

the purposes of organization and the transaction of such business as shall be incident thereto at such time and place as may be convenient.

SEC. 7. That Congress reserves the right to alter, amend, or repeal this Act at pleasure.

Repeal.

Approved, February 4, 1905.

CHAP. 299.—An Act To amend section five hundred and fifty-two of the Code of Laws for the District of Columbia, relating to incorporations.

February 4, 1905
[H. R. 18035.]

[Public, No. 42.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section five hundred and fifty-two of the Code of Laws for the District of Columbia is hereby amended by adding thereto the following: In addition to the fees herein required, all corporations hereafter incorporated in the District of Columbia shall pay to the recorder of deeds at the time of the filing of the certificate of incorporation forty cents on each thousand dollars of the amount of the capital stock of the corporation as set forth in its said certificate: *Provided, however,* That the fee so paid shall not be less than twenty-five dollars: *And provided further,* That the recorder of deeds shall not file or record any certificate of organization of any incorporation until it has been proved to his satisfaction that all the capital stock of said company has been subscribed for in good faith, and not less than ten per cent of the par value of the stock has been actually paid in cash, and the money derived therefrom is then in the possession of the persons named as the first board of trustees.

District of Columbia.
Corporations in.

Fees for recording,
etc.
Vol. 31, p. 1276,
amended.

Provisos.
Minimum.
Restriction.

Approved, February 4, 1905.

CHAP. 453.—An Act To amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

February 6, 1905.
[H. R. 14623.]

[Public, No. 43.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all bonds issued by the government of the Philippine Islands, or by its authority, shall be exempt from taxation by the Government of the United States, or by the government of the Philippine Islands or of any political or municipal subdivision thereof, or by any State, or by any county, municipality, or other municipal subdivision of any State or Territory of the United States, or by the District of Columbia.

Philippine Islands,
Government of.
Bonds exempt from
taxation.

SEC. 2. That for the purpose of providing funds to construct port and harbor works, bridges, roads, buildings for provincial and municipal schools, court-houses, penal institutions, and other public improvements for the development of the Philippine Islands by the general government thereof, the said government is authorized from time to time to incur indebtedness, borrow money, and to issue and sell therefor (at not less than par value in gold coin of the United States) registered or coupon bonds of such denominations and payable at such time or times, not later than forty years after the date of the approval of this Act, as may be determined by said government, with interest thereon not to exceed four and one-half per centum per annum: *Provided,* That the entire indebtedness of said government created by the authority conferred by this section shall not exceed at any one time

Issue of bonds for
public improvements
authorized.

Provisos.
Maximum indebt-
edness.

