

[EXECUTIVE ORDER NO. 151, April 30, 1938]

PROMULGATING RULES AND REGULATIONS GOVERNING THE ARREST, CUSTODY, AND TRIAL OF PERSONS SUBJECT TO THE MILITARY OR NAVAL LAWS OF THE UNITED STATES

Pursuant to the authority vested in me by the constitution and existing laws, I, Manuel L. Quezon, President of the Philippines, do hereby issue and promulgate the following rules and regulations, to govern the conduct of the executive officers of the government in the matter of the arrest, custody, and trial of persons subject to the military or naval laws of the United States:

1. Persons subject to the military or naval laws of the United States who have committed any crime, misdemeanor, violation of municipal ordinance, or breach of law which is punishable by imprisonment for one year or less and are arrested in the commission thereof by the civil authorities of the Philippines shall be immediately placed in the custody of the commanding officer of the nearest United States military or naval post or station, as the case may be, for the investigation of the charges made and for disposition thereof according to the provisions of the military or naval law relating thereto.
2. If such offenders are not arrested in the commission of the crime, misdemeanor, violation of municipal ordinance, or breach of law, complaint shall be made before the proper commanding officer, and not before a civil court, and the charges made shall be investigated and disposed of according to the provisions of military or naval law relating thereto.
3. In either case, a statement in writing of the charges and the names and addresses of the witnesses for the prosecution and of the law or municipal ordinances violated and the penalty prescribed for the breach thereof shall be furnished the proper military or naval commanding officer for the information and the guidance of the military or naval authorities in investigating and disposing of the case. A copy of such statement shall be mailed immediately to the Commanding General, Philippine Department, United States Army, Fort Santiago, Manila, or the Commandant, Sixteenth Naval District, United States Navy, Cavite, depending upon which service the offender is attached to.
4. Except as provided in paragraphs numbered six and seven hereof, persons subject to the military or naval laws of the United States who have committed any crime, misdemeanor, violation of municipal ordinance, or breach of law which is punishable by imprisonment for more than one year and are arrested in the commission thereof by the civil authorities of the Philippines, shall be immediately offered to the commanding officer of the nearest United States military or naval post or station, as the case may be, for custody and shall be placed in the custody thereof upon the receipt from the said commanding officer of an instrument in writing acknowledging that the offender has been delivered to him for custody