

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE, VS. E. C. CAÑADA, DEFENDANT AND APPELLANT.*G.R. No. L-792. May 14, 1949*

Ponente: PARAS, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/6d1653a491b5/>**PARAS, J.:**

For having sold on June 19, 1945, two combs at twenty-five centavos each, the defendant and appellant was convicted by the municipal court of the City of Zamboanga of a violation of Executive Order No. 24, as amended by Executive Order No. 28, of the President of the Philippines, and sentenced to pay a fine of one hundred pesos, with subsidiary imprisonment in case of insolvency, plus the costs. Upon appeal to the Court of First Instance of Zamboanga, the appellant filed a motion to quash the information, on the ground that, under Executive Order No. 62, of August 14, 1945, amending Executive Order No. 24, as amended by Executive Order No. 28, a comb is not included among the articles with fixed ceiling prices, and that as the later Executive Order is favorable to the appellant, the same should be applied. This motion of quash was denied. Upon arraignment, the appellant entered a plea of guilty and was sentenced to fifteen days of arresto menor and to pay the costs. The appellant has again appealed, although his counsel merely argues that the appealed judgment should be modified so as to impose only a minimum fine.

Upon the other hand, the Solicitor General recommends appellant's acquittal. This recommendation is correct. We agree with the Solicitor General that the appellant cannot be convicted of a violation of Executive Order No. 24, as amended by Executive Orders Nos. 26 and 28, because a comb is not included in the list of commodities for which maximum prices are fixed therein. It is true that there are certain items in Executive Order No. 62 (which repeals all executive orders in conflict therewith) which may be construed as comprising combs, but appellant's conviction cannot be predicated on said Executive Order No. 62 which was promulgated only on August 14, 1945, or subsequent to the sale by the appellant, on June 19, 1945, of the two combs in question. Besides, the information charges a violation of Executive Order No. 24, as amended by Executive Order No. 28.

The appealed judgment is therefore reversed and the appellant acquitted, with costs de oficio. So ordered.

Moran, C. J., Ozaeta, Fera, Pablo, Perfecto, Bengzon, Tuason, Montemayor, and Reyes, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.