

[Act No. 909, September 29, 1903]

AN ACT AMENDING ACT NUMBERED TWO HUNDRED AND FIFTEEN, ENTITLED "AN ACT ESTABLISHING AND REGULATING ACCOUNTABILITY FOR PUBLIC PROPERTY IN THE PHILIPPINE ARCHIPELAGO," AS AMENDED, BY AUTHORIZING PRIVATE SALES OF PROPERTY IN CERTAIN CASES, AND FIXING RESPONSIBILITY FOR SHORTAGES OR DAMAGE IN MARINE OR RAILWAY SHIPMENTS OF PUBLIC PROPERTY.

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

SECTION 1. Section twelve of Act Numbered Two hundred and fifteen, entitled "An Act establishing and regulating accountability for public property in the Philippine Archipelago," is hereby amended by adding at the end thereof the following: "When in his discretion the public interest will be best served by such action, the Civil Governor may authorize the sale of public property at private sale, subject to such restrictions as he may impose in each case, or for any branch of the service."

SEC. 2. The first paragraph of section twenty-three of said Act, as amended by section two of Act Numbered Three hundred and sixty-one, is hereby repealed and the following inserted in lieu thereof:

"SEC. 23. When property is purchased from the Insular Purchasing Agent the freight to the port or railway station of destination, not including the unloading charges unless so specified in the bill of lading, shall be paid by the Insular Purchasing Agent upon presentation of a properly receipted or accomplished bill of lading: *Provided*, That property shall be shipped only to a consignee or his authorized agent at the port or railway station of destination. If such consignee or his agent shall receipt or accomplish such bill of lading without notation thereon of a shortage in, or damage to, the property covered by such bill of lading, such accomplishment or receipt shall make the consignee responsible for the full amount and value of the goods covered by said bill of lading and shall release the carrier from responsibility for any shortage or damage, in default of other evidence to the contrary satisfactory to a committee or inspector appointed under the provisions of sections nine and ten of this Act. Evidence of the opening or tampering with any package shall bind the carrier for any shortage or damage which may appear therein, and when notation is made upon the bill of lading of such evidence the burden of proof that the shortage or damage occurred after the shipment left the carrier's possession shall be upon such carrier.

"Public property shipped by another Bureau of the Government shall be subject to the provisions of this section so far as it relates to the responsibility of the parties concerned.

"Public property shipped upon any vessel of the Bureau of Coast Guard and Transportation, or of any other Bureau of the Government, shall be subject to the provisions of this section, and responsibility which would be fixed upon the carrier shall be charged to the responsible officer of