

AN ACT TO AMEND PARAGRAPH TWO OF SECTION ONE OF ACT NUMBERED FIFTEEN HUNDRED AND TEN, ENTITLED "AN ACT GRANTING TO THE MANILA RAILROAD COMPANY A CONCESSION FOR RAILWAY LINES IN ..."

Act No. 2373, February 28, 1914

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

SECTION 1. Paragraph two of section one of Act Numbered Fifteen hundred and ten, granting to the Manila Railroad Company a concession for railway lines in the Island of Luzon, and providing in respect of proceedings for condemnation of land by public service corporations, is hereby amended to read as follows:

"2. Under and by virtue hereof the right of way through the public lands of the Philippine Government is hereby given and granted to the grantee for the construction, operation, and maintenance of the railroad or railroads as herein authorized to the extent of one hundred feet in width where it may pass through the public domain, including all necessary ground for depots, machine shops, station buildings, workshops, water stations, warehouses, including wharves and dock fronts, switches, side tracks, and also such extra lands beyond such one hundred feet as may be found necessary for said purposes: Provided, That the same be approved by the Governor-General as a part of the definite plans hereinbefore provided for; and the right, power, and authority shall thereunder be given to said grantee, with the written approval of the Governor-General, to open and work quarries and gravel Quarries and gravel pits upon any public lands and to take from such lands earth, stone, timber, and other materials, for the construction of such railway; but the provisions of this paragraph shall only apply to public lands available for homestead settlement or for sale under the Public Land Act, or to timber lands of the Philippine Government, and shall not apply to lands used and assigned for other public purposes, or to the lands known as the friars' lands.

"The grantee shall have the right, with the approval of the Governor-General, to cross or occupy such parts of public roads, alleys, avenues, and squares, and to acquire title to such other municipal or provincial lands, as may be an necessary, on terms to be agreed upon by the grantee and " the proper provincial or municipal authorities, as the case may be, and in case of failure to agree upon the terms thereof, such terms shall be fixed by the Governor-General.

"Lands or rights of use and occupation of lands granted under the foregoing provisions of this paragraph shall revert to the governments by which they were respectively granted, upon the termination of this franchise or concession, or upon its revocation or repeal.

"The grantee shall also have the right to acquire from corporations, or private individuals, by purchase, contract, lease, grant, or donation, any lands which may be necessary or useful for the construction, maintenance, and operation of the said lines of railway, or any of them.

"The grantee shall also have the right to acquire by condemnation the lands necessary for the right of way, for bridges, for terminals, including wharves and docks at harbor points and elsewhere, for sidings, stations, engine houses, water stations, and other appropriate buildings and structures for the proper and convenient construction, operation, and maintenance of the lines of railway herein authorized; but no lands within the

boundaries of any province, city, town, or municipality shall be occupied by the grantee if the same are in actual use for provincial, governmental, or municipal purposes, nor shall any land within the boundaries of any city, town, or municipality be so occupied without the consent of the proper authorities of such city, town, or municipality, unless the Governor-General shall consent to the same. The right of condemnation or eminent domain shall be exercised by the grantee in accordance with the laws of the Philippine Islands at the time being in force.

"The grantee shall have the right to construct and maintain for the operation of said railways any and all tracks (single, double, or more), bridges, viaducts, culverts, fences, and other structures; and all depots, station houses, engine houses, car houses, freight houses, wood houses, and other buildings; and all machine shops and other shops, water tanks, turntables, superstructures, erections, and fixtures; and all elevators, warehouses, wharves, piers, and other facilities for operating said railroads, and also any hotels or restaurants at any station or terminal.

"The provisions of this paragraph shall also be applied to the foreshore, as defined by existing law, and to all public-land and Government land formed or reclaimed by the Government by dredging, filling, or otherwise, unless such land has been used or set aside for other public purposes; and the foreshore or other land hereby ceded to the grantee shall be excluded from the effects of Act Numbered Sixteen hundred and fifty-four of the Philippine Commission: And provided further, That the Governor-General shall determine the amount of land or the width of the right of way which the railroad company may acquire under this Act for the right of way or other uses of the railway, as defined in this paragraph, on the foreshore or on land reclaimed from the sea and the plans for all structures to be erected and all lines to be constructed under the provisions of this paragraph shall be subject to the approval of the Governor-General."

Enacted, February 28, 1914.

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