:

"FRANCHISE.

"A franchise is hereby granted to \_\_\_\_\_, for the period of \_\_\_\_\_ [not more than fifty years from the date hereof], to construct, maintain, and operate an electric street railroad in the city of Manila and its suburbs, over the streets, thoroughfares, bridges, and public places set forth in part one hereof; and to construct; maintain, and operate an electric light, heat, and power system for the purpose of generating and distributing for sale light, heat, and power throughout the city of Manila and its suburbs; all in accordance with the terms and conditions set forth in the two parts hereof, respectively (the terms and conditions in part one applying only to the franchise therein referred to, and the terms and conditions in part two applying only to the franchise therein inferred to), and the laws and ordinances, not inconsistent herewith, now or hereafter in Force.

"PART ONE.

"PARAGRAPH 1. The grantee shall have the right and privilege, and is hereby authorized, subject to the laws and ordinances now or hereafter in force, not inconsistent herewith, to make all needful excavations and constructions in or upon any of the streets, thoroughfares, bridges, and public places designated in the next succeeding paragraph for the purpose of placing, removing, and repairing tracks, sidings, curves, switches, and connections, and erecting poles, wires, and other overhead structures for the maintenance and operation of an electric street railroad, and for the generation, conduction, and distribution of electric current for said street railroad and for building, maintaining, and operating power houses therefor.

"PAR. 2. The streets, thorough fares, bridges, and public places upon which the grantee is authorized to make such excavations and constructions are the following:

"(a) Commencing at the southerly end of the Bridge of Spain, to and along Calzada de Magallanes, across the Plaza de Marties to Calle Santo Tomas, thence to Calle Cabildo, thence to Calle Fundicion, thence to Calle Palacio, thence through the wall and across the moat to Paseo do Vidal, thence along Paseo de Bagumbayan to

Calle San Luis, thence along Calle Real to Calle Cabanas, thence over the Bridge of San Antonio, and to the Pasay race track.

"(b) From the easterly end of Calle Aduanas to Calle Palacio, thence to Calle de Fundicion.

"(c) From the southerly end of the Bridge of Spain to Paseo de Vidal, along said paseo to its junction with Calzada de Nozaleda, along said calzada to its junction with Calzada de San Marcelino.

"(d) From the junction of Calzada do Vidal and Calle Concepcion to Calzada do San Marcelino, along the latter calzada to its junction with Calle de Nozaleda, thence to Calle Real (Paco), and along said street to Santa Ana.

"(e) From the southerly end of the Bridge of Spain to the Bridge of Santa Cruz, across the Bridge of Santa Cruz through Plaza Goiti to Calle Echague, thence to Calle San Miguel, thence to Calle General Solano, thence to Calzada do Aviles, and along Calzada Santa Mesa to Santa Mesa.

"(f) From Plaza Goiti to Plaza Santa Cruz, thence to Calle Enrile, thence to Calle Lacoste, thence to Calle Carballo, thence to Calle Nueva, to and across the Bridge of Spain.

"(g) From the intersection of Calle San Jacinto and the Escolta, along Calle San Jacinto to Calle Sacristia, thence across the Bridge of Binondo to Calle San Fernando, thence to Calle Madrid, thence to Calle Aceyteros, thence to Calle de Sagunto, thence to Paseo de Azcarraga, thence to Calle General Izquierdo, thence to Calle San Bernaldo, thence to Calle Paz, thence to Calle Bilibid, thence to Calzada de Iris to Plaza Santa Ana, thence along Calle Alix to the Rotunda de Sampaloc.

"(h) From the intersection of Paseo de Azcarraga and Calle Ylaya along the latter street around Plaza Leon XIII, to and along Calle de Sande to the Reina Bridge.

"(i) From the intersection of Paseo de Azcarraga, along Calle de Reina Regente, across the Bridge of Maura to the intersection of the line on Calle Sacristia.