Approval by the President.	the sum of five million dollars: <i>And provided further</i> , That the law of said government creating the indebtedness and authorizing the issue of the bonds under this section shall be approved by the President of the United States.
Vol. 32, p. 707, amended.	SEC. 3. That section sixty-six of the Act of Congress approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," is hereby amended to read as follows:
Municipal bonds for public improvements.	"SEC. 66. That for the purpose of providing funds to construct necessary sewer and drainage facilities, to secure a sufficient supply of water and necessary buildings for primary public schools in municipalities, the government of the Philippine Islands may, where current taxation is inadequate for the purpose, under such limitations, terms, and conditions as it may prescribe, authorize, by appropriate legislation, to be approved by the President of the United States, any municipality of said islands to incur indebtedness, borrow money, and to issue and sell (at not less than par value in gold coin of the United States) registered or coupon bonds, in such amount and payable at such time as may be determined to be necessary by the government of said islands, with interest thereon not to exceed five per centum per annum: <i>Provided</i> , That the entire indebtedness of any municipality shall not exceed five per centum of the assessed valuation of the real estate in said municipality, and any obligation in excess of such limit shall be null and void."
May issue where current taxation is inadequate.	
Proviso.	
Limit of indebtedness.	
Aid to railroads.	SEC. 4. That for the purpose of aiding in the construction, equipment, operation, and maintenance of such railroads, using steam, electricity, or other power, in the Philippine Islands as the Philippine government may hereafter specifically authorize, the said government is empowered to enter into a contract of guaranty with any railroad company organized pursuant to the laws of said government or of the United States or any State thereof undertaking to construct, equip, operate, and maintain any such railroad, whereby the said government shall guarantee interest, at not exceeding four per centum per annum upon first lien bonds to be issued by such company, properly secured by mortgage or deed of trust upon the said railroad, its equipment, franchises, and other property, real, personal, and mixed, then owned and thereafter to be acquired.
Guaranty of interest on bonds authorized.	
Maximum interest on first lien bonds.	
Conditions.	Such contract of guaranty shall be signed on behalf of said government by the governor-general thereof, and on behalf of the railroad company undertaking the construction, equipment, maintenance, and operation of said railroad by the chief officer thereof, thereunto duly authorized by the stockholders and directors of the same, and shall contain, among others, the following provisions:
Bond issue limited to amount invested.	First. That the total amount of bonds the interest upon which is to be guaranteed shall in no event exceed the amount actually invested in cash in the construction and equipment of such railroad, to be determined as hereinafter provided.
Priority of government liens.	Second. That no debt except as above provided shall be incurred by the said undertaking railroad company, its successors or assigns, by which a lien shall be created upon such railroad, its equipment or other property, prior to the lien of said government to secure the repayment of the interest paid by it under said guaranty without the consent of the Congress.
Time of construction.	Third. That the said railroad shall be constructed and equipped within the time limited in the first instance by the Philippine government, or any extension of said time granted by said government for good cause shown.
Use of gross earnings.	Fourth. That after the construction and equipment of said railroad in accordance with the foregoing provisions and all others of the contract of guaranty, the railroad shall apply its gross earnings as follows:

First, to the necessary operating expenses, including reasonable expenses of the corporation; second, to the necessary and ordinary repairs of said railroad and its equipment; third, to such betterments and extraordinary repairs of said railroad or equipment as may be first by the governor-general of the islands, in writing, expressly consented to; fourth, to the payment of the interest on the bonds, the interest on which to any extent shall have been guaranteed by the Philippine government under this section.

The contract of guaranty shall be in substance indorsed upon said bonds and signed by the treasurer of said government, and the said contract of guaranty shall not be executed except upon satisfactory proof of the completion of the railroad in sections of not less than twenty continuous miles each, and in such proportion, to be fixed from time to time by said government, as the actual capital invested in completed road and acquired equipment shall bear to the capital required for the completion and equipment of the entire road, to be determined by the said government.

Execution of guaranty contract restricted. Completion of certain mileage required.

All payments made under any such guaranty shall be from the time the same are paid a lien upon said railroad and its property then owned and thereafter to be acquired subject only to the lien of the mortgage or deed of trust executed to secure the bonds, the interest upon which shall have been so guaranteed, and the total sum paid under such guaranty shall at the expiration thereof be payable to said Philippine government upon demand, and in default of such payment the said lien shall be immediately forecloseable.

Lien for interest paid.

Default.

Provided, That in no event shall the total annual contingent liability of said government under the guaranties authorized by this section at any time exceed the sum of one million two hundred thousand dollars, and no such guaranty shall continue for a longer period than thirty years.

Proviso. Limit on amount of guaranty.

For the further security of the Philippine government said government shall declare the proper rules for ascertaining clearly the cash capital actually invested in said railroads and the net income actually received on said capital so invested, and shall provide for supervision by said Philippine government, through the auditing, engineering and railroad bureaus thereof and by such other agencies as may be fixed by law, of the conduct of the finances of the road, and of its location, construction, operation, and maintenance.

Supervision over roads, etc.

The Philippine government shall appoint two members of the board of directors of any undertaking company the interest on whose bonds shall be guaranteed as provided in this section.

Appointment of directors.

