

THE PEOPLE OF THE PHILIPPINE ISLANDS, PLAINTIFF AND APPELLEE, VS. JOAQUIN MIRABIEN, DEFENDANT AND APPELLANT.

G.R. No. 26391. July 28, 1927

Ponente: MALCOLM, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-26391/>

MALCOLM, J.:

The question to be here determined is whether the keeper of a house of prostitution may be punished under existing law.

Joaquin Mirabien, the accused, was on February 20, 1926, and prior thereto, the proprietor of a bar and restaurant called "New Bohemian Refreshment," situated in the municipality of San Pedro Makati, Rizal. The true occupation, however, of the accused consisted in maintaining a house of prostitution. The restaurant was merely a means by which the exploitation of women could be carried on. This was the situation discovered when the Constabulary raided the place. Mirabien's payment of the internal revenue and municipal licenses does not alter the facts.

The law pertaining to those who propagate and encourage prostitution leaves much to be desired. It is neither as clear nor comprehensive as it should be. We believe nevertheless that the Vagrancy Law, Act No. 519, is sufficiently broad when given an interpretation concordant with its purpose to cover the case. This law enumerates as one class included in the term "vagrant," "every lewd or dissolute person who lives in and about houses of ill fame."

Giving application of the law to the admitted facts, the accused must be considered a lewd or dissolute person, for one dedicated to the sale of human flesh could hardly be otherwise. In the second place, the accused lived in the camouflaged restaurant for such is deduced from his own testimony. And lastly, the restaurant was a house of ill fame, for evidence proved it to be so and the trial judge made this his finding. Want of visible means of support is not made an ingredient of this part of the Vagrancy Law.

The decision of the Court of First Instance of Manila finding the accused guilty of a violation of the Vagrancy Law and sentencing him to six months' imprisonment and to pay the costs being in accord with the facts and the law, is affirmed with costs.

Avanceña, C. J., Johnson, Street, Villamor, Johns, and Romualdez, 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.