

[EXECUTIVE ORDER NO. 106, August 24, 1937]

PROMULGATING RULES AND REGULATIONS GOVERNING ARREST OF OFFICERS AND ENLISTED MEN OF THE PHILIPPINE ARMY

Pursuant to the authority vested in me by the Constitution and by the laws of the Philippines, I, Manuel L. Quezon, President of the Philippines, and Commander-in-Chief of the armed forces thereof, do hereby issue and promulgate the following rules and regulations governing arrest of officers and enlisted men of the Philippine Army:

1. Officers and enlisted men of the Philippine Army are subject to the general laws of the land and to the ordinances of the city or municipality in which they may be, and shall be liable to arrest for offenses committed in violation thereof.

2. Any officer or enlisted man of the Philippine Army charged with violation of the penal laws of the Philippines or of violation of city or municipal ordinances, for whose arrest a warrant has been issued, shall be arrested by his commanding officer or any officer in command of the nearest Army post, who shall forthwith bring the offender before the justice of the peace or officer issuing such warrant to be dealt with as the law directs.

3. (a) Any officer or enlisted man of the Philippine Army who commits a crime or any offense punishable under the laws of the Philippines or under any city or municipal ordinance, in the presence of a commissioned or commissioned officer or another enlisted man, shall be arrested by the latter and delivered within the period of six hours to the judge or justice of the peace having jurisdiction over the offense to be dealt with according to law.

(b) If the crime or offense is committed in the presence of both Army and State Police authorities, the arrest of the offender shall be effected by the Army authorities present who shall forthwith deliver the offender to the judge or justice of the peace who has jurisdiction over the case.

(c) If the crime or offense is committed in the presence of a member of the State Police, the State Police authorities shall effect the arrest and deliver the offender to the nearest Army authorities, or if there be no Army authorities in the city or municipality, to the competent judge or justice of the peace to be dealt with according to law.

(d) If neither Army nor State Police authorities are present at the time the crime or offense is committed by a member of the Army the arrest shall be effected by either the Army or the State Police depending on which one arrives first at the scene of the commission of the crime. If the State Police effects the arrest in these cases, the provisions of the next preceding paragraph shall govern.