

[Act No. 1112, April 11, 1904]

AN ACT AUTHORIZING THE ASSIGNMENT, SALE, AND TRANSFER TO THE MANILA ELECTRIC RAILROAD AND LIGHT COMPANY OF ALL THE ASSETS OF THE COMPAÑIA DE LOS TRANVIAS DE FILIPINAS, PROVIDING FOR THE SURRENDER BY THE MANILA ELECTRIC RAILROAD AND LIGHT COMPANY OF THE FRANCHISES, AND AMENDMENTS THERETO, OF THE SAID COMPAÑIA DE LOS TRANVIAS DE FILIPINAS, AND FOR CERTAIN AMENDMENTS TO ORDINANCE NUMBERED FORTY-FOUR OF THE MUNICIPAL BOARD OF MANILA, ENACTED IN PURSUANCE OF ACT NUMBERED FOUR HUNDRED AND EIGHTY-FOUR OF THE PHILIPPINE COMMISSION, AND FOR THE OPENING OF CERTAIN NEW STREETS BY THE MUNICIPAL BOARD OF MANILA, AND FOR A FRANCHISE TO THE MANILA ELECTRIC RAILROAD AND LIGHT COMPANY TO CONSTRUCT, MAINTAIN, AND OPERATE AN ELECTRIC STREET RAILWAY AND AN ELECTRIC LIGHT, HEAT, AND POWER SYSTEM FROM THE LIMITS OF THE CITY OF MANILA TO MALABON.

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

SECTION 1. The Compañia de los Tranvias de Filipinas is hereby authorized to sell, assign, and transfer its entire properties and assets, including all its right, title, and interest in and to the franchises, and all amendments thereto, first, to operate certain street railway lines in the city of Manila (which franchises were granted to Señor Don Jacobo Zobel de Zangroniz and Señor Don Lucio Maria Brcomon on April twenty-second, eighteen hundred and eighty-one, by the General Government of the Philippine Archipelago), second, to operate a steam traction road from the Bridge of Pretil in Tondo, Manila, to the principal square in Malabon (which franchise was granted to Señor Don Jacobo Zobel de Zangroniz on October twenty-second, eighteen hundred and eighty-four, by the General Government of the Philippine Archipelago), to the Manila Electric Railroad and Light Company, a corporation organized and existing under and by virtue of the laws of the State of New Jersey, the name of which corporation was originally the Manila Railway and Light Company, but which name was, thereafter, on the sixth day of July, nineteen hundred and three, by due process of law, changed to and now is, the Manila Electric Railroad and Light Company, and which corporation, under the name of Manila Railway and Light Company, acquired from Charles M. Swift, on the twenty-seventh day of March, nineteen hundred and three, the franchises heretofore granted to said Charles M. Swift by Ordinance Numbered Forty-four of the city of Manila, enacted in pursuance of Act Numbered Four hundred and eighty-four of the Philippine Commission; and said sale, assignment, and transfer of said properties, assets, and franchises, of said Compañia de los Tranvias de Filipinas to said Manila Electric Railroad and Light Company is hereby consented to, allowed, and sanctioned: *Provided however,* That the Manila Electric Rail road and Light Company shall, upon purchase of the properties and assets of the Compañia de los Tranvias de Filipinas, thereafter hold, occupy, and operate the lines of street railways specified in section two hereof, solely under its charter granted by Act Numbered Four hundred and eighty-four and Ordinance Numbered Forty-four of the Municipal Board as amended by this Act and the ordinance of said council to be passed as herein directed.

SEC. 2. The Municipal Hoard of the city of Manila shall amend Ordinance Numbered Forty-four, enacted in pursuance of Act Numbered Four hundred and eighty-four of the Philippine Commission, as follows:

First. Paragraphs two. three, twelve, fifteen, seventeen, twenty-four, and twenty-eight of Part One, and paragraphs two and nine of Part Two, of said ordinance shall be amended to read as follows: "Par. 2. The streets, thoroughfares, bridges, and public places upon which the grantee is authorized to make such excavations and constructions are as follows:

"(a) Commencing at the southerly end of the Bridge of Spain, to and along Calzada de Magallanes, across the Plaza, de Martires (Plaza de España), to Calle Santo Tonnis, thence to Calle Cabildo, thence to Calle Fundicion, thence to Calle Palaeio, thence through the wall and across the. moat, to Paseo de 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: *Provided*, That the grantee shall have the right to operate its cars upon Calle Real, Malate, except in cases of temporary emergency or necessity, in but one direction, without the consent of the Municipal Board, and shall not have the right to put in turn-outs along said street without like consent.