Each such railroad company shall make such reports from time to time as to its receipts and expenditures, in such form and substance and sworn to by such officials, as may be prescribed by the Philippine government.

Reports of receipts and expenditures.

The supreme court of the Philippine Islands shall have original and exclusive jurisdiction in all actions, proceedings or suits at law or in equity brought by the Philippine government against any person or corporation involving the construction of this section or any right existing under, duty enjoined or act prohibited by said section or any contract made in pursuance thereof; and jurisdiction is hereby vested in the supreme court to make such order, to enter such judgment or decree and to take such proceedings in enforcement thereof as may be proper. During the vacations of said court the chief justice or any judge thereof shall have all the power to grant restraining orders, orders of injunction, to appoint receivers, or to do any other act under authority herein granted, that a judge of a court of general jurisdiction may do in the vacation of court.

Powers of supreme court over aided roads.

Section seventy-four of an Act entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," approved July first, nine-

Franchise grants. Vol. 32, p. 709.

teen hundred and two, so far as the same is not in conflict with the provisions of this section, is hereby made applicable to the corporations the interest upon whose bonds or any part thereof shall be guaranteed under the provisions hereof.

Construction, etc.,
material admitted
free of duty.

SEC. 5. That material imported into the Philippine Islands for the construction and equipment of railroads therein may, in the discretion of the general government of said islands, under rules and regulations to be by it prescribed, be admitted free of duty.

Immigration.
Laws to be admin-
istered by Philippine
officials.
Vol. 32, p. 1213.

SEC. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

Use of funds.

Supreme Court.
Pay of judges.

SEC. 7. That the government of the Philippine Islands is hereby authorized to prescribe the compensation for the chief justice and associate justices of the supreme court of the islands, not to exceed ten thousand five hundred dollars for the chief justice and ten thousand dollars for each associate justice per annum. Whenever, by reason of temporary disability of any judge of the supreme court or by reason of vacancies occurring therein, a quorum of the court shall not be present for business the governor-general of said islands is authorized to designate a judge or judges of the court of first instance in the islands to sit and act temporarily as a judge or judges of the supreme court in order to constitute a quorum of said supreme court for business. If a judge so designated shall not have his usual place of residence at the city of Manila, he shall be allowed his traveling expenses from his usual place of residence to Manila and return and the sum of ten pesos, Philippine currency, a day for the period during which he is engaged in the supreme court, the period to be calculated from the time he leaves his usual place of residence until his return from Manila.

Vacancies, etc.

Traveling expenses.

Governor-general to
be title of civil gov-
ernor.

SEC. 8. That the civil governor of the Philippine Islands shall hereafter be known as the governor-general of the Philippine Islands.

Mineral lands.
Vol. 32, pp. 697-701,
704, 705.

SEC. 9. That sections twenty-two, twenty-three, twenty-four, twenty-five, twenty-nine, thirty-one, thirty-six, thirty-seven, thirty-nine, fifty-three, and fifty-eight of the Act of Congress approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," being provisions of said Act respecting mineral lands, are hereby amended by reducing all measurements therein, whether of distance, area, or value, to the metric system, to wit, feet to meters, acres to hectares, miles to kilometers, and also dollars to pesos, so that said sections as amended shall read as follows:

Measurements re-
duced to metric sys-
tem.

Values to pesos.

Locating of mineral
claims.
Vol. 32, p. 697,
amended.

SEC. 22. That mining claims upon land containing veins or lodes of quartz or other rock in place-bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits located after the passage of this Act, whether located by one or more persons qualified to locate the same under the preceding section, shall be located in the following manner and under the following conditions: Any person so qualified desiring to locate a mineral claim shall, subject to the provisions of this Act with respect to land which may be used for mining, enter upon the same and locate a plat of ground measuring, where possible, but not exceeding three hundred meters in length by three hundred meters in breadth, in as nearly as possible a rectangular form; that is to say, all angles shall be right angles, except in cases where a boundary line of a previously surveyed claim is adopted as common to both

Regulations.

claims, but the lines need not necessarily be meridional. In defining the size of a mineral claim it shall be measured horizontally, irrespective of inequalities of the surface of the ground.

