

**THE PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE, VS.
VALERIANO VALENZOY Y MASA, DEFENDANT AND APPELLANT.***G. R. No. L-9659. May 29, 1957*

Ponente: PADILLA, J.

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Valeriano Valensoy y Masa was charged in the Court of First Instance of Manila with a violation of section 26, Act No. 1780 (concealment of a bolo, about 9" blade with a leather sheath, a deadly weapon) in criminal case No. 32068. He moved to quash the information on the ground that as the title of Act No. 1780, to wit: "An Act to regulate the importation, acquisition, possession, use, and transfer of firearms, and to prohibit the possession of same except in compliance with the provisions of this Act," does not embrace weapon other than firearms, the inclusion of section 26 in the said Act outlawing the concealment about one's person of a bowie knife, dirk, dagger, kris, or other deadly weapon, violates the constitutional provision that "No bill which may be enacted into law shall embrace more than one subject which shall be expressed in the title of the bill." [1] The trial court denied the motion on the ground that at the time of the enactment of Act No. 1780 the prohibition had reference to private or local bills only and "that when a law containing a subject-matter not expressed in the title is Valid under existing constitutional provisions when enacted it remains valid thereafter regardless of any change or amendment in such constitutional provision which would have otherwise rendered the law void had the amendment or the change existed at the time of the enactment of the bill into law."

At the trial the defendant, after consultation with counsel de oficio, admitted the facts alleged in the information but asserted that he was not guilty of any offense for the reasons already stated. Whereupon, the trial court, reiterating the grounds relied upon in the order denying the motion to quash, found the defendant guilty as charged and sentenced him to pay a fine of P10, with subsidiary imprisonment in case of insolvency, and to pay the costs. The defendant has appealed.

At the time of the enactment of Act No. 1780 on 12 October 1907, the constitutional prohibition against the enactment of bills into law embracing more than one subject not expressed in the title of the bills, referred to private or local bills only. Section 5 of the Act of Congress of 1 July 1902, the Organic Law then in force, in part provided—

That no private or local bill which may be enacted into law shall embrace more than one subject, and that such shall be expressed in the title of the bill.

Counsel de oficio for the appellant contends that when the Constitution took effect on 8 February 1935 providing City of Bacolod, et al. vs. Judge Enriquez, etc., et al. that "No bill which may be enacted into law shall embrace more than one subject which shall be expressed in the title of the bill," Act No. 1780, validly passed under the Act of Congress of 1 July 1902, became repugnant to, or was repealed by, the Constitution. This constitutional provision has reference to bills henceforth to be enacted into law and not to a law in force and existing at the time the Constitution was adopted or took effect. It refers to the procedure to be followed by the Congress in the

enactment of laws. The provisions of section 26 of Act No. 1780 germane to the subject expressed in the title of the Act validly enacted under the Organic Law then in force (Act of Congress of 1 July 1902) remained operative at the time the Constitution took effect because it was not inconsistent with the Constitution, pursuant to section 2, Article XVI, of the Constitution, which provides:

All laws of the Philippine Islands shall continue in force until the inauguration of the Commonwealth of the Philippines; thereafter, such laws shall remain operative, unless inconsistent with this Constitution, until amended, altered, modified, or repealed by the Congress of the Philippines, and all references in such laws to the Government or officials of the Philippines shall be construed, in so far as applicable, to refer to the Government and corresponding officials under this Constitution. The judgment appealed from is affirmed, with costs against the appellant.

Bengzon, Montemayor, Reyes, A., Bautista Angela, Labrador, Conception, Reyes, J. B. L., Endencia, and Felix, JJ., concur.

[1] Section 21(1), Article VI, of the Constitution.

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