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

"(c) From the northerly end of the Bridge of Spain and its junction with the Escolta, along the Bridge of Spain, to its southerly end. Thence from the southerly end of the Bridge of Spain to Paseo de Yidal, 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 de Yidal and Calle Concepcion to Calzada de San Marcelino, along the latter calzada to its junction with Calzada de Nozaleda, thence to Calle Real (Paco), and along said street to the church of Santa Ana.

"(e) From the southerly end of the Bridge of Spain to the Bridge of Santa Cruz, across the Bridge of Santa Crnz, through Plaza de Goiti, to Calle Eehague, thence to Calle San Miguel, thence to Calle General Solano, thence to Calzada de Avil.es, and, along Calzada de Santa Mesa, to Santa Mesa.

"(f) From Plaza de Goiti to Plaza Santa Cruz, thence to Calle Enrile, thence to Calle Alcala, thence to Calle Almanza, thence to the Estero Cegado, thence to the line on Calzada de Bilibid.

"(g) From the intersection of Calle Jolo and the easterly approach to the Bridge of Binondo, thence across the Bridge of Binondo to Calle San Fernando, thence to Calle Madrid, thence to Calle Aceiteros, thence to Calle de Sagunto, thence to Paseo de Azcarraga, thence to Calle General Izquierdo, thence to Calle San Bernahlo, thence to Calle Paz, thence to

Calle Bilibid, thence to Calle de Iris, to Plaza Santa Ana. thence along Calle Alix to the Eotonda 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 Pretil Bridge.

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

"(j) From the intersection of Calle Ylaya and Paseo de Azcarraga, along Calle Ylaya to the junction of the line on Calle Jolo.

"(k) From the line at the intersection of Calle de Sagunto and Calle Aceiteros, along Calle de Sagunto to Calle Clavel, along Calle Clavel, to the line of Calle Madrid.

"(l) Along Calle de Leineri and Calle de Iolo from the Bridge of Pretil (near Ton do station) to Plaza de Binondo, across Plaza de Binondo, and along Calle Hosario, and to and across Plaza de P. Moraga, to and along the Escolta, to and across Plaza de Goiti, to and along Calle de Carriedo, to and across Plaza de Miranda, to and along Calle de Crespo, to and along Calle de San Sebastian, to and across Plaza del Carmen, to and across Plaza de Santa Ana, to a junction with line (g) namely, the intersection of Calzada de Iris and Plaza, de Santa Ana, also along the main road from Manila to Malahon, beginning at Tondo station, near the Bridge of Pretil, to the limits of the city.

"(m) From the intersection of Calle San Luis and Calle Real (Ermita), along Calle San Luis, to and along the proposed Calle E, as the same is platted on the map of the engineer of the city of Manila, which map has been approved by and is now on file with the Municipal Board of the city of Manila, to its intersection with Calle Padre Faura, thence along Calle Padre Faura to and along the proposed Calle D, as the same is platted on the map hereinbefore referred to and along a proposed street running from the cemetery at right angles to Calle Diaz Puertas, to Calle C as the same is platted on the map herein before referred to, along Calle C to a street running east from the end of Calle Cabanas and at right angles thereto, thence to and along said last mentioned street to Calle Cabañas."

"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 hist preceding paragraph except the following, upon which (except with the express consent of the Municipal Board to the laying of double tracks) only single tracks shall be laid:

"Calle Bnrile, Calle Jolo, Calle Almanza, Calle Carriedo, Calle Crespo, Calle Aleahi, Estero Cegado, where those streets are less than twenty-four feet wide between curb lines; also Calle do Cabanas; also Calle Cabildo, Calle Santo Tomas, Calle Fundicion, Calle Palacio, Calle Aduana; these last five 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 curbs makes it physically possible."

"Par. 12. The grantee shall, at all times, keep its tracks, rolling stock, and other construction, in good condition. Two classes of cars or compartments, providing for two classes of passengers, shall be run, and at least sixty per centum of the accommodation furnished shall be second-class cars or compartments. The grantee hereof shall, at all times, furnish cars or compartments of both classes sufficient to satisfy the public demand and to 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 or compartments shall be run, upon which the lower rate of fare shall be charged."

"Par. 15. The fare charged by the grantee shall not exceed six-cents, in money of the United States, on a first-class car or compartment or five cents, in money of the United States, on a second-class car or compartment, for one continuous ride from one point to another on the street railway system of the grantee within the city limits, as now or hereafter established, whether or not it be necessary to transfer the passengers from one car or line of the grantee to another during said ride: *Provided always*, That where a change of cars is necessary, there shall be established by the grantee a method of transfers not unreasonably burdensome in its restrictions to the transferred passengers and in case of 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 city limits, as now or hereafter established: *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."

"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 five dollars and fifty cents, in money of the United States, per one hundred, each of which shall be good for one continuous first-class ride on the cars of the grantee within the limits of the city of Manila, and