

[Act No. 665, March 05, 1903]

AN ACT TO AMEND SECTION TWO HUNDRED AND FORTY-ONE OF ACT NUMBERED ONE HUNDRED AND NINETY, THE CODE OF PROCEDURE IN CIVIL ACTIONS AND SPECIAL PROCEEDINGS, SO AS TO DECLARE THAT THE WORDS "PUBLIC USE" SHALL INCLUDE MILITARY POSTS FOR THE USE OF UNITED STATES FORCES STATIONED IN THE PHILIPPINE ISLANDS, AND AUTHORIZING THE INSTITUTION OF PROCEEDINGS FOR CONDEMNATION OF LANDS FOR SUCH PURPOSES IN THE NAME OF THE UNITED STATES, AND PROVIDING A METHOD OF PROCEDURE IN CASES WHERE THE OWNERS OF LAND SOUGHT TO BE CONDEMNED ARE NOT KNOWN.

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

SECTION 1. Section two hundred and forty-one of Act Numbered One hundred and ninety, entitled "An Act providing a Code of Procedure in Civil Actions and Special Proceeding in the Philippine Islands," is hereby amended by adding at the end thereof the following words:

"The words 'public use' in this section shall include the use of land in these Islands for the construction and maintenance of military posts to be occupied by United States forces stationed in the Philippine Islands, and an action in the name of and on behalf of the Philippine Insular Government for the enforcement of the right of eminent domain for the public use thus described maybe instituted under this section, and the title acquired by the Philippine Government in this land shall be indefeasible and, in furtherance of the use herein described, may be by the Philippine Government, in accordance with a resolution of the Philippine Commission, transferred by a duly executed deed of the Civil Governor to the United States forever."

SEC. 2. An action for the enforcement of the right of eminent domain on behalf of the Government of the United States may be instituted in the name of the Government of the United States upon the direction of the President of the United States or the Secretary of War, or upon the application of the Commanding General of the United States Army, Division of the Philippines.

SEC. 3. Section two hundred and fifty-three of said Act Numbered One hundred and ninety is hereby amended by adding at the end thereof the following words:

Provided, nevertheless, That when it shall be made to appear to the court that the interest of each of the several defendants in the land, or any interest therein, can not be clearly ascertained in the proceedings, or when it shall appear that the names of the several owners are not all known and can not be ascertained, the court may order the payment of the amount of damages awarded into court in the manner provided in section two hundred and forty-seven and direct that it shall there remain until the land and interest therein involved in the litigation shall be brought under the operation of the Land Registration Act, and it shall thereupon be the duty of all parties claiming the land, or an interest