

**THE PEOPLE OF THE PHILIPPINE ISLANDS, PLAINTIFF AND APPELLEE, VS. BENITO AGBAYANI, DEFENDANT AND APPELLANT.**

*G. R. No. 40420. June 02, 1934*

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**J. STEVENS-ACTING CLERK OF COURT**

This court having regularly acquired jurisdiction for the trial of the above-entitled cause submitted by both parties for decision, after consideration thereof by the Court upon the record, its decision and order for the judgment having been filed on the \_\_\_\_\_ 17th \_\_\_\_\_ day of \_\_\_\_\_ May \_\_\_\_\_, A. D. nineteen hundred and \_\_\_\_\_ thirty-four \_\_\_\_\_;

By virtue thereof it is hereby adjudged and decreed that the order of the Court of the First Instance of \_\_\_\_\_ Ilocos Sur \_\_\_\_\_, dated the \_\_\_\_\_ 25th \_\_\_\_\_ day of \_\_\_\_\_ August \_\_\_\_\_, nineteen hundred and \_\_\_\_\_ thirty-three \_\_\_\_\_, and from which the above-entitled appeal was taken, be, and the same is hereby, modified and the accused is sentenced to imprisonment for a term of from 6 months of arresto mayor to 1 year, 8 months and 21 days of prision correccional, to perpetual disqualification to hold public office in the Philippine Islands, to pay a fine of P51.28 with subsidiary imprisonment in case of insolvency, and to pay the costs. The costs amount to P24.00, for collection of which the trial Judge shall proceed by summary proceeding.

It is further ordered that the said cause be remanded to the Court of First Instance.

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