

[Act No. 3214, December 06, 1924]

AN ACT GRANTING TO LUIS MIGUEL A FRANCHISE TO ESTABLISH, MAINTAIN, AND OPERATE A MOTOR VEHICLE LAND TRANSPORTATION SERVICE FOR PASSENGERS AND FREIGHT IN THE PROVINCE OF CAMARINES NORTE.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Subject to the conditions established in this Act and the provisions of Act Numbered Thirty-one hundred and eight and its amendments applicable thereto, there is hereby granted to Luis Miguel, his successors and assigns, for a period of twenty-five years from the approval of this Act, the right, privilege, and authority to establish, maintain, and operate a motor vehicle land transportation service for passengers and freight in the Province of Camarines Norte, in accordance with the provisions hereinafter set forth: *Provided*, That this franchise shall be null and void unless the grantee, within ninety days from the date of the approval of this Act, files with the Secretary of Commerce and Communications, his acceptance in due form, binding himself to comply with the terms and conditions stipulated in this Act, together with the certificate of the Public Utility Commission at present held by the grantee.

SEC. 2. The concession of the right, privilege, and authority mentioned in the preceding section shall not take effect unless the grantee shall accept in writing and make part of this concession the following condition, to wit:

"That the grantee states in writing that he is informed of the message of the President of the United States addressed to the Filipino people and communicated to said people by the Governor-General of the Philippine Islands on the sixth day of October, nineteen hundred and thirteen, and of the reply message of the Philippine Assembly made in the name of the Filipino people and approved and sent on October sixteenth, nineteen hundred and thirteen; that said grantee binds himself not to engage in or aid, by means of contribution in cash or otherwise, any propaganda directed against the policy of the Government of the United States outlined in such message of the President and the aspirations of the Filipino people set forth in said reply message of the Philippine Assembly, whether under the pretext of vested interest or under any other pretext, and that said grantee shall further bind himself to exact a similar engagement from his administrators, agents, successors, and assigns."

SEC. 3. Upon the acceptance of this franchise as provided in section one, the grantee shall deposit in the Insular Treasury or with any of its agents in the Province of Camarines Norte, five thousand pesos, in negotiable bonds of the United States or other securities approved by the Secretary of Commerce and Communications, of the face value of five thousand pesos, as an earnest of good faith and a guarantee that he will comply with all the provisions of this Act and Act

Numbered Thirty-one hundred and eight and amendments thereof applicable in his case: *Provided, however,* That if such deposit is in cash, it may be made in some official depository of the Government in the name of the grantee and subject to the order of the Insular Treasurer, who shall retain the evidence of the deposit so made. In this case, as well as in the case of the deposit being made in negotiable bonds or other securities, as provided in this section, the interest of the cash deposit or of the bonds or securities deposited, if any, shall belong to the grantee. In case such grantee shall fail, refuse, or neglect, unless prevented by fortuitous cause or *force majeure*, the public enemy, usurped or military power, martial law, riot, civil commotion, or other inevitable cause, to comply with the conditions established in this Act and the provisions of Act numbered Thirty-one hundred and eight and its amendments applicable in his case, then, upon recommendation of the Public Utility Commission, after hearing the parties interested, upon notification or order in writing, in order to determine the degree of his failure to comply with the conditions prescribed in this Act and in Act Numbered Thirty one hundred and eight and amendments thereof, all or part of the deposit prescribed in this section and in the possession of the Insular Treasurer, whether in cash, bonds or other securities, may be forfeited to the provincial government of Camarines Norte, as damages for the implied contract involved in the acceptance of this franchise. From the declaration of the forfeiture of all or part of the deposit of the grantee by the Public Utility Commission or its legal successor, the grantee may appeal as provided in section thirty-five of Act Numbered Thirty-one hundred and eight.

SEC. 4. The grantee shall establish, maintain, and operate; an adequate and efficient motor vehicle land transportation service for passengers and freight, as follows: Within ninety days after the acceptance of the franchise granted hereunder and in accordance with the conditions herein stipulated, he shall put in operation fifteen trucks on the lines from Daet to Mercedes; Daet to Indan, via Talisay; Daet to Basud; Daet to San Vicente; Daet to Labo, via Talisay; and on the lines from Labo to Paracale, via Batobalane, and Labo to Mambulao, via Batobalane, he shall keep not less than two motor vehicles in operation. The motor vehicles operated by the grantee shall be in the condition and have requirements prescribed by Act Numbered Three thousand and forty-five, which regulates the motor vehicle traffic in the Philippine Islands.

SEC. 5. The grantee binds himself to provide on his motor vehicles a suitable and adequate place for the mails and shall carry them in the manner stipulated between the Director of Posts and the said grantee, for such consideration as may be agreed upon between them, and in case of failure to arrive at an agreement as to the rate of compensation and the manner in which such mails shall be carried, the Public Utility Commission shall fix the manner of and compensation for carrying said mails, after hearing and considering the arguments of the said Director and grantee: *Provided,* That in case the Government requires the transportation of troops, ammunition or funds for the public good, the grantee shall take the necessary steps to comply therewith and shall receive a reasonable compensation for such service.

SEC. 6. The grantee shall establish its schedule of rates in accordance with the provisions of Act Numbered Thirty- one hundred and eight and its amendments; but the rate shall in no case be in excess of four centavos for each kilometer or fraction thereof, of one centavo for each one hundred kilos or fraction thereof, and of twenty centavos for each ton or fraction of a ton.