

UNITED STATES, PLAINTIFF AND APPELLEE, VS. PEDRO SIOCO AND LIONG FUN, DEFENDANTS. PEDRO SIOCO, DEFENDANT AND APPELLANT.

G. R. NO. 9830. September 23, 1914

Ponente: JOHNSON, J.

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JOHNSON, J.:

These defendants were charged with the crime of the illegal importation of opium, in violation of Article 341 of Act 355. Upon said complaint they were duly arrested, arraigned, tried and found guilty of the crime charged, and each was sentenced to be imprisoned for a period of six months and to pay a fine of P500.00, and in case of insolvency to suffer subsidiary imprisonment, and each to pay one-half the costs. From that sentence the defendant, Pedro Sioco appealed to this court.

The only question presented by the appellant in this court is one of fact. He alleges that the evidence adduced during the trial of the cause was not sufficient to show that he was guilty of the crime charged.

The complaint alleges that on or about the 11th day of March, 1914, in the City of Manila, Philippine Islands, the said accused did then and there knowingly, wilfully, illegally, criminally and fraudulently import and bring into the said City of Manila, Philippine Islands, from a foreign country, on the steamship "Manchuria", contrary to law, eight hundred grams of morphine, a derivative of opium and a prohibited drug; that said accused did then and there receive, conceal and facilitate the transportation of said eight hundred grams of morphine, after its importation into the Philippine Islands from a foreign country, knowing the same to have "been imported contrary to law.

An examination of the evidence brought to this court shows, beyond a reasonable doubt, that the defendant is guilty of the crime charged in the complaint. Therefore the sentence of the lower court is hereby affirmed, with costs.

It is so ordered.

After the expiration of 10 days from the date hereof, let Judgment be entered in accordance herewith, and 10 days thereafter let the record be returned to the court from whence it came, for execution.

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