

Recommendation as to title not binding.

Compensation, expenses, etc.

Assistants; pay without regard to Classification Act.
Vol. 42, p. 1488; Vol. 46, p. 1003; U.S.C. p. 65, Supp. VII, p. 34. Securing information.

Hearings.

Appropriation authorized.
Post, p. 833.

including proposed payments to and from the United States, and such other recommendations as in their opinion may promote a just and reasonable settlement of the title to said property. Nothing contained in said recommendation with respect to title shall be binding upon either the United States or private claimants.

SEC. 4. Said commissioners shall receive compensation for such days as they may actually work at the rate of \$15 per day, plus travel and subsistence expenses, and shall have authority to employ such assistants at such rates of pay as they may deem appropriate without regard for the Classification Act of 1923. The said commissioners may call upon all officers and agencies of the Federal Government and the District of Columbia for information and advice, and said officers are hereby authorized and directed to supply such information on request. Said commission shall make such surveys, hold such hearings, and conduct such other investigations as it may deem necessary and advisable to carry out the purposes of this Act.

SEC. 5. For the purpose of carrying out the provisions of this Act and the payment of salaries and compensation herein provided for, the sum of \$10,000, or as much thereof as may be necessary, is hereby authorized to be appropriated from any funds in the Treasury not otherwise appropriated.

Approved, March 21, 1934.

[CHAPTER 73.]

AN ACT

March 22, 1934.
[H.R. 5862.]
[Public, No. 126.]

To provide for the removal of American citizens and nationals accused of crime to and from the jurisdiction of any officer or representative of the United States vested with judicial authority in any country in which the United States exercises extraterritorial jurisdiction.

Criminal Code amendment.
U.S.C., pp. 506, 510.
Removal of fugitives to country in which extraterritorial jurisdiction exercised.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section 591 of title 18 of the United States Code, so far as applicable, shall apply within the jurisdiction of the United States in any country where the United States exercises extraterritorial jurisdiction for the arrest and removal therefrom to the United States, its Territories, Districts, or possessions, including the Panama Canal Zone and the Philippine Islands, or any other territory governed, occupied, or controlled by it, of any citizen or national of the United States who is a fugitive from justice charged with or convicted of the commission of any crime or offense against the United States, and shall also apply throughout the United States, its Territories, Districts, and possessions, including the Panama Canal Zone and the Philippine Islands, as well as to any other territory governed, occupied, or controlled by the United States, for the arrest and removal therefrom to the jurisdiction of any officer or representative of the United States vested with judicial authority in any country in which the United States exercises extraterritorial jurisdiction, of any citizen or national of the United States who is a fugitive from justice charged with or convicted of the commission of any crime or offense against the United States in any country where it exercises extraterritorial jurisdiction. Such fugitive first mentioned may, by any officer or representative of the United States vested with judicial authority in any country in which the United States exercises extraterritorial jurisdiction and agreeably to the usual mode of process against offenders subject to such jurisdiction, be arrested and imprisoned or admitted to bail, as the case may be, pending the issuance of a warrant for his removal to

Custody, etc., pending issuance of warrant.

the United States, its Territories, Districts, or possessions, including the Panama Canal Zone and the Philippine Islands, or any other territory governed, occupied, or controlled by it, which warrant it shall be the duty of the principal officer or representative of the United States vested with judicial authority in the country where the fugitive shall be found seasonably to issue, and of the United States marshal or corresponding officer to execute. Such marshal or other officer, or the deputies of such marshal or officer, when engaged in executing such warrant without the jurisdiction of the court to which they are attached, shall have all the powers of a marshal of the United States so far as such powers are requisite for the prisoner's safekeeping and the execution of the warrant.

SEC. 2. Whenever the executive authority of any State, Territory, District, or possession of the United States, including the Panama Canal Zone and the Philippine Islands, demands any American citizen or national as a fugitive from justice who has fled to the jurisdiction of any officer or representative of the United States vested with judicial authority in any country in which the United States exercises extraterritorial jurisdiction, and produces a copy of an indictment found or an affidavit made before a magistrate of any State, Territory, District, or possession of the United States, charging the fugitive so demanded with having committed treason, felony or other crime, certified as authentic by the Governor, chief magistrate, or other person authorized to act as such from whence the fugitive so charged has fled, it shall be the duty of the officer or representative of the United States vested with judicial authority to whom the demand has been made to cause such fugitive to be arrested and secured, and to cause notice of the arrest to be given to the executive authorities making such demand, or to the agent of such authority appointed to receive the fugitive, and to cause the fugitive to be delivered to such agent when he shall appear. If no such agent shall appear within three months from the time of the arrest, the prisoner may be discharged. All costs or expenses incurred in the apprehending, securing, and transmitting such fugitive to the State, Territory, District or possession of the United States, including the Panama Canal Zone and the Philippine Islands, shall be paid by the executive authority making such demand. The agent who receives the fugitive into his custody shall be empowered to transport him to the jurisdiction from which he has fled, and every person who, by force, sets at liberty or rescues the fugitive from such agent while so transporting him shall be fined not more than \$500 or imprisoned not more than one year.

