

# [ Commonwealth Act No. 426, May 31, 1939 ]

## **AN ACT TO AMEND SECTION SIXTY-TWO OF COMMONWEALTH ACT NUMBERED FIFTY-SEVEN AS AMENDED BY COMMONWEALTH ACT NUMBERED ONE FIFTY-EIGHT.**

*Be it enacted by the National Assembly of the Philippines:*

Sec. 1. Section sixty-two of Commonwealth Act Numbered Fifty seven, entitled An Act establishing a form of government for the City of Iloilo as amended by Commonwealth Act Numbered One hundred fifty-eight, is further amended to read as follows:

"Sec. 62. Persons arrested to be promptly brought before Court. - Preliminary examinations in Municipal Court and Court of First Instance, Every person arrested shall, without unnecessary delay, be brought before the Municipal Court, or Court of First Instance for preliminary hearing, release on bail, or trial. In cases triable in the Municipal Court the defendant shall not be entitled as of right to preliminary examination, except a summary one to enable the court to fix the bail. In cases triable only in the Court of First Instance the defendant shall not be entitled as of right to a preliminary examination in any case where the city fiscal, after a due investigation of the facts, shall have presented an information against him in proper form. In both instances, the city fiscal shall have the information filed under oath to be sworn to by him before the corresponding judge without the necessity of being accompanied by affidavits of witnesses. But the Court of First Instance may make such summary investigation into the case as it may deem necessary to enable it to fix the bail or to determine whether the offense is bailable."

Sec 2. This Act shall take effect upon its approval.

Approved, May 31, 1939.



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