"(j) From the intersection of Calle San Bernaldo (Calle Paz) and Calle Arranque to the intersection of Calle Arranque and Calle Lacoste.

"(k) From the intersection of Calle de Bilibid and Calle Cervantes, along said Calle Cervantes to the San Lazaro race track.

"(l) From the northerly end of the Bridge of Spain along the Escolta, across the bridge over the Sibacon Estero to Plaza Santa Cruz.

"PAR. 3. The grantee shall have the right to lay double tracks upon each of the streets, thoroughfares, bridges, and public places mentioned in the last preceding paragraph, except the following, upon which, except with the express consent of the Municipal Board to the laying of a double track, only single tracks shall be laid:

"Calle Enrile, Calle Lacoste, Calle Carballo, Calle Sacristia, where these streets are less than twenty-four feet, wide between curb lines; also Calle San Jacinto, Calle Nueva (Binondo), Calle de Cabaños; also Calle Cabildo, Calle Santo Tomas, Calle de Fundicion, Calle Palacio, Calle Aduana, these last four being the streets within the Walled City: Provided, That the grantee shall have the privilege, under the direction of the Municipal Board, of placing upon all of the foregoing streets the necessary turn-outs, switches, and sidings: And provided further, That in all streets, thoroughfares, bridges, and public places the tracks, rails, and other constructions of the grantee shall be so laid and located as to leave a clear driveway between the tracks and the curb line on at least one side of such tracks, where the width of the street between the curves makes it physically possible.

"PAR. 4. The system of electric railroad to be installed hereunder by the grantee shall be the 'overhead trolley system,' but the grantee shall have the right and privilege to modify, improve, and change such system in such

manner as the progress of science and improvements in and the development of motive power may make reasonable and proper; and at any time after twenty-five years from the date hereof the grantee may be required, by ordinance or law, to remove all of its overhead wires and other structures, if reasonably practicable, and to substitute therefor underground wires, or other approved conductor or motive power.

"PAR. 5. Standard T rails of at least sixty pounds weight per yard may be used, and where used shall be laid and maintained true to the finished grade of the street or place, so that the grade of the street or place and the top of the rails shall present an unbroken surface, excepting that on the inner side of the rails of each track not more than sufficient space shall be left to allow the free passage of the car wheel flanges: Provided, however, That at least two miles of such tracks shall be laid with grooved rails of the most approved pattern, weighing not less than seventy pounds per yard, the Municipal Board to specify the streets or parts of streets where such grooved rails shall be laid: And provided further, That whenever in the future the Municipal Board shall pave streets or places in which the T rail is laid, with blocks of stone, wood, or other material the grantee agrees to substitute for the T rail in such streets, parts of streets or places, the grooved rail above described, if required to do so by the Municipal Board.

"PAR. 6. The gauge of all tracks laid or maintained hereunder shall be four feet eight and one-half inches.

"PAR. 7. The grantee shall in all cases lay and maintain its tracks so as to conform to the grades of the streets, thoroughfares, bridges, and public places along or across which said tracks may be constructed, and whenever such graded shall hereafter be established or altered by the municipal authorities of the city of Manila the grantee shall immediately relay and maintain its tracks to such established grades at its own expense: Provided, That if any grade at which any such track is now laid is altered by the said municipal authorities within seven years from the date hereof, the city of Manila shall not only furnish the material to enable the grantee to conform the bed of its tracks to the altered grade, but shall also furnish the material necessary to reconstruct the cement substructure of the track of the grantee at the new grade: And provided further, That whenever the grade at which any such track is laid is altered by the said municipal authorities after more than seven years from the date hereof, the city of Manila shall furnish the material to enable the grantee to conform the bed of its tracks to the altered grade, less the cement substructure of the track.

"PAR. 8. The tracks, wires, and other constructions of the grantee shall be supported by and cross all bridges in the manner directed by the municipal authorities.

