

Title: The United States v. Vicente Taguibao (1901)

Facts: On May 27, in the same year as the case, Vicente Taguibao, alongside Francisco Bancut and Pedro Bancut, proceeded to an area known as “Buquid,” located in the town of Iguid, Philippines. Upon arrival, Taguibao spotted Matias Paguam plowing a disputed parcel of land over which Pedro Bancut and another individual, Vicente Gamat, had contentions. Without hesitation, Taguibao assaulted Paguam, delivering blows to the latter’s neck with the back of a bolo—a type of cutting instrument that was legally permissible to carry at the time. The attack resulted in Paguam sustaining minor injuries, which he incurred while defending himself. The altercation was promptly interrupted by onlookers who intervened and provided testimony regarding the incident.

Issues: The principal legal issue in this case was the characterization of Taguibao’s actions. Specifically, whether Taguibao’s assault on Paguam with the back of a bolo should be classified as attempted (frustrated) homicide as initially decided by the lower court or as an offense of a lesser degree. Fundamental to determination was whether the accused harbored a homicidal intent and if the act was performed with clear potential to cause death.

Court’s Decision: The Supreme Court of the Philippines held that Taguibao’s actions did not constitute the crime of frustrated homicide as previously classified by the lower court. The assault was carried out using the back rather than the blade of the bolo, indicating a lack of intent to kill. According to the Court, in classifying a crime such as attempted homicide, it is pivotal to demonstrate that the actions of the accused unequivocally show, at the time of execution, a calculated strategy to result in the victim’s death. Intent was deemed a critical factor, and absent incriminating evidence of such, a higher level of crime could not be justifiably ascribed to Taguibao.

The Supreme Court reversed the judgment of the lower court, acquitted Taguibao of frustrated homicide, but found him guilty of a misdemeanor against the person as outlined in article 589, No. 1, of the Penal Code. Consequently, the Court imposed a sentence of five days of *arresto menor* and a fine of 125 pesetas, or subsidiary imprisonment in case of non-payment.

Doctrine: The case emphasized the importance of intent in the classification of criminal acts, particularly in determining whether an act constitutes attempted homicide. The decision reiterates that for a person to be convicted of such, there must be clear homicidal intent

demonstrated by acts with a direct inclination to cause death, and absent such evidence, a lesser offense, if proved, may be considered.

Historical Background: During the early 20th century, the Philippines was transitioning from Spanish to American rule. The legal system was still influenced by the Spanish Penal Code despite the inception of American sovereignty. This case reflects the legal principles applied at the time, which were derived from the Spanish legal tradition until gradually replaced by American jurisprudence and the development of a distinct Philippine legal system. The case captures a judicial approach based on the merits of intent and the material results of criminal actions within the Philippine colonial legal context.