

[Act No. 1641, May 06, 1907]

**AN ACT GRANTING TO THE CITY OF MANILA THE RIGHT TO
INSTITUTE CONDEMNATION PROCEEDINGS FOR THE
EXPROPRIATION OF LAND IN THE PROVINCE OF RIZAL
NECESSARY FOR THE MAIN FOR THE NEW WATER SYSTEM FOR
THE CITY OF MANILA.**

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

SECTION 1. The city of Manila is hereby authorized to institute, through its proper officers, in the Court of First Instance of the Province of Rizal, in the Philippine Islands, condemnation proceedings for the expropriation of such land in the Province of Rizal as may be necessary for the main for the new water system for the city of Manila.

SEC. 2. Whenever the city of Manila has not obtained, by agreement with the owners thereof, the lands in the Province of Rizal necessary for the main for the new water system, it may in its complaint, which in each case shall lie instituted in the Court of First Instance of the Province of Rizal, where the land is situated, join as defendants all persons owning or claiming to own or occupy any of the land sought to be condemned or any interest therein, showing, so far as practicable, the interest of each defendant and stating with certainty the right of condemnation and describing the property sought to be condemned. Process requiring the defendants to appear and answer to said complaint shall be served upon all occupants of the land sought to be condemned and upon the owners and all persons claiming interest therein, so far as known. If the title to any lands sought to be condemned appears to be in the Insular Government, though the lands are occupied by private individuals, or if it is uncertain whether the title is in the Insular Government or in private individuals, or if the title is otherwise so obscure or doubtful that the city of Manila can not with accuracy or certainty specify who are the real owners, averment may be made by the city of Manila in its complaint to that effect. Process shall be served upon residents and nonresidents in the same manner as defendants provided in Act Numbered One hundred and ninety, and the rights of minors and persons of unsound mind shall be safeguarded in the manner in such cases provided in said Act. The court may order additional and special notice in any case where such additional and special notice is in its opinion required.

SEC. 3. In case it shall appear from the pleadings or from the report of the commissioners or the court shall otherwise be satisfied of the fact that the true ownership of the lands sought to be condemned is uncertain and that there are conflicting claims and diverse interests in any of said parcels of land, the court, if satisfied that the real owners of the land have been notified and are before the court, shall, upon rendering judgment for condemnation and for payment of the sum or sums fixed by the court as just compensation for the land taken, order such sum or sums to be paid to the clerk of the court for the benefit of the persons who shall ultimately be adjudged entitled thereto. The sum or sums so awarded shall be governed by the rules laid down in section two hundred and forty-four of Act Numbered One hundred and ninety. When condemnation proceedings are brought by the city of Manila as herein provided, the said city of Manila shall have the right to enter immediately upon the possession of the land involved, after and upon