"PAR. 9. The grantee shall pave and keep in good and permanent repair the surface of the street between its rails and between its tracks and for eighteen inches on each side of its tracks under the supervision of the municipal authorities and in such manner as they shall prescribe: Provided, That if the municipality shall order a change of the kind of pavement with which any street or place over which the line of the grantee runs is paved the materials necessary to enable the grantee to change the pavement of so much of the surface of the street as it is hereunder required to keep in good and permanent repair in order to conform to the change ordered by the municipal authorities shall be furnished by the municipal authorities to the grantee.

"PAR. 10. The poles erected by the grantee for the operation of its railroad shall be of such height and shall be so located and painted as the municipal authorities shall direct. The poles shall not be of such crooked, or ungainly appearance as to disfigure the streets.

"PAR. 11. The trolley wires of the grantee may be suspended by span wires or brackets, shall have double insulation, and shall be strung at such heights above the ground as the municipal authorities shall direct. Feeder wires shall be of the insulated type known as 'triple braid weather proof,' and no overhead wire or conductor shall carry a potential greater than five hundred and fifty volts.

"PAR. 12. The grantee shall at all times keep its tracks, rolling stock, and other constructions in good condition. Two classes of cars shall be run, and at least sixty per cent of the cars run shall be second-class cars. The grantee hereof shall at all times furnish cars of both classes sufficient to satisfy the public demand and

carry comfortably all the members of the public desiring to ride thereon: Provided, That, after one year of operation, the Municipal Board shall have the power, with the concurrence of the grantee of this franchise, to amend this paragraph so as to require that only one class of cars shall be run, upon which the lower rate of fare shall be charged.

"PAR. 13. Every motor car run by the grantee shall be equipped with a fender of a type to be approved by the municipal authorities.

"PAR. 14. The maximum rate of speed at which the grantee may operate its cars shall be fixed by the municipal authorities.

"PAR. 15. The fare charged by the grantee shall not exceed \_\_\_\_\_ cents, in money of the United States, on a first-class car, or \_\_\_\_\_ cents, in money of the United States, on a second-class car, for one continuous ride from one point to another on the railway system of the grantee within the city limits as now or hereafter established, whether it be necessary to transfer the passenger from one car or line of the grantee to another during said ride or not: Provided always, That where a change of cars is necessary there shall be established by the grantee a method of transfer not unreasonably burdensome in its restrictions to the transferred passengers; and in case of a failure to comply with the foregoing requirement as to transfers it may be enforced upon application of the Municipal Board by mandamus to the proper Court of First Instance or the Supreme Court: And provided further, That on lines running outside of the city limits an additional fare or fares may be charged at the rate of five cents, in money of the United States, on first-class cars, or three cents, in money of the United States, on second-class cars, for each two miles or fraction thereof beyond the then city limits: And provided further, That the grantee shall for four years from the date hereof accept local currency in lieu of money of the United States in payment for any ride or fare at the ratio of two cents local currency for one cent in money of the United States, until such time as there shall be established in these Islands a gold-standard coinage and money thereunder shall be made legal tender. after which time the fares to be charged shall be the equivalent of those stated above in money of the United States: And provided further, That pending the adoption of the gold standard, if the official ratio existing between the money of the United States and local currency shall exceed two dollars and forty cents of local currency for one dollar of money of the United States, then and in that case the grantee may require from the passengers the payment for fares of sufficient local currency to be the equivalent of the fares above fixed in money of the United States at the official ratio: And provided further, That at any time after twenty-five years from the date hereof, upon due notice from the city of Manila to the grantee, the fares charged by the grantee may be readjusted on a reasonable basis by three arbitrators, one to be chosen by the city, one by the grantee, and the third to be selected by the two so chosen if they can agree, but if not, then to be selected by the Chief Executive of the Islands. The award of the majority of such arbitrators shall be final. [No bids on this franchise shall be received for fares exceeding seven and one-half cents on a first-class car or five cents on a second-class car, in money of the United States.]

