

AN ACT TO AMEND SECTION THIRTEEN OF GENERAL ORDERS, NUMBER FIFTY-EIGHT, KNOWN AS THE CODE OF CRIMINAL PROCEDURE

Act No. 3042, March 10, 1922

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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 thirteen of General Orders, Number Fifty-eight, known as the Code of Criminal Procedure, is hereby amended to read as follows:

"SEC. 13. When a complaint or information alleging the commission of a crime is laid before a magistrate, he must examine, on oath, the informant or prosecutor and the witnesses produced, and take their depositions in writing, causing them to be subscribed by the parties making them.

If the magistrate be satisfied from the investigation that the crime complained of has been committed, and that there is reasonable ground to believe that the party charged has committed it, he must issue an order for his arrest.

If the offense be bailable, and the defendant offers a sufficient security, he shall be admitted to bail; otherwise he shall be committed to prison. Upon issuing the order of arrest, the magistrate shall ascertain whether the accused is within or without his jurisdiction. In the latter case he shall make an order fixing the amount of the bail and authorizing any justice of the peace or judge of a Court of First Instance where the accused may be found or arrested to accept his bail. The magistrate who has admitted the accused to bail shall forthwith release him and inform the magistrate who issued the order of arrest of his action, forwarding the papers in the case."

SEC. 2. This Act shall take effect on its approval.

Approved, March 10, 1922.

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