“SEC. 23. That a mineral claim shall be marked by two posts, placed as nearly as possible on the line of the ledge or vein, and the posts shall be numbered one and two, and the distance between posts numbered one and two shall not exceed three hundred meters, the line between posts numbered one and two to be known as the location line; and upon posts numbered one and two shall be written the name given to the mineral claim, the name of the locator, and the date of the location. Upon post numbered one there shall be written, in addition to the foregoing, ‘Initial post,’ the approximate compass bearing of post numbered two, and a statement of the number of meters lying to the right and to the left of the line from post numbered one to post numbered two, thus: ‘Initial post. Direction of post numbered two _____ meters of this claim lie on the right and _____ meters on the left of the line from number one to number two post.’ All the particulars required to be put on number one and number two posts shall be furnished by the locator to the provincial secretary, or such other officer as by the Philippine government may be described as mining recorder, in writing, at the time the claim is recorded, and shall form a part of the record of such claim.

Demarcation of claims. Vol. 32, p. 697, amended.

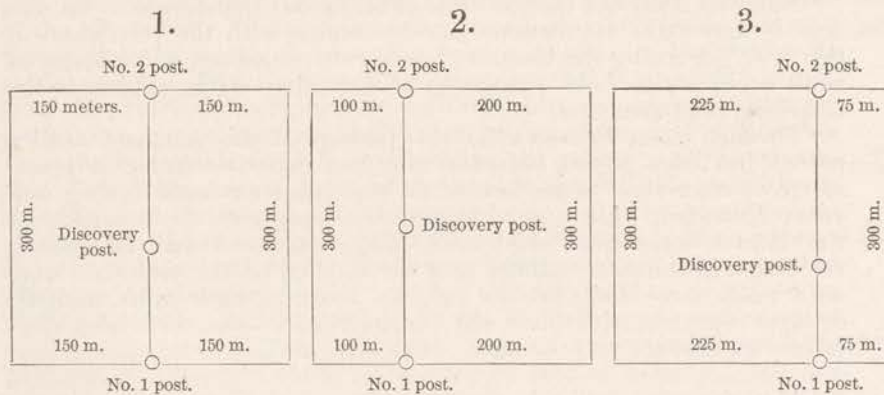
“SEC. 24. That when a claim has been located the holder shall immediately mark the line between posts numbered one and two so that it can be distinctly seen. The locator shall also place a post at the point where he has found minerals in place, on which shall be written ‘Discovery post.’ *Provided,* That when the claim is surveyed the surveyor shall be guided by the records of the claim, the sketch plan on the back of the declaration made by the owner when the claim was recorded, posts numbered one and two, and the notice on number one, the initial post.

Marking lines of claims. Vol. 32, p. 698, amended.

Proviso. Surveys.

“EXAMPLES OF VARIOUS MODES OF LAYING OUT CLAIMS.

Examples of laying out claims.



“SEC. 25. That it shall not be lawful to move number one post, but number two post may be moved by the deputy mineral surveyor when the distance between posts numbered one and two exceeds three hundred meters, in order to place number two post three hundred meters from number one post on the line of location. When the distance between posts numbered one and two is less than three hundred meters, the deputy mineral surveyor shall have no authority to extend the claim beyond number two.”

Removal of posts unlawful. Vol. 32, p. 698, amended.

“SEC. 29. That no mineral claim which, at the date of its record, is known by the locator to be less than a full-sized mineral claim, shall be recorded without the word ‘fraction’ being added to the name of

Fractional claims. Declaration. Vol. 32, p. 699, amended.

