

THE PEOPLE OF THE PHILIPPINES, THROUGH JESUS QUINTILLAN, ETC., PETITIONERS, VS. URBANO JACA, ET AL., RESPONDENTS.*G.R. No. L-10971. November 28, 1959*

Ponente: PARAS, C.J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/9e78c4d85171/>**PARAS, C.J.:**

Respondents Urbano Jaca, Bonifacio Jaca and Go Bian Ling were charged by the petitioners before the Court of First Instance of Davao with a violation of the Anti-Dummy Law, C. A. No. 108 as amended, in relation to Sections 1 and 5 of Article 13 of the Constitution. At the initial stages of the trial, the petitioner tried to prove that during the years 1949-1955, said respondents were members of the partnership Victor Erickson and Company which did business under the trade name of Mindanao Hardwood Lumber Company and of which, respondent Go Bian Ling, an alien, was the manager; that said lumber company was engaged in the manufacture of lumber from the forest or timber concession of respondent Urbano Jaca; that during the years 1949-1950 the production of said company in the form of third and fourth class lumber amounted to about 150,000 board feet monthly, which was sold to a firm known as Mindanao Commercial Company at P0.11 per board foot, or seven centavos lower than the prevailing price in the open market. Nicolas Santos, an accountant of Sta. Clara Lumber Company, testified that, during the years 1949-1950, lumber was sold in Davao City at P0.16 per board foot for rough lumber and P0.18 per board foot for planed lumber. Fidel Reyes testified on direct examination that Sta. Clara Lumber Company had an office in Davao City engaged in the manufacture of plywood products and that during the period from September, 1952, to May, 1955, the logs used by said office were supplied by Mindanao Hardwood Company. Reyes was then asked by the prosecution the following question:

"Q. Regarding the value of the logs delivered by a Mindanao Hardwood Lumber Company thru Mr. Go Bian Ling, did you look into the records of your office (Sta. Clara Lumber Company)?"

Respondent Judge *motu proprio* rejected the question on the ground that "the amount of the transactions is not necessarily to be proved further regarding this case." The other respondents interposed an objection to the same question because it tended to establish an offense not alleged in the information. As all other questions aiming to show that the value of the logs delivered by Mindanao Hardwood Lumber Company to Sta. Clara Lumber Company was paid to Mindanao Commercial Company, of which Mindanao Hardwood Lumber Company is a dummy or front, were disallowed by respondent court, the present petition for certiorari was filed by the Fiscal.

To test the validity of respondent court's ruling on the exclusion and inadmissibility of the evidence in question, we must examine the act or acts punishable under the law with which the other respondents were charged in the information.

Section 2-a of C. A. No. 108, as amended, In relation to Sections 1 and 5 of Article 13 of the Constitution, enumerates four ways by which said law is violated, namely:

- (1) permits or allows the use exploitations or enjoyment thereof by a person, corporation or association not possessing the requisites prescribed by the Constitution or laws of the Philippines;

(2) lease, or in any other way, transfers or conveys said rights, franchise, privilege, property or business to a person, corporation or association not otherwise qualified under the Constitution, or the provisions of the existing laws;

(3) in any manner permits or allows any person, not possessing the qualifications required by the Constitution or existing laws to acquire, use, exploit or enjoy a right, franchise, privilege, property or business, the exercise and enjoyment of which are expressly reserved by the Constitution or existing laws to citizens of the Philippines or of any other specific country, to intervene in the management, operation, administration or control thereof, whether as an officer, employee or laborer therein with or without remuneration except technical personnel whose employment may be specifically authorized by the President of the Philippines upon recommendation of the Department Head concerned, if any;

(4) any person who, knowingly aids, assists, or abets in the planning, consummation or perpetration of any of the acts herein above enumerated.

The information on the other hand sets forth the following allegations:

"That on or about the period comprised between July 30, 1949 and May 27, 1956, in the City of Davao and in the Municipality of Panabo, Province of Davao, Philippines, and within the jurisdiction of this Court, the said accused Urbano Jaca and Bonifacio Jaca, Filipino citizens, conspiring and confederating together with their co-accused Go Bian Ling alias Si Lam, a Chinese citizen, did then and there voluntarily, maliciously and criminally permit and allow an alien, namely the accused aforesaid Go Bian Ling alias Si Lam, to intervene in the management and operation of the business of developing and exploiting a timberland forest, which said Go Bian Ling actually operated and developed in an area partly located at Davao City and partly in the Municipality of Panabo of this Province, Philippines, in the following manner, to wit: that the accused Urbano Jaca, having previously obtained an Ordinary Timber License to develop and exploit the said area entered on June 30, 1949 into a partnership with his co-accused Bonifacio Jaca and Go Bian Ling alias Si Lam to engage in the manufacture of lumber and solicit forest concessions from the government which was capitalized at P16,000.00, the partners contributing thereto share and share alike, and immediately thereafter accused Urbana Jaca delivered and conveyed to the said partnership of which accused Go Bian Ling alias Si Lam was and still is the manager, and thus making the latter actually the manager in the development and exploitation of the same."

The foregoing information charges only one offense, a violation of Commonwealth Act No. 108, as amended, otherwise known as the Anti-Dummy Law, committed through the manner prescribed in sub-paragraph 3 of Section 2-A.

We are of the opinion and so hold that the aforesaid question disallowed by the respondent Judge is relevant to the issue of "management and operation of the business of developing and exploiting a timberland forest," of which respondent Go Bian Ling was alleged to have been permitted and allowed to intervene as the alleged manager of the Mindanao Hardwood Company, the partnership to whom the timber license or concession of respondent Urbano Jaca was conveyed, and delivered for management and operation.

Even in case of doubt as to the materiality or relevancy of such question, it would be more in keeping with the administration of Justice to allow the answer to such question and render the ruling as to its admissibility when all the evidence are in.

"* * * The question of the relevancy of such evidence, therefore, remains to be considered in connection with the suppletory and correlative evidence introduced. If no testimony is introduced tending in any way to show its applicability, the court should on motion of the party against whom it was offered, exclude it from the jury or instruct them to disregard it. But if there is additional evidence tending to show the relevancy of that in aid of which it was offered, it becomes the peculiar province of the Jury to judge of its sufficiency to subserve its

intended purposes." (Jones-Commentaries on Evidence, 2nd ed., Vol. 2, p. 1359).

Wherefore, the petition is granted, and the ruling of the court a quo disallowing the question of petitioner is hereby set aside. So ordered.

Bengzon, Padilla, Montemayor, Bautista Angelo, Labrador, Endencia, Barrera, and Gutierrez David, 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.