

THE PEOPLE OF THE PHILIPPINE ISLANDS, PLAINTIFF AND APPELLEE, VS. ISAIAS GEYROSAGA, DEFENDANT AND APPELLANT.

G.R. No. 31255. August 07, 1929

Ponente: ROMUALDEZ, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-31255/>

ROMUALDEZ, J.:

From the sentence of ten years and one day of prison mayor, a fine of 8,666 pesetas, and costs, which the Court of First Instance of Cebu imposed upon the defendant for the crime of estafa

committed through the falsification of a public document, this appeal is taken, and the defendant's counsel assigns as error to the trial court the conviction, rather than the acquittal, of the accused.

Counsel contends that the appellant, in performing the duties of a postmaster, made an involuntary mistake in considering a certain woman to be the real Demetria Sualibio and the payee of money order Exhibit C, delivering to said fictitious person the amount of said money order. Such allegations made by the defendant, uncorroborated as they are, cannot be deemed sufficiently established.

It is a proven fact that the amount of the money order referred to, paid by the post-office of which defendant was in charge, did not reach the hands of the real payee of that money. It is also a proven fact admitted by the defendant himself, that he wrote the name "Demetria Sualibyo" on the money order Exhibit C, in the space provided for the signature acknowledging the payment of the money order. It is another proven fact that neither the fictitious nor the real Demetria Sualibio authorized with any mark the appearance of said name in acknowledgment of the payment of the money order. The defendant tried to explain this vital deficiency by stating:

"I wrote the name of Demetria Sualibio because when that woman presented herself, Francisco K. Ruiz told me that she did not know how to write, and whenever one who does not know how to write calls for a registered letter or a money order, if that person does not know how to write, I sign his name, and then require him to stamp his fingerprint, but on that occasion I forgot to demand the fingerprint, because I was called away to the telegraph apparatus, as there was much business." (Italics ours, pages 20, 21, t. s. n.)

This explanation of the incredible forgetfulness on the part of the defendant to follow the good practice of requiring illiterates to stamp their fingerprints instead of signing their names, is not acceptable to us.

The same may be said of what appears in lieu of the payee's signature in the card Exhibit A, where the lack of the fingerprint of the interested party was due to the alleged call to the telegraph apparatus (page 21, t. s. n.).

There is force and weight in the observation made by the Attorney-General in his brief, that in writing the name of Demetria Sualibio in these Exhibits C and A, the defendant did not do so in his ordinary writing, as may readily be seen by comparing it with his handwriting in Exhibit D.

The facts proven in the case, and the indicia arising therefrom, establish beyond a reasonable doubt that the defendant, through the falsification of public documents Exhibits A and C, consisting in making it appear that

Demetria Sualibio had taken part in the signing thereof, she having had no intervention whatever in said act, abstracted and appropriated the sum of \$62, equivalent to 620 pesetas, Philippine currency, with fraud against and prejudice to the aforesaid payee and owner of said sum of money.

We find the following recommendation of the Attorney-General made in his brief, to be correct:

"The facts proved constitute the complex crime of estafa through falsification of public documents, defined in article 535, case 5, in connection with article 300, paragraph 2, of the Penal Code, as said article was amended by Act No. 2712. Following the rule set forth in article 89 of said Code, the penalty which must be imposed upon the defendant is that corresponding to the more serious crime, which, in this case, is falsification of public documents (prision mayor and a fine of not less than 250 nor more than 12,500 pesetas, and perpetual disqualification for holding public office), which must be applied in its maximum degree. There being no circumstance modifying the criminal liability said penalty must be imposed in its medium degree, that is, ten years, eight months, and one day of prision mayor, and a fine within the limits fixed above."

Wherefore, the judgment appealed from is hereby modified, and the defendant is sentenced to ten years, eight months and one day of prision mayor, and the accessory penalties prescribed in article 61 of the Penal Code, said judgment being affirmed in all other respects, with costs of both instances against the appellant. So ordered.

Avanceña, C. J., Johnson, Street, Villamor, Johns, and Villa-Real, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.