Description.	the claim, and the application being accompanied by an affidavit or solemn declaration made by the applicant or some person on his behalf cognizant of the facts: That the legal posts and notices have been put up; that mineral has been found in place on the fractional claim proposed to be recorded; that the ground applied for is unoccupied by any other person. In the said declaration shall be set out the name of the applicant and the date of the location of the claim. The words written on the posts numbered one and two shall be set out in full, and as accurate a description as possible of the position of the claim given.
Sketch plan.	A sketch plan shall be drawn by the applicant on the back of the declaration, showing as near as may be the position of the adjoining mineral claims and the shape and size, expressed in meters, of the claim or fraction desired to be recorded: <i>Provided</i> , That the failure on the part of the locator of a mineral claim to comply with any of the foregoing provisions of this section shall not be deemed to invalidate such location if, upon the facts, it shall appear that such locator has actually discovered mineral in place on said location and that there has been on his part a bona fide attempt to comply with the provisions of this Act, and that the nonobservance of the formalities hereinbefore referred to is not of a character calculated to mislead other persons desiring to locate claims in the vicinity."
<i>Proviso.</i> Innocent noncompliance with regulations.	"SEC. 31. That every person locating a mineral claim shall record the same with the provincial secretary, or such other officer as by the government of the Philippine Islands may be described as mining recorder of the district within which the same is situate, within thirty days after the location thereof. Such record shall be made in a book to be kept for the purpose in the office of the said provincial secretary or such other officer as by said government described as mining recorder, in which shall be inserted the name of the claim, the name of each locator, the locality of the mine, the direction of the location line, the length in meters, the date of location, and the date of the record. A claim which shall not have been recorded within the prescribed period shall be deemed to have been abandoned."
Recording claims. Vol. 32, p. 699, amended.	"SEC. 36. That the United States Philippine Commission or its successors may make regulations, not in conflict with the provisions of this Act, governing the location, manner of recording, and amount of work necessary to hold possession of a mining claim, subject to the following requirements:
Mining regulations. Requirements. Vol. 32, p. 700, amended.	"On each claim located after the passage of this Act, and until a patent has been issued therefor, not less than two hundred pesos' worth of labor shall be performed or improvements made during each year: <i>Provided</i> , That upon a failure to comply with these conditions the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made, provided that the original locators, their heirs, assigns, or legal representatives have not resumed work upon the claim after failure and before such location. Upon the failure of any one of several coowners to contribute his proportion of the expenditures required thereby, the coowners who have performed the labor or made the improvements may, at the expiration of the year, give such delinquent coowners personal notice in writing, or notice by publication in the newspaper published nearest the claim, and in two newspapers published at Manila, one in the English language and the other in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands, for at least once a week for ninety days, and if, at the expiration of ninety days after such notice in writing or by publication, such delinquent shall fail or refuse to contribute his proportion of the expenditure required by this section, his interest in the claim shall become the property of his coowners who have made the required expenditures. The period within which the work required to be done annually on all unpatented mineral claims shall
Assessments.	Assessment periods.
<i>Proviso.</i> Relocation on non-compliance with regulations.	
Delinquent part owners.	

commence on the first day of January succeeding the date of location of such claim.

