

Title: United States v. Jao Li Sing (Alias Chua Wat) and Choa Seem

Facts:

Jao Li Sing alias Chua Wat and Choa Seem were charged with illegal possession of opium in the Court of First Instance of Manila. The key events unfolded as follows:

- Choa Seem was the owner of a hotel in Manila where Jao Li Sing was assisting him. Approximately a year prior, they had been residing there.
- On September 22, 1916, police officers arrived to conduct a search for opium. After having to wait roughly eight minutes, they gained access to the premises.
- Inside, they encountered the defendants and other individuals. The premises smelled strongly of opium and were filled with smoke.
- An extensive search uncovered 2 kilograms and 91 grams of opium, along with 610 grams of opium ash hidden under furniture and in the attic. Additional items related to opium use were also found.
- The police also found a towel stained with opium and water in a basin that later tested positive for opium traces.
- Jao Li Sing and Choa Seem contested the allegations, arguing that the opium could have belonged to guests and that they were unaware of its presence.

Procedural Posture:

- After the trial in the Court of First Instance, Jao Li Sing was convicted and sentenced to five months imprisonment, a P500 fine, and to pay a third of the costs. Choa Seem received a six months sentence with identical fines and costs. Go Po, the third defendant, was acquitted.
- Jao Li Sing and Choa Seem appealed the conviction to the Supreme Court of the Philippines.

Issues:

1. Whether the trial court erred in not valuing the testimony of Alejandro Herrera.
2. Whether the trial court erred in admitting the prosecution's exhibits and presuming them to be the property of the accused.
3. Whether the trial court erred in not recognizing the absence of animus possidendi by the accused.
4. Whether the trial court's evaluation of 'reasonable doubt' was erroneous.
5. Whether Act No. 2381, the Opium Law, is in conflict with the provisions of the Philippine Bill of Rights or the Act of Congress of January 15, 1915.

Court's Decision:

- The Supreme Court affirmed the trial court's decision.
- The testimony of Alejandro Herrera was dismissed by the trial court, a decision upheld by the Supreme Court due to contradictory evidence.
- The evidence used by the prosecution was correctly admitted by the trial court.
- As per legal precedents (*United States vs. Bandoc*, *United States vs. Tin Masa*), circumstantial evidence and the condition of the premises were indicative of animus possidendi necessary for conviction.
- The question of reasonable doubt was not persuasively argued by the appellants.
- Act No. 2381 was upheld against the contention that it imposes excessive fines or cruel punishment, and previously decided cases confirmed its validity despite arguments that it was repealed by an Act of Congress.

Doctrine:

- The presence of opium on one's premises is prima facie evidence of possession and control, which can be refuted only by providing a satisfactory explanation (*United States vs. Bandoc*).
- Circumstances that can indirectly prove crimes when direct evidence is unavailable, are sufficient to establish guilt, especially in cases of illegal possession of opium (*United States vs. Tin Masa*; *United States vs. Sy Toon*).
- Act No. 2381, the Opium Law, is not in violation of the Philippine Bill of Rights or repugnant to the Act of Congress of January 15, 1915.

Class Notes:

- Constructive Possession: Opium found in places under the control of the defendants creates a presumption of possession.
- Prima Facie Evidence: The existence of a substance on the property is initial evidence of possession.
- Circumstantial Evidence: Indirect evidence, such as behavior and site conditions, can lead to a conviction.
- Animus Possidendi: The intention to possess, necessary for illegal possession charges.
- Act No. 2381: The Philippine Opium Law; penalties under this act do not constitute excessive fines nor cruel punishment according to the court's interpretation.

Historical Background:

This case takes place within the early 20th-century context of the Philippines, during which time the United States maintained sovereignty over the island nation. The illegal possession

and trade of opium were significant legal issues, and the Philippines' judicial system was in the process of integrating both American legal principles and the existing Spanish-influenced laws. Act No. 2381, commonly referred to as the Opium Law, was part of the legislation enacted to control this issue. The international context, specifically the influence of U.S. legislation on Philippine law, is apparent in the appellants' arguments relating to the Act of Congress of January 15, 1915.