THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. LAOYAN DOLUNEN (ALIAS QUIBATAY), DALOCDOC Y GUAY, DEFENDANTS AND APPELLANTS.

G.R. No. 5136. September 11, 1909

Ponente: MORELAND, J.

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MORELAND, J.:

ROBBERY WITH HOMICIDE. — From the Court of First Instance of the Mountain District. Moir, J.

Defendants went to the victim's house and asked permission to cook rice, and when the latter came out, they attacked and killed him. They also took away a carabao and other property of the deceased. The court below imposed the death penalty and an indemnity. On appeal defendants invoked the benefit of article 11 of the Penal Code, which, however, is not applicable in such cases, following the established rule. Judgment affirmed.

Per Moreland, J.

For appellants: John W. Haussermann.
For appellee: Solicitor-General Harvey.

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