THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. HONORIO BRIONES ET AL., DEFENDANTS. HONORIO BRIONES, APPELLANT.

G. R. No. 16466. February 16, 1921

Ponente: MALCOLM, J.

Read online (full-text search, related cases, audio case brief): https://batas.org/library/g-r-no-16466/

MALCOLM, J.:

This appeal brings before us the grave question of whether or not the defendant and appellant Honorio Briones, while justice of the peace of Paombong, Province of Bulacan, violated the Gambling Law by conducting a gambling house and acting as banker of the prohibited game of monte.

The facts, stated in their plainest terms, and uncontradicted by no evidence of the defense, are that about mid-night of July 27, 1919, a Constabulary detachment under the command of Lieutenant Fawcett, surprised a number of persons engaged in playing monte in the house of Hono-rio Briones, situated in the municipality of Paombong, Province of Bulacan. As a result, an information was filed, charging Briones and four other persons with a vio-lation of the Gambling Law. The last four plead guilty and were sentenced to pay small fines. Briones asked for a separate trial, which was granted. After various post-ponements extending over a period of approximately two months, the case was finally called, and the attorney for the defendant not being present, an attorney de officio was named. The trial judge found the defendant guilty and sentenced him to six months' imprisonment, to pay a fine of P500, with the corresponding subsidiary imprison-ment in case of insolvency, and to pay a proportional part of the costs.

The sole assignment of error on appeal is that the trial was celebrated without the defendant being given an opportunity to defend himself by means of lawyers. This is a puerile contention, as a perusal of the record will demonstrate. The trial judge showed great patience in repeatedly postponing the trial, while no constitutional right of the defendant was invaded, since he was actually defended by counsel and, since as a justice of the peace, it is to be expected that he had some knowledge of the law. The defendant seems to have realized his guilt and merely to have utilized the method of delay in order to postpone the day of reckoning.

The defendant, it will be recalled, was at the time he was conducting a gambling house and fomenting the gam-bling evil in violation of law, the justice of the peace of an important municipality of the Philippines. The trial judge very appropriately took this fact into consideration when he imposed a relatively severe penalty on the accused. This was exactly the sort of a case we had in mind when in our decision in U. S. vs. Salaveria ([1918], 39 Phil., 102), we suggested that where a person found guilty of a violation of the Gambling Law is a man of station or standing in the community, the maximum penalty should be imposed. (See also U. S. vs. Menez, R. G. No. 15753, decided February 13, 1920, not reported.)

Gambling is an act beyond the pale of good morals which, for the welfare of the Filipino people, should be exterminated. To be condemned in itself, it has the further effect of causing poverty, dishonesty, fraud, and deceit. Our experience as judges has constantly demon-strated that the cause of the commission of many crimes is a passion for the gambling board. It is better, there-fore, to strike at the root of the tree of crime than merely to

whittle off the twigs, only to see them continually renew themselves in fresh branches. To change the figure of speech, the gambling cancer must be eradicated if the disease be kept from permeating the whole social and political body.

Judgment is modified so that in place of six months' im-prisonment the defendant shall be sentenced to one year's imprisonment, with the costs of this instance against him. So ordered.

Araullo, Street, Avanceña, and Villamor, JJ., concur.

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

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.