

THE UNITED STATES, COMPLAINANT AND APPELLEE, VS. ENRIQUE CAIDO ET AL., DEFENDANTS AND APPELLANTS.

G.R. No. 1912. February 15, 1905

Ponente: JOHNSON, J.

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JOHNSON, J.:

The defendants in this case were charged with the crime of abduction. The complaint alleged that on the night of the 8th of January, 1904, in the sitio of Minian, barrio of Zaragoza, pueblo of Bolinao, Province of Pangasinan, the said accused, accompanied by various other persons unknown, armed with guns and bolos, entered the house of Pantaleona Cielo and took and carried away, by means of force, Feliciana Capa, against her will, and for dishonest purposes.

After hearing the evidence in said cause the judge of the Court of First Instance of the Province of Pangasinan sentenced each of said defendants to be imprisoned for a period of twelve years and one day of reclusion temporal, and to indemnify Feliciana Capa in the sum of P1,000, and to pay two-thirds of the costs of said suit. The defendants appealed to this court from said decision.

Upon an examination of the evidence in the record of said cause we are of the opinion that the acts of the parties, as shown by the evidence of the various witnesses in relation to the said Feliciana Capa, were not sufficient to constitute the crime of abduction as defined in article 445 of the Penal Code. Therefore the said sentence is reversed with costs de oficio, and the accused are acquitted. So ordered.

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

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