"PAR. 16. Members of the Police and Fire Departments of the city of Manila wearing official badges shall be entitled to ride free upon the cars of the grantee, subject to such reasonable and proper restrictions as may be imposed. The fares charged children under seven years of age and children under sixteen years of age going to and from school shall not exceed half the ordinary rates of fare. Children in arms shall ride free. The grantee, shall have the power to establish reasonable regulations for identifying those children going to and from school.

"PAR. 17. Until such time as the fares herein fixed shall be readjusted the grantee shall place on convenient sale lots of one hundred tickets at the rate of \_\_\_\_\_ in money of the United States, per one hundred, each of which shall be good for one first-class continuous ride on the cars of the grantee within the limits of the city of Manila; and lots of six tickets at the rate of \_\_\_\_\_ in money of the United States, per six, each of which shall be good for one second-class continuous ride on the cars of the grantee within the city limits: Provided, That the grantee

may issue such tickets subject to such reasonable restrictions as to the grantee may seem proper. [No bids will be received which shall fix the price of first-class tickets in lots, of one hundred at the rate of more than six dollars, in money of the United States, or which shall fix the price for lots of six second-class tickets at the rate of more than twenty-five cents, in money of the United States.]

"PAR. 18. In compliance with the franchise held by the Compañia de los Tranvías de Filipinas, the grantee herein shall pay to said Compañia de los Tranvías de Filipinas five per centum of one peseta per passenger for each kilometer of the line of said Compañia de los Tranvías de Filipinas, and a proportionate amount for each fraction of a kilometer of said line over which said passenger is transported.

"PAR. 19. The grantee shall be liable to pay the same taxes on its real estate, buildings, plant (not including roadbed and track, rolling stock, poles, and wires), machinery, and personal property as other persons are now or hereafter by law may be required to pay. The grantee shall further pay to the municipal government of the city of Manila \_\_\_\_\_ per centum of the fares collected and tickets sold within the limits of the city of Manila, and the same percentage of fares collected and tickets sold without the said limits to the proper municipality or municipalities of the Province of Rizal. Said percentage shall be due and payable by the grantee monthly, and shall be in lieu of all taxes and assessments of whatsoever nature, and by whatsoever authority, upon the privileges, earnings, income, franchises, road bed, track, rolling stock, poles, and wires of the grantee, from which taxes and assessments the grantee is hereby expressly exempted. [No bids will be received for this franchise which do not provide for the payment of at least one and one-half per centum of the fares collected and tickets sold.]

"PAR. 20. The grantee shall keep a record of all fares collected and tickets sold, which shall be subject to the inspection of the municipal authorities, who shall audit and approve the accounts of the company at the end of each month before the payment of the percentage tax. The accounts when audited and approved as herein provided shall be final and conclusive evidence of the liability of the company under the provisions of paragraph nineteen.

"PAR. 21. The grantee shall begin the construction of the road within the city of Manila within six months from the date of the granting of the franchise, and shall complete the construction of the road and commence the operation of the same within twenty months after the expiration of said period of six months, unless prevented by an act of God, or the public enemy, usurped or military power, martial law, riot, civil commotion, or inevitable cause, and shall thereafter maintain a first-class street-railway service in every respect. The failure of the grantee to comply with the conditions of this paragraph shall render the franchise in this part described liable to forfeiture.

