

**\*\*Title:\*\*** The United States vs. Ten Yu et al.

**\*\*Facts:\*\*** On October 11, 1911, Ten Yu and others were charged in the municipal court of Manila for violating section 3 of Ordinance No. 152, for being present in a location involved with opium at No. 408 Calle Salazar, Binondo. The municipal court found them guilty, imposing a P100 fine each. The defendants appealed to the Court of First Instance of Manila. Here, a demurrer challenging the ordinance's validity on several grounds was overruled based on precedence and upon trial, certain defendants were acquitted while Ten Yu and others were again fined P100 each. They appealed to the Supreme Court of the Philippines articulating issues regarding the ordinance's validity, its reasonableness, and the sufficiency of the complaint.

**\*\*Issues:\*\***

1. Whether the Municipal Board of Manila had the legal authority to enact Ordinance No. 152.
2. Whether the ordinance is unreasonable in penalizing anyone visiting places described, without considering lawful presence or knowledge of the place's nature.
3. Whether the ordinance imposes cruel and excessive punishment on those violating it without knowledge or criminal intent.
4. Whether the complaint filed constitutes sufficient facts to establish a public crime.

**\*\*Court's Decision:\*\***

1. **\*\*Authority to Enact Ordinance:\*\*** The court affirmed the Municipal Board of Manila's authority to enact Ordinance No. 152, deriving explicitly from the charter of the city (Act No. 183), especially paragraph (ff) of section 17, which grants the power to regulate opium use.
2. **\*\*Reasonableness of the Ordinance:\*\*** The court rejected the appellants' argument that the ordinance unreasonably penalizes lawful visitors. It differentiated between lawful presence and violation of the ordinance, drawing from precedents allowing for defense against charges if the presence was lawful or innocent.
3. **\*\*Cruel and Excessive Punishment:\*\*** Addressing the concern over cruel and unusual punishment, the court interpreted the ordinance's intent not to punish innocent or unknowing actions but only unlawful behaviors related to opium.
4. **\*\*Sufficiency of the Complaint:\*\*** The court found the complaint sufficiently detailed to constitute a public crime under the contested ordinance.

**\*\*Doctrine:\*\*** Municipal corporations have only such powers expressly delegated or

impliedly necessary from those express powers. An ordinance's legality hinges on its adherence to these powers and the fundamental laws or charter authorizing them. The interpretation of statutes or ordinances should always lean towards their validity unless expressly violating constitutional or statutory limits.

**\*\*Class Notes:\*\***

- **\*\*Municipal Authority:\*\*** Municipalities can enact ordinances within the scope of authority granted by their charter or founding statutes.
- **\*\*Legal Interpretation:\*\*** Ordinances must be interpreted in light of their intention, not strictly by their wording, to avoid punishing lawful or innocent acts.
- **\*\*Defense Against Ordinance Violation:\*\*** Defendants can argue lawful presence or ignorance in defense against charges of violating an ordinance.
- **\*\*Statute Validity:\*\*** Presumption of validity favors legislative decisions; courts intervene only when statutes clearly contravene constitutional or legal limits.

**Relevant Legal Statutes or Provisions:**

- **\*\*Act No. 183 (Charter of Manila), Sec. 17 (ff):\*\*** Specifically grants power to the Municipal Board to regulate opium use, including the creation of Ordinance No. 152.

**\*\*Historical Background:\*\*** The case reveals the early 20th-century legal context of the Philippines concerning public health and morality, particularly the regulation of opium which was a significant issue. Manila's Municipal Board utilized its legislative authority to combat opium consumption and trade, reflecting broader colonial and local efforts to address public health crises and moral concerns during this period.