

[Act No. 1290, January 24, 1905]

AN ACT AUTHORIZING THE MITSUI BUSSAN KAISHA TO BRING SUIT AGAINST THE GOVERNMENT OF THE PHILIPPINE ISLANDS, IN THE COURT OF FIRST INSTANCE OF THE CITY OF MANILA, FOR THE RECOVERY OF A SUM OF MONEY CLAIMED TO BE DUE FROM THE GOVERNMENT OF THE PHILIPPINE ISLANDS FOR COAL DELIVERED TO THE INSULAR COLD STORAGE AND ICE PLANT IN APRIL AND MAY, NINETEEN HUNDRED AND FOUR, AND PRIOR THERETO.

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

SECTION 1. The Mitsui Busman Kaisha, a company or corporation existing under the laws of Japan, is hereby authorized to institute, in the Court of First Instance in the city of Manila, in action against the Government of the Philippine Islands for the recovery of such a sum as is claimed to be due from the Government of the Philippine Island for coal delivered to the Insular Cold Storage and Ice Plant at Manila, in April and May, nineteen hundred and four, and prior thereto, and that court is hereby given jurisdiction to try and determine the merits of such action as fully and as completely as though the same was an action between private individuals, and the same right of appeal to the Supreme Court of the Philippine islands shall exist as in other civil actions. All claims of the Insular Government against the Mitsui Bussan Kaisha for alleged shortages in coal delivered shall be litigated and determined in said action either by way of deduction of the money value of the alleged shortages from the sum claimed or by counterclaim, as may be found expedient. The process in such action shall be served upon the Attorney-General for the Philippine Islands, in the manner provided by law for service of process, and it shall be the duty of the Attorney-General to defend such action. The amount, if any, recovered, by the claimant in such action shall be paid from the appropriation heretofore or hereafter made for supplies for the Insular Cold Storage and Ice Plant.

SEC. 2. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section two of "An Act prescribing the order of procedure by the Commission in the enactment of laws," passed September twenty-sixth, nineteen hundred.

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

Enacted, January 24, 1905.



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