THE UNITED STATES, COMPLAINANT AND APPELLEE, VS. DOMINGO LASCANO, DEFENDANT AND APPELLANT.

G.R. No. 1757. January 25, 1905

Ponente: CARSON, J.

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CARSON, J.:

Domingo Lascano, having been found guilty of the crime of brigandage and sentenced to death by the Court of First Instance of Batangas, the case comes to this court en consulta.

The guilt of the accused was conclusively established by the evidence adduced at the trial, and it was proven that for many months preceding the day of his arrest in August, 1903, he had been one of the petty chiefs of a band of brigands which infested the country along the borders of the Provinces of Batangas and Tayabas.

In the course of the evidence it further developed and was proven beyond a reasonable doubt that on the 8th day of February, 1903, the accused, with several other members of his band, captured five travelers on the road from Magallahes, in Cavite, to Nasugbu, in Batangas, and after robbing them tied one of their number named Severo Rol to a tree, and while in this helpless and defenseless condition deliberately stabbed him to death, the accused striking the fatal blow.

We find no error in the proceedings which was prejudicial to the rights of the accused, and we are of the opinion that the sentence of the trial court is supported by the law and the evidence and should be confirmed. So ordered.

Arellano, C. J., Torres, Mapa, and Johnson, JJ., concur.

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