

AN ACT PROVIDING FOR THE CONTROL AND MANAGEMENT OF PROVINCIAL JAILS AND OF THE PRISONERS THEREIN.

Act No. 413, June 02, 1902

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

SECTION 1. There shall be established and kept at the capital of every organized province a jail for the safekeeping of prisoners lawfully committed. The expenses of establishing and keeping the said jails and of maintaining the prisoners therein shall be borne by the provinces, except where otherwise provided.

SEC. 2. The judge of the Court of First Instance and the provincial board shall, as often as the judge of the Court of First Instance is required to be in the province, make personal inspection of the provincial jail as to the sufficiency thereof for the safe-keeping of prisoners, their proper accommodation and health, and shall inquire into the manner in which the same has been kept since the last inspection.

SEC. 3. The governor of the province, by himself or through a jailor to be appointed by him, shall keep the jail and shall be responsible for the manner in which the same is kept. He shall keep separate rooms for the sexes except where they are lawfully married. He shall, under the direction of the provincial board and at the expense of the province, supply proper food and clothing for the prisoners: Provided, That the provincial board shall allow to the governor not exceeding twenty cents, Mexican, each per day for feeding prisoners, or may make contracts with third parties at that rate for that purpose.

SEC. 4. The governor, or the jailor appointed by him, shall keep a true and exact calendar of all prisoners committed to the provincial jail, which calendar shall contain the names of all persons who are committed, their place of abode, the time of commitment, the cause of their commitment, the authority that committed them, and the description of their persons; and when any prisoner is liberated such calendar shall state the time when and the authority by which such liberation took place; if any prisoner shall escape, it shall state particularly the time and manner of such escape; if any prisoner shall die, the date and cause of his death shall be entered on the calendar. In case any prisoner shall die in the provincial jail it shall be the duty of the president of the provincial board of health to make an examination and to report to the provincial board as to the cause of such death.

SEC. 5. At the opening of each term of the Court of First Instance within his province, the governor shall return a copy of such calendar under his hand to the judge of such court, and if any governor neglects or refuses so to do, he shall be punished by fine not exceeding five hundred pesos.

SEC. 6. It shall be the duty of the provincial board to make suitable regulations for the conduct of the provincial jail so as to prevent the introduction of intoxicating liquors among the prisoners, to prohibit gambling in the jail, or disorderly practices of any kind therein.

SEC. 7. The compensation for the support of a prisoner arrested on civil process shall be at the rate of twenty cents, money of the United States, per day, to be advanced and taxed as costs in accordance with section one of Act Numbered Three hundred and ninety-seven.

SEC. 8. When a prisoner is confined by virtue of any process directed to the governor or sheriff and which shall require to be returned to the court whence it issued, such governor or sheriff shall keep a copy of the same, together with his return made thereon, which copy, duly certified by said governor or sheriff, shall be presumptive evidence of his right to retain such prisoner in his custody.

SEC. 9. All instruments of every kind, or attested copies thereof by which a prisoner is committed or liberated, shall be regularly indorsed, filed, and kept in a suitable box by such governor or by his deputy acting as jailor, and such box, with its contents, shall be delivered to the successor of the officer having charge of the prisoner.

SEC. 10. In case there should be no jail in any province, or in case a provincial jail of any province be insecure or insufficient for the accommodation of all provincial prisoners, it shall be the duty of the provincial board to make arrangements for the safekeeping of the prisoners of the province with the provincial board of some neighboring province in the jail of such neighboring province, and when such arrangement has been made, it shall be the duty of the officer having custody of the prisoner to commit him to the jail of such neighboring province, and he shall be there detained with the same legal effect as though confined in the jail of the province where the offense for which he was arrested was committed.

SEC. 11. Any provincial jail may be used for the safekeeping of any fugitive from justice from any province, and the jailor shall in such case be entitled to receive the same compensation for the support and custody of such fugitive from justice as is provided for other prisoners, to be paid by the officer demanding the custody of the prisoner, who shall be reimbursed for such outlay as a part of the costs of the prosecution.

SEC. 12. The prisoners shall be treated with humanity and in a manner calculated to promote their reformation. Juvenile prisoners shall be kept, if the jail will admit of it, in apartments separated from those containing more experienced and hardened criminals. The visits of parents and friends who desire to exert a moral influence over prisoners shall at all reasonable times be permitted under regulations which shall be proscribed by the provincial board.

SEC. 13. The provincial board may, if it deems such a course advisable, cause all able-bodied male prisoners, except such as are held awaiting trial, to work upon any of the public provincial roads or highways or other public works in the province where such prisoners are confined. Such work shall be done under the direction and control of the provincial supervisor, and while so employed the prisoners shall be sufficiently and properly guarded by the jailor or his deputies or by the Philippines Constabulary if available for that purpose.

SEC. 14. All laws, rules, and regulations inconsistent with the provisions of this Act are hereby repealed.

SEC. 15. 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 prescribing the order of procedure by the Commission in the enactment of laws," passed September twenty-sixth, nineteen hundred.

SEC. 16. This Act shall take effect on its passage.

Enacted, June 2, 1902.

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