“SEC. 37. That a patent for any land claimed and located for valuable mineral deposits may be obtained in the following manner: Any person, association, or corporation authorized to locate a claim under this Act, having claimed and located a piece of land for such purposes, who has or have complied with the terms of this Act, may file in the office of the provincial secretary, or such other officer as by the government of said islands may be described as mining recorder of the province wherein the land claimed is located, an application for a patent, under oath, showing such compliance, together with a plat and field notes of the claim or claims in common, made by or under the direction of the chief of the Philippine insular bureau of public lands, showing accurately the boundaries of the claim, which shall be distinctly marked by monuments on the ground, and shall post a copy of such plat, together with a notice of such application for a patent, in a conspicuous place on the land embraced in such plat previous to the filing of the application for a patent, and shall file an affidavit of at least two persons that such notice has been duly posted, and shall file a copy of the notice in such office, and shall thereupon be entitled to a patent for the lands, in the manner following: The provincial secretary, or such other officer as by the Philippine government may be described as mining recorder, upon the filing of such application, plat, field notes, notices, and affidavits, shall publish a notice that such an application has been made, once a week for the period of sixty days, in a newspaper to be by him designated as nearest to such claim, and in two newspapers published at Manila, one in the English language and one in the Spanish language, to be designated by the chief of the Philippine insular bureau of public lands; and he shall also post such notice in his office for the same period. The claimant at the time of filing this application, or at any time thereafter within the sixty days of publication, shall file with the provincial secretary, or such other officer as by the Philippine government may be described as mining recorder, a certificate of the chief of the Philippine insular bureau of public lands that one thousand pesos' worth of labor has been expended or improvements made upon the claim by himself or grantors; that the plat is correct, with such further description by such reference to natural objects or permanent monuments as shall identify the claim, and furnish an accurate description to be incorporated in the patent. At the expiration of the sixty days of publication the claimant shall file his affidavit, showing that the plat and notice have been posted in a conspicuous place on the claim during such period of publication. If no adverse claim shall have been filed with the provincial secretary, or such other officer as by the government of said islands may be described as mining recorder, at the expiration of the sixty days of publication, it shall be assumed that the applicant is entitled to a patent upon the payment to the provincial treasurer, or the collector of internal revenue, of twenty-five pesos per hectare, and that no adverse claim exists; and thereafter no objection from third parties to the issuance of a patent shall be heard, except it be shown that the applicant has failed to comply with the terms of this Act: *Provided*, That where the claimant for a patent is not a resident of or within the province wherein the land containing the vein, ledge, or deposit sought to be patented is located, the application for patent and the affidavits required to be made in this section by the claimant for such patent may be made by his, her, or its authorized agent where said agent is conversant with the facts sought to be established by said affidavits.”

“SEC. 39. That where an adverse claim is filed during the period of publication it shall be upon oath of the person or persons making the same, and shall show the nature, boundaries, and extent of such

Patents.
Applications.
Vol. 32, p. 701,
amended.

Notice.

Publication by mining recorder.

Filing certificate, etc.

Issue of patent in noncontested claims.

Proviso.
Nonresidents.

Adverse claims.
Vol. 32, p. 701.

adverse claim, and all proceedings, except the publication of notice and making and filing of the affidavits thereof, shall be stayed until the controversy shall have been settled or decided by a court of competent jurisdiction or the adverse claim waived. It shall be the duty of the adverse claimant, within thirty days after filing his claim, to commence proceedings in a court of competent jurisdiction to determine the question of the right of possession and prosecute the same with reasonable diligence to final judgment, and a failure so to do shall be a waiver of his adverse claim. After such judgment shall have been rendered the party entitled to the possession of the claim, or any portion thereof, may, without giving further notice, file a certified copy of the judgment roll with the provincial secretary, or such other officer as by the government of the Philippine Islands may be described as mining recorder, together with the certificate of the chief of the Philippine insular bureau of public lands that the requisite amount of labor has been expended or improvements made thereon, and the description required in other cases, and shall pay to the provincial treasurer or the collector of internal revenue of the province in which the claim is situated, as the case may be, twenty-five pesos per hectare for his claim, together with the proper fees, whereupon the whole proceedings and the judgment roll shall be certified by the provincial secretary, or such other officer as by said government may be described as mining recorder, to the secretary of the interior of the Philippine Islands, and a patent shall issue thereon for the claim, or such portion thereof as the applicant shall appear, from the decision of the court, rightly to possess. The adverse claim may be verified by the oath of any duly authorized agent or attorney in fact of the adverse claimant cognizant of the facts stated; and the adverse claimant, if residing or at the time being beyond the limits of the province wherein the claim is situated, may make oath to the adverse claim before the clerk of any court of record, or any notary public of any province or military department of the Philippine Islands, or any other officer authorized to administer oaths where the adverse claimant may then be. If it appears from the decision of the court that several parties are entitled to separate and different portions of the claim, each party may pay for his portion of the claim, with the proper fees, and file the certificate and description by the chief of the Philippine insular bureau of public lands, whereupon the provincial secretary or such other officer as by the government of said islands may be described as mining recorder shall certify the proceedings and judgment roll to the secretary of the interior for the Philippine Islands, as in the preceding case, and patents shall issue to the several parties according to their respective rights. If, in any action brought pursuant to this section, title to the ground in controversy shall not be established by either party, the court shall so find, and judgment shall be entered accordingly. In such case costs shall not be allowed to either party, and the claimant shall not proceed in the office of the provincial secretary or such other officer as by the government of said islands may be described as mining recorder or be entitled to a patent for the ground in controversy until he shall have perfected his title. Nothing herein contained shall be construed to prevent the alienation of a title conveyed by a patent for a mining claim to any person whatever."

