THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. ALEJANDRO MEUCADO, DEFENDANT AND APPELLANT.

G.R. No. 4635. November 10, 1908

Ponente: ARELLANO, C.J.

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ARELLANO, C.J.:

"ESTAFA."—From tiro Court of First Instance of Misa-mis. Avanceña, J.

Defendant was convicted of estafa, for receiving a quantity of corn from Juan Tabian for safe-keeping and converting it to his own use, refusing to return the same upon request by the alleged owner. The evidence shows that the defendant conducted a series of transactions with Juan Tabian the exact nature of which is uncertain. That the corn was delivered is not denied but it does not clearly appear whether the delivery was in the nature of a deposit or was in the course of a transaction by which .the corn was to become the property of the defendant. Judgment reversed and defendant acquitted, without prejudice to the right of Juan Tabian to institute civil proceedings.

For appellant: Nicolas Capistrano.

For appellee: Attorney-General Araneta.

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