

[Act No. 2820, March 04, 1919]

AN ACT TO AMEND SUBSECTION (B) OF SECTION FOUR AND SUBSECTIONS (C) AND (D) OF SECTION SIX OF ACT NUMBERED TWENTY-SEVEN HUNDRED AND SEVENTY-ONE, ENTITLED "AN ACT GRANTING TO THE FIRM LIZARRAGA HERMANOS, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO ESTABLISH, CONSTRUCT, EQUIP, MAINTAIN, AND OPERATE A RAILROAD BETWEEN THE MUNICIPALITIES OF KABANKALAN AND HOG, IN THE PROVINCE OF OCCIDENTAL NEGROS."

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Section one of Act Numbered Twenty-seven hundred and seventy-one, entitled "An Act granting to the firm Lizarraga Hermanos, its successors and assigns, a franchise to establish, construct, equip, maintain, and operate a railroad between the municipalities of Kabankalan and Hog, in the province of Occidental Negros," is hereby amended to read as follows:

"SECTION 1. *Name of the grantee; term of the franchise.*— A franchise is hereby granted to the firm Lizarraga Hermanos, domiciled in the Province of Iloilo, Philippine Islands, for a term of fifty years, to operate and maintain a railroad for the transportation of freight and passengers, connecting the municipalities of Kabankalan and Hog, in the Province of Occidental Negros, approximately fourteen kilometers in length, subject to the terms and conditions specified in this Act, and with the right to vary from the line described when the circumstances and conditions of the land, the safety of the line, and the public interest require it: *Provided*, That this franchise shall not take effect until the grantee shall have obtained from the Public Utility Commission a certificate showing the public necessity and convenience of the same, in accordance with the purpose of section twenty-three of Act Numbered Twenty-three hundred and seven, and its amendments, and shall have filed such certificate with the Secretary of Commerce and Communications *And provided, further*, That the grantee shall apply for such certificate within three months from and after the approval of this Act and that this franchise shall become null and void at the expiration of said period if it fails to make such application within the same.

"Whenever in the following sections the term 'grantee' is used, the same shall be held and understood to refer to the grantee firm 'Lizarraga Hermanos.' "

SEC. 2. Subsection (b) of section four of said Act Numbered Twenty-seven hundred and seventy-one is hereby amended to read as follows:

"(b) To establish a telegraph or a telephone line, as the grantee may see fit and the Secretary of Commerce and Communications duly approve, upon the recommendation of the Director of Public Works, along the entire right of way, for the exclusive use of the grantee. The poles of this