Proceedings by adverse claimants.

Certified copy of judgment.

Payment.

Issuance of patents.

Oaths.

Interest of several persons in one claim.

Title.

Costs.

Alienation of title.

Coal-land entries. Vol. 32, p. 704, amended.

"SEC. 53. That every person above the age of twenty-one years who is a citizen of the United States or of the Philippine Islands, or who has acquired the right of a native of said islands under and by virtue of the treaty of Paris, or any association of persons severally qualified as above, shall, upon application to the proper provincial treasurer, have the right to enter any quality of vacant coal lands of said islands, not otherwise appropriated or reserved by competent

authority, not exceeding sixty-four hectares to such individual person, or one hundred and twenty-eight hectares to such association upon payment to the provincial treasurer or the collector of internal revenue, as the case may be, of not less than fifty pesos per hectare for such lands, where the same shall be situated more than twenty-five kilometers from any completed railroad or available harbor or navigable stream, and not less than one hundred pesos per hectare for such lands as shall be within twenty-five kilometers of such road, harbor, or stream: *Provided*, That such entries shall be taken in squares of sixteen or sixty-four hectares, in conformity with the rules and regulations governing the public-land surveys of the said islands in plotting legal subdivisions."

"SEC. 58. That whenever it shall be made to appear to the secretary of any province or the commander of any military department in the Philippine Islands that any lands within the province are saline in character, it shall be the duty of said provincial secretary or commander, under the regulations of the government of the Philippine Islands, to take testimony in reference to such lands, to ascertain their true character, and to report the same to the secretary of the interior for the Philippine Islands; and if upon such testimony the secretary of the interior shall find that such lands are saline and incapable of being purchased under any of the laws relative to the public domain, then and in such case said lands shall be offered for sale at the office of the provincial secretary, or such other officer as by the said government may be described as mining recorder of the province or department in which the same shall be situated, as the case may be, under such regulations as may be prescribed by said government and sold to the highest bidder for cash at a price of not less than six pesos per hectare; and in case such lands fail to sell when so offered, then the same shall be subject to private sale at such office, for cash, at a price not less than six pesos per hectare, in the same manner as other lands in the said islands are sold. All executive proclamations relating to the sales of public saline lands shall be published in only two newspapers, one printed in the English language and one in the Spanish language, at Manila, which shall be designated by said secretary of the interior."

"SEC. 10. That section eight of an Act of Congress approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," is hereby amended by striking out the word "ten" in said section and inserting in lieu thereof the words "five hundred," so that said section when amended shall read as follows:

"SEC. 8. That the treasurer of the Philippine Islands is hereby authorized, in his discretion, to receive deposits of the standard silver coins of one peso authorized by this Act to be coined, at the treasury of the government of said islands or any of its branches, in sums of not less than twenty pesos, and to issue silver certificates therefor in denominations of not less than two pesos nor more than five hundred pesos, and coin so deposited shall be retained in the treasury and held for the payment of such certificates on demand, and used for no other purpose. Such certificates shall be receivable for customs, taxes, and for all public dues in the Philippine Islands, and when so received may be reissued, and when held by any banking association in said islands may be counted as a part of its lawful reserve."