"PAR. 22. Upon the award of this electric street-railway franchise and before the same is finally granted, the grantee shall pay to the Treasurer of the Philippine Archipelago, to the credit of the city of Manila, the sum of one hundred and seventy-five thousand dollars, money of the United States, in securities to be approved In the Civil Governor of the Philippine Islands, as security for the performance of the bid: Provided, That the said sum shall be repaid by the said Treasurer to the grantee in the event of the faithful performance by the grantee of all the conditions of this franchise, and of all the obligations herein imposed on the grantee, whenever, within the period hereinbefore fixed, three-fourths of the mileage of the road covered by this franchise shall have been constructed. If, however, the grantee shall, within the time required, fail to perform the obligations of his contract, then the city may, by appropriate action, recover the sum so deposited as liquidated damages for the breach. If the deposit of one hundred and seventy-five thousand dollars shall be invested in interest-bearing securities, the interest shall be collected by the Treasurer and shall be turned over to the grantee as it accrues and is collected, until, and unless, the grantee shall fail to perform the obligation of his contract, when the thereafter accruing interest shall be regarded as part of the liquidated damages.

"PAR. 23. The grantee shall hold the city of Manila harmless from all claims, accounts, demands, or actions arising out of accidents or injuries, whether to property or persons, caused by the construction or operation of

the road.

"PAR. 24. All reasonable or proper or necessary changes on the lines or routes of the grantee may be made by the grantee, with the approval of the municipal authorities and the consent of the Civil Governor.

"PAR. 25. The violation or the infringement by the grantee of any of the conditions or the terms as above set forth in part one hereof shall not subject or render liable to forfeiture the franchise more particularly described in part two hereof.

"PAR. 26. Whenever any franchise or right of way is granted to any other street-railway company, now or hereafter in existence, over portions of the lines and tracks of the grantee herein, the terms in which said other company shall use such right of way, and the compensation to be paid to the grantee herein by such other company for said use, shall be fixed by the members of the Supreme Court, sitting as a board of arbitrators, the decision of a majority of whom shall be final.

"PAR. 27. Failure by the grantee to maintain a first-class street-railway service in every respect over any portion of its lines or tracks shall constitute an abandonment of such portion, and the grantee may be required by the city of Manila to remove the lines or tracks so abandoned, or the said city may cause such lines or tracks to be removed at the grantee's expense: Provided, That should any part of these lines be abandoned by the company without the consent of municipal authorities such abandonment may constitute a ground of forfeiture of the entire street-railway franchise herein conferred.

"PAR. 28. At any time after twenty-five years from the date hereof the city of Manila may purchase, and the grantee shall sell to the city of Manila all of its lines, tracks, cars, real estate, buildings, plant, rights under this franchise, and other property used by it in the operation of a street-railway in the city of Manila, at a valuation based upon the net earnings of the grantee, the valuation to be determined, after hearing evidence, by the Supreme Court of the Islands, sitting as a board of arbitrators, whose decision, by a majority of the members thereof, shall be final.

## "PART TWO.

"PAR. 1. The grantee shall have the further right and privilege, subject to the laws and ordinances now or hereafter in force, not inconsistent herewith, of erecting, extending, and maintaining in and along the streets, thoroughfares, bridges, and public places of the city of Manila and its suburbs the necessary poles, wires, cutouts, transformers, and other appurtenances and overhead structures for the conducting and distributing of electric currents for light, heat, and power, and the furnishing and selling the same to any person, corporation, or public authority: Provided, That such, electric current for the furnishing of light, heat, and power shall be furnished under regulations of the Municipal Board to any person within the corporate limits of the city, residing or doing business within such distance from the main lines conveying such current as the Municipal Board shall decide to be reasonable: And provided further, That the Municipal Board may require the extension of the main lines of current in any direction within the city limits in its discretion.

"PAR. 2. The Municipal Board, with the approval of the Advisory Board and the Commission, shall have authority to fix, from time to time, by ordinance, the prices at which such current shall be furnished to private persons or corporations and to the city and the Insular Government: Provided always, That the prices so fixed shall be reasonable; and in case the Municipal Board shall disagree with the Advisory Board as to reasonable rates, then the Commission shall fix them.

"PAR. 3. All poles erected by the grantee shall be of such height, and shall be so located and painted as the municipal authorities shall direct. The poles shall not be of such crooked or ungainly appearance as to disfigure the streets.

