THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. VIDAL TOBIAS AND ISIDORA GABION, DEFENDANTS. — ISIDORA GABION, APPELLANT.

G.R. No. 5463. December 01, 1909

Ponente: PAREDES, J.

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PAREDES, J.:

Defendants Tobias and Isidora Gabion were convicted of killing the husband of Isidora. The wife was sentenced to death, and the other defendant to life imprisonment. The latter did not appeal, and the case was brought up for review of the death penalty. Defendants were given the benefits of reasonable doubt as the alleged crime is claimed to have been committed in 1901, and the information was not presented until nine years later. Nor was it shown how the case came to the knowledge of the prosecuting officer, and the only evidence produced was the testimony of one witness. Judgment reversed and defendant Isidora acquitted. No conclusion reached with respect to the defendant who did not appeal.

Per Torres, J.

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