SEC. 11. That the government of the Philippine Islands is hereby authorized to modify, suspend, or repeal the provisions respecting tonnage dues set forth in sections fourteen and fifteen of an Act entitled "An Act to revise and amend the tariff laws of the Philippine Archipelago," enacted by the Philippine Commission on the seventeenth day of September, nineteen hundred and one, and confirmed by an

Limit.

Minimum price.

Proviso.
Entries.

Saline lands.
Vol. 32, p. 705,
amended.

Auction sales.

Private sale.

Proclamation of sales.

Silver certificates.
Vol. 32, p. 954,
amended.

Increase in denominations.

Tonnage tax on foreign vessels.
Right to modify, etc., granted.
Post, p. 975.

Vol. 32, p. 54.

Act of Congress approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes."

Repeal.

SEC. 12. That all Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved, February 6, 1905.

February 6, 1905.
[H. R. 17646.]

[Public, No. 44.]

Philippine Islands.
Extradition provi-
sions extended to.
R. S., secs. 5270-5277,
pp. 1021, 1022.

Vol. 22, p. 215.

Arrest.

Proviso.
Warrant issued by
governor.
R. S., sec. 5272, p. 1021.

Escape of prisoners.
R. S., secs. 5409, 5410,
pp. 1047, 1048.

Vol. 32, p. 806.

CHAP. 454.—An Act To extend certain provisions of the Revised Statutes of the United States to the Philippine Islands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of sections fifty-two hundred and seventy, fifty-two hundred and seventy-one, fifty-two hundred and seventy-two, fifty-two hundred and seventy-three, fifty-two hundred and seventy-four, fifty-two hundred and seventy-five, fifty-two hundred and seventy-six, and fifty-two hundred and seventy-seven of the Revised Statutes (as amended by the Act approved August third, eighteen hundred and eighty-two), so far as applicable, shall apply to the Philippine Islands for the arrest and removal therefrom of any fugitives from justice charged with the commission within the jurisdiction of any foreign government of any of the crimes provided for by treaty between the United States and such foreign nation, and for the delivery by a foreign government of any person accused of crime committed within the jurisdiction of the Philippine Islands. Such fugitive from justice of a foreign country may, upon warrant duly issued by any judge or magistrate of the Philippine Islands, and agreeably to the usual mode of process against offenders therein, be arrested and brought before such judge or magistrate, who shall proceed in the matter in accordance with the provisions of the Revised Statutes hereby made applicable to the Philippine Islands: *Provided,* That for the purposes of this section the order or warrant for delivery of a person committed for extradition prescribed by section fifty-two hundred and seventy-two of the Revised Statutes shall be issued by the governor of the Philippine Islands under his hand and seal of office, and not by the Secretary of State.

SEC. 2. That the provisions of sections fifty-four hundred and nine and fifty-four hundred and ten of the Revised Statutes are hereby made applicable to proceedings in extradition from the Philippine Islands, either to the United States under an Act entitled "An Act to provide for the removal of persons accused of crime to and from the Philippine Islands for trial," approved February ninth, nineteen hundred and three, or to foreign countries under the provisions of this Act.

Approved, February 6, 1905.

February 6, 1905.
[H. R. 17784.]

[Public, No. 45.]

Arkansas River.
Vanburen Electric
Railway and Bridge
Company may bridge,
at Vanburen, Ark.

CHAP. 455.—An Act To authorize the construction of a bridge across the Arkansas River at or near Vanburen, Arkansas.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Vanburen Electric Railway and Bridge Company, a corporation organized and existing under the laws of the State of Arkansas, and being empowered by the terms of its charter to construct its railway from a point on the south limits of the city of Vanburen, Arkansas, to Alma and Mulberry, Arkansas, and to build to or connect with other lines leading to Fort