"PAR. 4. All the wires of the grantee shall have double insulation and shall be strung at such heights above the ground as the municipal authorities shall direct. Feeder wires shall be of the insulated; type known as 'triple

braid weather proof.'

"PAR. 5. The system used by the grantee shall be that known as; the 'alternating-current system': Provided, That where it is desired to furnish heat, power, or are lighting, direct currents may be used: And provided further, That in the carrying of currents, stringing of wires, insulation, and in all other respects, the grantee shall comply with the rules and regulations adopted or hereafter to be adopted by the National Board of Underwriters of the United States for the safeguarding of the conduct and use of electric currents in cities.

"PAR. 6. The plant and system of the grantee shall be erected, extended, and maintained according to the best and most approved type of modern electric light, beat, and power plants and systems, and shall conform in all respects to the laws and ordinances now or hereafter in force, not inconsistent herewith.

"PAR. 7. The grantee shall begin the construction of the system within the city of Manila within six months from the date of the granting of the franchise, and shall complete the construction of so much of the system as shall be coextensive with the lines of the street-railway to be constructed under Part One hereof, and commence the operation of the same within twenty months thereafter, unless prevented by act of God, or the public enemy, usurped or military power, martial law, riot, civil commotion, or inevitable cause. The failure of the grantee to comply with the conditions of this paragraph shall render the franchise in this part described liable to forfeiture.

"PAR. 8. The city of Manila shall have the privilege, without compensation, of using the poles of the grantee for the purpose of installing, maintaining, and operating a fire and police telegraph system.

"PAR. 9. The grantee shall be liable to pay the same taxes upon its real estate, buildings, plant (not including poles, wires, transformers, and insulators), machinery, and personal property, as other persons are or may be hereafter required by law to pay. In consideration of Part Two of the franchise herein granted, to wit, the right to build and maintain in the city of Manila and its suburbs a plant for the conveying and furnishing of electric current for light, heat, and power, and to charge for the same, the grantee shall pay to the city of Manila not less than \_\_\_\_\_ per centum of the gross earnings received from its business under this franchise in the city and its suburbs. Said percentage shall be due and payable at the lime stated in paragraph nineteen of Part One hereof and after an audit like that provided in paragraph twenty of Part One hereof, and shall be in lieu of all taxes and assessments of whatsoever nature and by whatsoever authority upon the privileges, earnings, income, franchises, and poles, wires, transformers, and insulators of the grantee, from which taxes and assessments the grantee is hereby expressly exempted. [No bids will be received for this franchise which do not provide for the payment of at least one and one-half per centum of the gross earnings received by the grantee from its business in the city and its suburbs.]

"PAR. 10. The violation or infringement by the grantee of any of the conditions or terms as above set forth in Part Two hereof shall not subject or render liable to forfeiture the franchise more particularly described in Part One.

"PAR. 11. Of the deposit of one hundred and seventy-five thousand dollars of securities required in paragraph twenty-two of the first franchise, twenty-five thousand dollars shall be held by the Treasurer of the Philippine Archipelago for the benefit of the city of Manila, to secure compliance with the second franchise herein granted, on the same terms as those contained in paragraph twenty-two above.

"PART THREE.

"GENERAL PROVISIONS APPLYING TO BOTH FRANCHISES.

"PAR. 1. The franchises herein granted shall be subject to amendment, alteration, or repeal by the Congress of the United States, and the right to use and occupy the streets and other public lands herein granted shall revert to the city of Manila, the provincial government of Rizal, or to the Insular Government, as the case may be, upon the termination of these franchises by forfeiture, repeal, or expiration in due course.

"PAR. 2. It shall be a condition of the enjoyment of these franchises that the person or persons to whom they may be originally granted, under the provisions of this Act, shall, before April first, nineteen hundred and three, form a corporation under the laws of the Philippine Islands, hereafter to be passed, or under the laws of the United States or of any State thereof, and whose charter shall comply with the laws prevailing in these Islands, to take over these franchises and to perform the terms thereof to be performed by the grantee thereof, in which no stock shall be issued or bonds sold except in exchange for actual cash or for property at a fair valuation equal to the par value of the stocks or bonds so issued or sold, and in which no stock or bond dividends shall be declared.

