THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. LEONCIO BALLENA, DEFENDANT AND APPELLANT.

G.R. No.5309. November 09, 1909

Ponente: TORRES, J.

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TORRES, J.:

COERCION; SUFFIENCY OF PROOFS. — From the Court of First Instance of Masbate. Abreu, J.

Defendant was convicted of coercion and sentenced to four months and one day of arresto mayor. Defendant, a municipal president, ordered a policeman to beat a child of twelve years of age, who was one his servants, and who he believed had stolen money from his trunk. Coercion not being proven, facts held to constitute only maltreatment, punishable as a misdeamor under article 589, Penal Code. Charge of coercion dismissed and defendant sentenced to pay a fine of 100 pesetas, with subsidiary imprisonment in case of insolvency.

Per Torres, J.
For appellant: Ramon Diokno.
For appellee: Attorney-General Villamor.

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