

# [ Act No. 98, March 09, 1901 ]

## **AN ACT TO REGULATE COMMERCE IN THE PHILIPPINE ISLANDS.**

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

SECTION 1. No person or corporation engaged as a common carrier of passengers or property shall directly or indirectly by any special rate, rebate, drawback or other device, charge, demand, collect or receive from any person or persons, a greater or less compensation for any service rendered, or to be rendered in the transportation of passengers or property on land or water between any points in the Philippine Islands than such common carrier charges, demands, collects or receives from any other person or persons for doing for him a like or contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances and conditions, and any such unjust discrimination is hereby prohibited and declared to be unlawful.

SEC. 2. It shall be unlawful for any common carrier engaged in the transportation of passengers or property as above set forth to make or give any unnecessary or unreasonable preference or advantage to any particular person, company, firm, corporation or locality, or any particular kind of traffic in any respect whatsoever, or to subject any particular person, company, firm, corporation or locality, nor any particular kind of traffic, to any undue or unreasonable prejudice or discrimination whatsoever, and such unjust preference or discrimination is also hereby prohibited and declared to be unlawful.

SEC. 3. No common carrier engaged in the carriage of passengers or property as aforesaid shall, under any pretense whatsoever, fail or refuse to receive for carriage, and as promptly as it is able to do so without discrimination, to carry any person or property offering for carriage, and in the order in which such persons or property are offered for carriage, nor shall any such common carrier enter into any arrangement, contract or agreement with any other person or corporation whereby the latter is given an exclusive or preferential privilege over any other person or persons to control or monopolize the carriage of any class or kind of property to the exclusion or partial exclusion of any other person or persons, and the entering into any such arrangement, contract or agreement, under any form or pretense whatsoever, is hereby prohibited and declared to be unlawful.

SEC. 4. Any willful violation of the provisions of this Act by any common carrier engaged in the transportation of passengers or property as hereinbefore set forth, is hereby declared to be punishable by a fine not exceeding five thousand dollars money of the United States, or by imprisonment not exceeding two years, or both, within the discretion of the court.

SEC. 5. Any person or corporation who may be damaged by reason of the doing by a common carrier of any of the matters and things by this Act prohibited, shall be entitled to sue for and recover all damages so incurred by him, together with the costs of such suits, and a penalty of one hundred dollars in money of the United States to be recovered by the person or corporation in the same action, such suit to be brought in any court in the Islands having jurisdiction thereof.