

[EXECUTIVE ORDER NO. 65, September 03, 1945]

PROVIDING FOR THE PROVISIONAL RELEASE ON BAIL OF POLITICAL PRISONERS, PRIOR TO THE INSTITUTION OF THE CORRESPONDING CRIMINAL CASES AGAINST THEM, SUSPENDING, INsofar AS THEY ARE CONCERNED, THE APPLICATION OF ARTICLE 125 OF THE REVISED PENAL CODE, AND FOR OTHER PURPOSES.

WHEREAS, the Commander-in-Chief of the Armed Forces of the United States in the Philippines has caused many persons to be apprehended, detained and interned, pursuant to his proclamation, dated December 29, 1944;

WHEREAS, the persons thus interned are being turned over and delivered to the Commonwealth Government, together with the pertinent records, for trial and disposal of their respective cases in accordance with the laws of the Commonwealth;

WHEREAS, according to the laws of the Commonwealth, no person may be detained for some legal ground for more than six (6) hours without being delivered to the proper judicial authorities; and

WHEREAS, it is necessary, to enable the Government to fulfill its responsibilities and to maintain and enforce its authority, as well as to respect the mandates of the Constitution, that some temporary measure be immediately adopted in relation with the custody of said prisoners, and the investigation, prosecution and disposal of their respective cases;

NOW, THEREFORE, I, SERGIO OSMEÑA, President of the Philippines, by virtue of the powers vested in me by the Constitution and the laws of the Philippines, do hereby ordain that:

1. All criminal actions, commended either by complaint or by information, against the persons interned or otherwise detained by the Commander-in-Chief of the Armed Forces of the United States in the Philippines and delivered to the Commonwealth Government, shall be prosecuted under the direction and control of the Solicitor-General.
2. The provisions of Article 125 of the Revised Penal Code, as amended, are hereby suspended with regard to said internees or detainees: Provided, however, That this suspension shall not be for more than thirty (30) days from the date on which the aforementioned delivery of said internees or detainees shall have been made.
3. Existing provisions of law to the contrary notwithstanding, the Solicitor-General is hereby authorized to order the provisional release of any such internee or detainee who should solicit the same, upon such reasonable bail as may be approved by him