THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. HAO LIM WAH, DEFENDANT AND APPELLANT.

G.R. No. 5340. December 13, 1909

Ponente: SMITH, J.

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SMITH, J.:

Dependant was convicted of a violation of The Opium Law and sentenced to pay a fine of P215, and in case of insolvency, subsidiary imprisonment at the rate of P2.50 per day. The offense was committed before the enactment per day. The offense was committed before the enactment of Act. No. 1910, which fixes a minimum penalty for such offenses, for which reason it is not deemed poper to change the penalty imposed which, under the former legislation, was within the discretion of the trial court. Judgment affirmed.

Per Arellano, C.J.

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