"PAR. 3. The books and accounts of such corporation shall be subject to official inspection by the municipal authorities and by the Auditor for the Archipelago or his authorized deputies.

"PAR. 4. It shall not be lawful for the grantee of these, franchises, or any vendee thereof, to use, employ, or contract for the labor of persons claimed or alleged to be held in involuntary servitude.

"PAR. 5. The corporation to be formed by the persons originally receiving the grant for the purpose of maintaining and operating these franchises under the laws of the Philippine Islands shall not have power to alienate the same except by consent of the municipal authorities and the approval of the Civil Governor."

SEC. 3. Immediately after the passage of this Act it shall be the duty of the Municipal Board of Manila to advertise that such franchises as above described will be granted upon competitive bidding, and that the bids for compliance with the terms and conditions of the franchises shall be in the form of an obligation or contract to accept the franchises and comply with all their terms and conditions. Due advertisement of competitive bidding for the proposed franchises shall lie made in three newspapers printed in the English language and two printed in the Spanish language in the city of Manila, and in two newspapers in the city of New York, in one newspaper in the city of Chicago, and in one newspaper in the city of Washington by two insertions per week for six weeks after the passage of this Act, and a single insertion per week for the subsequent six weeks. There shall also be a weekly insertion for the six weeks following the passage of this Act in a leading street-railway journal in the United States. The text of this law, upon its passage, shall be immediately forwarded to the Bureau of Insular Affairs of the War Department, together with a copy of the map of the city showing the projected routes and shall remain on file in that Bureau for the information of bidders in the United States. The text of the law and a similar map shall be on file in the office of the Municipal Board of the city of Manila for the information of bidders in Manila. Bids for the franchises shall be received at any time after the passage of the Act and before the fifth of March, nineteen hundred and three, at the office of the Municipal Board in Manila. On the fifth day of March, nineteen hundred and three, all bids received shall be opened by the Municipal Board. The competition in bidding shall be with respect to three terms of the franchises: First, the duration of the franchises, as contained in the First paragraph thereof; second, the maximum of fares to be charged on the street-railway, as contained in paragraphs fifteen and seven thereof of the street-railway franchise, and third, the percentage of gross receipts per annum to be paid for the franchises, as contained in paragraph nineteen of the street-railway franchise and paragraph nine of the electric light, heat, and power franchise. The Municipal Board, with the consent of the Advisory Board and the approval of the Philippine Commission, shall determine, in its discretion, the bid most favorable to the city and the public, and award the franchises, amended to include the terms of the successful bid on the points in competition, to the person or persons making such bid. In case the Municipal Board and the Advisory Board do not agree as to which bid is the most favorable bid to the city and the public, then the award shall be made by the Municipal Board in accordance with the decision of the Commission.

SEC. 4. Each bidder shall deposit, before his bid shall be considered in the competition, as an evidence of good faith, the sum of seventy-five thousand dollars, in money of the United States, in cash or certified check, with the Treasurer of the Archipelago. The deposits of unsuccessful bidders shall be returned to them immediately after the

successful bidder has been determined according to law. The deposit of the successful bidder shall be retained and he shall add thereto one hundred thousand dollars, in money of the United States, to comply with paragraph twenty-two of the street-railway franchise. The one hundred and seventy-five thousand dollars thus deposited by the successful bidder may be changed into the form of interest paying securities, if approved by the Civil Governor, and shall be returned to the contractor in accordance with the terms of paragraph twenty-two of the first franchise and paragraph eleven of the second franchise.

SEC. 5. This Act shall take effect on its passage.

Enacted, October 20, 1902.

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