

****Title**:** The United States vs. Josh Crame, 10 Phil. 135 (1908)

****Facts**:**

Josh Crame was accused of libel due to the publication of a defamatory article. The critical point contested was whether Crame was directly involved in the publication of the article, given that he was said to be the editor and publisher of the newspaper in which the article appeared. During the trial, Exhibit A, a copy of the newspaper containing the libelous article, was presented as evidence. The appellant objected on the grounds that the newspaper copy was not adequately identified.

However, a typesetter from the newspaper provided direct evidence that Crame had personally handed him the manuscript of the libelous article to be set in type. He also testified that the manuscript was in Crame's handwriting. Based on this testimony, the court concluded that there was sufficient publication according to Section 5 of Act No. 277.

****Issues**:**

1. Whether the article complained of was indeed published by Josh Crame.
2. Whether Exhibit A, the copy of the newspaper presented as evidence, was sufficiently identified for admissibility.

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

1. ****Publication of the Article**:**

- The Supreme Court found that there was direct evidence establishing Crame's involvement in the publication of the article. The typesetter's testimony confirmed that Crame personally handed him the handwritten manuscript of the article to be published. This action meets the legal standard for publication under Section 5 of Act No. 277.

2. ****Identification of Exhibit A**:**

- Although the appellant argued that the newspaper copy was not sufficiently identified, the court deemed this argument irrelevant. The direct testimony linking Crame to the article's submission for publication was sufficient to ascertain his responsibility for the publication, rendering any issues with the identification of Exhibit A moot.

The judgment of the lower court was affirmed, and the costs of the appeal were charged to Crame.

****Doctrine**:**

The case reinforces the doctrine that direct evidence of an individual's involvement in the

preparation and submission of a manuscript for publication constitutes sufficient evidence of publication under libel laws. Specific procedural objections, such as the identification of documentary evidence, become secondary when such direct evidence is available.

****Class Notes**:**

- ****Elements of Libel**:**

1. Defamatory Imputation
2. Publication
3. Identifiable Person
4. Malice

- ****Key Point**:** Direct evidence of involvement in the preparation and submission of libelous material satisfies the publication requirement for libel.

- ****Statutory Provision**:** Section 5 of Act No. 277 addresses what constitutes sufficient publication for libel.

****Historical Background**:**

This case emerged during the American colonial period in the Philippines when the legal system was being influenced by American jurisprudence. Crame's case emphasizes the focus on direct evidence for establishing accountability in libel cases, reflecting the judicial principles from the United States being applied to the Philippine legal context. This decision helped shape the understanding and enforcement of libel laws in the early 20th-century Philippines.