SEC. 3. Whenever, under this Act, it is desired to obtain the provisional arrest and detention of a fugitive in advance of the presentation of the formal proofs, such detention may be obtained by telegraph upon the request of the authority competent to request the surrender of such fugitive addressed to the authority competent to grant such surrender: *Provided*, That such request for provisional arrest and detention be accompanied by an express statement that a warrant for the fugitive's arrest has been issued within the jurisdiction of the authority making such request charging the fugitive with the commission of the crime for which his extradition is sought to be obtained: *Provided further*, That in the case of a request so made by a State, Territory, District, or possession, the expenses of obtaining a fugitive upon telegraphic request shall be borne by such State, Territory, District, or possession: *And provided further*, That no person shall be held in custody under telegraphic request by virtue of the provisions of this section for more than ninety days.

Executing, etc., warrant.

Powers of marshal when executing warrant.

Demand by a State, territory, etc., for return of fugitive.

Indictment or affidavit to accompany; charge specified.

Arrest of fugitive.

Notice to demanding authority.

Detention of fugitive for three months.

Costs.

Transportation of fugitive; penalty for aiding escape.

Provisional arrest on telegraphic request.

Provisos. Information to accompany.

Payment of expenses.

Void after 90 days.

Escape of prisoner.
Criminal code provisions applicable.
U.S.C., p. 477.

SEC. 4. The provisions of section 244 of title 18 of the United States Code are hereby made applicable to proceedings in extradition instituted in accordance with the provisions of this Act.

Approved, March 22, 1934.

[CHAPTER 84.]

AN ACT

March 24, 1934.
[H. R. 8572.]
[Public, No. 127.]

To provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

CONVENTION TO FRAME CONSTITUTION FOR PHILIPPINE ISLANDS

Philippine Independence Act.
Constitutional convention.
Election of delegates.

SECTION 1. The Philippine Legislature is hereby authorized to provide for the election of delegates to a constitutional convention, which shall meet in the hall of the house of representatives in the capital of the Philippine Islands, at such time as the Philippine Legislature may fix, but not later than October 1, 1934, to formulate and draft a constitution for the government of the Commonwealth of the Philippine Islands, subject to the conditions and qualifications prescribed in this Act, which shall exercise jurisdiction over all the territory ceded to the United States by the treaty of peace concluded between the United States and Spain on the 10th day of December 1898, the boundaries of which are set forth in article III of said treaty, together with those islands embraced in the treaty between Spain and the United States concluded at Washington on the 7th day of November 1900. The Philippine Legislature shall provide for the necessary expenses of such convention.

Territory included.
Vol. 30, p. 1755.

Vol. 31, p. 1942.

Expenses.

Character of Constitution, etc.

CHARACTER OF CONSTITUTION—MANDATORY PROVISIONS

Form and contents.

SEC. 2. (a) The constitution formulated and drafted shall be republican in form, shall contain a bill of rights, and shall, either as a part thereof or in an ordinance appended thereto, contain provisions to the effect that, pending the final and complete withdrawal of the sovereignty of the United States over the Philippine Islands—

Mandatory provisions.

Allegiance.

(1) All citizens of the Philippine Islands shall owe allegiance to the United States.

Oath of office, etc.

(2) Every officer of the government of the Commonwealth of the Philippine Islands shall, before entering upon the discharge of his duties, take and subscribe an oath of office, declaring, among other things, that he recognizes and accepts the supreme authority of and will maintain true faith and allegiance to the United States.

Religious toleration.

(3) Absolute toleration of religious sentiment shall be secured and no inhabitant or religious organization shall be molested in person or property on account of religious belief or mode of worship.

Church, etc., property tax free.

(4) Property owned by the United States, cemeteries, churches, and parsonages or convents appurtenant thereto, and all lands, buildings, and improvements used exclusively for religious, charitable, or educational purposes shall be exempt from taxation.

Trade relations with United States.
Post, p. 459.

(5) Trade relations between the Philippine Islands and the United States shall be upon the basis prescribed in section 6.

Public debt.

(6) The public debt of the Philippine Islands and its subordinate branches shall not exceed limits now or hereafter fixed by the Congress of the United States; and no loans shall be contracted in foreign countries without the approval of the President of the United States.