

Title: The United States vs. William George Hollis

Facts: William George Hollis was charged with the crime of falsification of a public document, specifically for forging an endorsement on a check or bill of exchange issued by the Deputy Treasurer of the United States, payable to one James D. Fauntleroy, captain of the Twenty-seventh Volunteers, U.S. Infantry. The check, dated November 7, 1902, and bearing the number 3230, was for \$123, United States currency. Hollis was accused of forging Fauntleroy's signature on the back of the check and subsequently cashing it. Evidence presented during the trial in the Court of First Instance of the Province of Occidental Negros included the check with the alleged forged endorsement, known as "Exhibit 2," and various handwriting expert testimonies likening the endorsement to that of Hollis'. Convicted by the trial court, Hollis was sentenced to ten years and one day of presidio mayor, fined 8,751 pesetas, ordered to pay the costs, and to indemnify Fauntleroy in the sum of \$123. Dissatisfied with the decision, Hollis appealed to the Supreme Court of the Philippines.

Issues: The sole legal issue presented for the Supreme Court's decision was whether the alleged forged endorsement on the check was in the handwriting of the defendant, William George Hollis. Due to the loss of the primary piece of evidence, the check "Exhibit 2," the Supreme Court faced the question of how to proceed in the absence of critical evidence.

Court's Decision: The Philippine Supreme Court determined that it could not reach a decision on the appeal without having the original document "Exhibit 2," which served as the main evidence against Hollis for the alleged forgery. Since the document was lost and there was no positive proof it was ever received by the clerk of the Court, the Supreme Court was unable to independently verify the alleged forgery. Consequently, the court ordered that the case be returned to the lower court for a new trial, effectively setting aside the conviction and sentence until such time that a fair reassessment of the evidence could be made.

Doctrine: The decision in this case reaffirms the doctrine that the appellate court must have access to primary evidence critical to the adjudication of a case. Without such evidence, the court may order a new trial if it finds that its absence prevents the fair resolution of the issues on appeal.

Class Notes:

- Essential evidence must be preserved and available to appellate courts to enable them to

perform their function of reviewing the lower court's decision.

- The significance of primary evidence in proving the commission of a crime, particularly in cases of forgery.
- The appellate court's authority to order a new trial when critical evidence is unavailable.
- Relevant statutory provisions applicable: Penal Code provisions on forgery, rules on the presentation of evidence in trial and appellate proceedings.

Historical Background: This case was decided in the early years of the American colonial period in the Philippines, at a time when the judicial system was undergoing significant changes under American rule. The legal frameworks were a blend of Spanish civil law and American common law influences. The loss of critical evidence in this period might also reflect the challenges faced by the transitional judiciary in terms of record-keeping and case management.