

[Act No. 653, March 04, 1903]

AN ACT AMENDING SECTIONS THREE HUNDRED AND FORTY-FOUR AND THREE HUNDRED AND FORTY-FIVE OF THE PHILIPPINE CUSTOMS ADMINISTRATIVE ACT, SO AS TO PROVIDE FOR THE ENFORCEMENT OF CERTAIN FINES, PENALTIES, AND FORFEITURES IN THE COURT OF CUSTOMS APPEALS.

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

SECTION 1. Section three hundred and forty-four of the Customs Administrative Act is hereby amended so as to read as follows:

"SEC. 344. All fines, penalties, and forfeitures lawfully incurred or imposed, not enforceable or collectible by collectors of customs, either by reason of the nature of the statutory provision authorizing the same or by reason of there being no property under the control of the collector upon which the lien for such liability created by the imposition of the fine, penalty, or forfeiture can be enforced without a suit or criminal prosecution, shall be reported by the collector within ten days, together with a statement of all the facts and circumstances of the case within the collector's knowledge, or which may come to his knowledge from time to time, together with the names of the witnesses and the provisions of the law believed to be violated on which reliance may be had for condemnation or conviction. In such cases the decision of the collector upon the question of whether there is or is not property under his control upon which the lien for such liability can be enforced shall be final."

SEC. 2. Section three hundred and forty-five of the Customs Administrative Act is hereby amended so as to read as follows:

"SEC. 345. The Collector of Customs for the Philippine Archipelago upon receiving such report of the collector, shall cause suit or prosecution to be commenced without delay for the fines, penalties, and other forfeitures by law in such cases provided in the Court of Customs Appeals, which court is hereby given jurisdiction to enforce the fines, penalties, and forfeitures against the persons upon whom the same were imposed by ordering imprisonment at hard labor of the guilty person until such fines, penalties, or forfeitures have been paid or otherwise lawfully satisfied. The sentence shall provide that, if the fine, penalty, or forfeiture is not paid, the imprisonment shall continue a sufficient number of days to pay the same, with lawful costs, at the rate of not less than twenty cents, in money of the United States, per day, for each day's imprisonment. The costs of prosecution shall be added to the fine, penalty, or forfeiture ordered. The rate to be allowed for each day's imprisonment shall be fixed by the court, in its judgment."

SEC. 3. The provisions of this Act shall be applicable to all vessels, and the owners and masters thereof, which are, or shall be, engaged either in the foreign or the coastwise trade of the Philippine Islands, whether by virtue of the Customs Administrative Act or otherwise.