

AN ACT AMENDING ACT NUMBERED ONE HUNDRED AND SEVENTY-FIVE, ENTITLED "AN ACT PROVIDING FOR THE ORGANIZATION OF AN INSULAR CONSTABULARY AND FOR THE INSPECTION OF THE MUNICIPAL POLICE"

Act No. 781, June 01, 1903

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

SECTION 1. The Civil Governor, or the provincial governor, with the approval of the Civil Governor, is hereby authorized, whenever in his judgment the public interest will be subserved thereby to place the municipal police of the respective municipalities of any province under the control of the senior inspector of Constabulary on duty in the province at the time. The senior inspector in such case is hereby authorized and empowered, under the general supervision of the provincial governor, to control and direct the movements of the municipal police and, with the approval of the provincial governor, to discharge any member of the police force and substitute a fit and suitable resident of the municipality in his place. It shall be the duty of the senior inspector when thus placed in charge of the municipal police of province to see that they are properly uniformed, drilled, and disciplined. When thus vested with authority over the municipal police he shall see that all lawful orders of the provincial governor, municipal president, and others in authority are executed as provided by the Municipal Code, and amendments thereof, and shall further see that all proper arrests are made for violations of law or municipal ordinances, and in case of emergencies is authorized, under the general supervision of the provincial governor, to unite the forces of the various municipalities of the province in suppressing larceny or brigandage or other grave violations of the law which threaten the peace of the entire community; and he may also unite the Constabulary forces under his command with the municipal forces in the execution of his authority for this purpose.

SEC. 2. It is hereby made the duty of the provincial board of each and every province to prescribe a suitable uniform for the municipal police of each and every municipality, with a proper insignia to indicate the municipality to which the police belong. Authority is also hereby given the provincial board of each province to fix the number of police which is required to be maintained by each and every municipality of the province. In the event that the provincial board shall find that any municipality is unable properly to uniform and maintain the number of policemen fixed by the provincial board, the latter is authorized to vote necessary aid for the maintenance of such police out of provincial funds. In the event the provincial board should not have provincial funds adequate for this purpose it may apply to the Commission for aid in this behalf.

SEC. 3. Whenever the Chief of Philippine Constabulary shall report to the Civil Governor that in any province the efficiency of the Constabulary of the province is being interfered with by frivolous arrests and unfounded prosecutions leading to the imprisonment of members of the Constabulary and their unnecessary detention from duty, it shall be in the power of the Civil Governor, if he finds the report to be well founded, by executive order to make the following section numbered four applicable to the method of arrests in such province instead of the ordinary method of arrests now in force. But until the Civil Governor shall issue such executive order, the section following shall have, no force and effect and it shall cease to have effect as may be provided in said order.

SEC. 4. When in respect to any province the Civil Governor shall issue the executive order described in the next preceding section, and any officer or member of the Philippines Constabulary shall in such province be charged with the violation of any criminal law or ordinance and a warrant is issued for the arrest of the alleged offender, such warrant shall be placed in the hands of a Constabulary officer on duty in the province for execution; and it shall be the duty said officer to arrest such person and bring him before the justice of the peace, or officer issuing such warrant, to be dealt with as the law directs. No officer or member of the police of a municipality in such province shall have authority to arrest an officer or member of the Constabulary upon any criminal charge, save for a criminal offense committed in his presence, and when such offense is committed in his presence it shall be the duty of the municipal officer making the arrest to deliver the prisoner to the nearest Constabulary officer on duty in the province with a statement of the cause of the arrest of the offender and the names of the witnesses to the offense; and it shall be the duty of the Constabulary officer receiving the prisoner, as soon as practicable, to bring him before a justice of the peace, or the Court of First Instance of the province, to be dealt with as the law directs. In case the justice of the peace shall bind over any officer or member of the Constabulary to answer a criminal charge and the defendant fails to give bail, when the offense is bailable, the defendant shall be delivered to the custody of the senior inspector of Constabulary on duty in the province for safe-keeping; and it shall be the duty of the inspector to safely guard and keep the prisoner and produce him before the Court of First Instance, as required by law, to be dealt with as the law directs; and such prisoner shall be committed to the provincial jail by the inspector, if necessary for safe custody.

SEC. 5. It shall be the duty of all municipal officers, as soon as practicable, to give notice to the provincial governor, or inspector of Constabulary in the province, of the presence of any bands of ladrones or brigands or other persons threatening the peace of the community within their jurisdiction, or any act of robbery or theft by such bands, when the offenders are at large; and any violation of the provisions of this section shall be punished by a fine not exceeding one thousand dollars and imprisonment not exceeding two years.

SEC. 6. In provinces which are infested to such an extent with ladrones or outlaws that the lives and property of residents in the outlying barrios are rendered wholly insecure by continued predatory raids and such outlying barrios thus furnish to the ladrones or outlaws their sources of food supply, and it is not possible with the available police forces constantly to provide protection to such barrios, it shall be within the power of the Civil Governor, upon resolution of the Philippine Commission, to authorize the provincial governor to order that the residents of such outlying barrios be temporarily brought within stated proximity to the poblacion or larger barrios of the municipality, there to remain until the necessity for such order ceases to exist, and during such temporary residence it shall be the duty of the provincial board, out of provincial funds, to furnish such sustenance and shelter as may be needed to prevent suffering among the residents of the barrios thus withdrawn, and in case the provincial funds are not adequate for such purpose, application may be made to the Commission for an appropriation to meet the exigency.

SEC. 7. Act Numbered Six hundred and eighteen is hereby amended by inserting immediately after section one the following:

"SEC. 2. The pay of an assistant chief and lieutenant-colonel, not an Army officer, shall be not less than two thousand seven hundred and fifty dollars and not exceeding three thousand five hundred dollars per annum, the amount to be fixed, within the limitations above mentioned, by the Civil Governor. The grade of major and senior inspector is hereby created, at a salary of two thousand dollars per annum. The Chief of Philippines Constabulary is hereby authorized and empowered to select from the most meritorious of the captains and senior inspectors of Constabulary, not exceeding four in number, officers of this grade. The Chief of Philippines Constabulary is further authorized and empowered to increase the pay of ten of the most meritorious and deserving captains and senior inspectors of Constabulary from the amount now fixed by law to

a sum not exceeding one thousand eight hundred dollars per annum, and he is further authorized to increase the pay of a like number of first lieutenants and inspectors of Constabulary to an amount not exceeding one thousand two hundred dollars per annum: Provided, however That the total number of Constabulary officers as now provided by law shall not be increased."

Said Act is further amended by changing section two to be section three and section three to be section four.

SEC. 8. The public good requiring the speedy enactment of this bill, the passage of the same is hereby expedited in accordance with section two of "An Act proscribing the order of procedure by the Commission in the enactment of laws," passed September twenty-sixth, nineteen hundred.

SEC. 9. This Act shall take effect on its passage.

Enacted, June 1, 1903.

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