THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. ESTEBAN SEVILLA, DEFENDANT AND APPELLANT.

G.R. No. 3541. July 20, 1907

Ponente: ARELLANO, C.J.

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ARELLANO, C.J.:

The defendant was charged with the crime of having been directly interested in gambling permitted by the municipality of Gasang, Marinduque, of which he was a councilor, and the conclusion of the judgment was that "the defendant, Esteban Sevilla, during the months of June and July, 1906, after the ordinance. Exhibit B of the prosecution, permitting the playing of panguingue was approved by the municipal council of Gasang, he being a councilor of said municipality, was interested in a game of panguingue to such an extent that the said gambling was conducted in the lower story of his own house, and he repeatedly invited the witnesses Pablo Rey and Victorio Vidal to play in the said place, he taking moreover a direct part in said gambling on certain occasions."

Construing the prohibition contained in section 28 of the Municipal Code, as to taking part in games permitted by law, according to its amendment by Act No. 663 of March 5, 1903, the accused is held to be included within the terms of the prohibition.

The judgment appealed from being in accordance with the law, is hereby affirmed, with the costs of this instance. So ordered.

Torres, Johnson, Willard, and Tracey, JJ., concur.

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