

THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. BLAS MORO, DEFENDANT AND APPELLANT.*G.R. No. 5566. February 15, 1910*

Ponente: CARSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-5566/>**CARSON, J.:**

The guilt of the accused of the crime of arson of which he was convicted is conclusively established by the testimony of the witnesses for the prosecution, if that testimony be worthy of belief. There are certain matters in the record which tend to disclose the possibility that these witnesses may have been procured to testify falsely by the complaining witness, a Chinese, whose house was burned, but there is nothing in the record upon which this court could base a finding to that effect or that the testimony of these witnesses is in fact untrue. The court below must have been fully aware of the possibility of the existence of a conspiracy between the complaining witness and others to establish the theory of the prosecution, that the defendant, a mere boy, burned the building of the complaining witness at the instigation of another Chinese, an enemy of the Chinese whose building was destroyed, and yet the trial judge was of opinion, after hearing these witnesses testify, that their testimony was worthy of belief, and established the guilt of the accused beyond a reasonable doubt. We can not say that the record does not sustain the finding of fact by the trial judge, and we find no errors in the proceedings prejudicial to the rights of the accused.

The trial court in imposing the penalty took into consideration the race and lack of mental and moral instruction of the accused as an extenuating circumstance, under the provisions of article 11 of the Penal Code, for the purpose of compensating the aggravating circumstance of nocturnity. The Attorney-General, in his brief upon appeal, contends that the crime being one "against property," the convict should not be given the benefit of the provisions of article 11, and supports his contention by citing the decisions of this court in the cases of *The United States vs. Villanueva* (9 Phil. Rep., 94), *The United States vs. Pascual* (9 Phil. Rep., 491), and *The United States vs. Cortes* (12 Phil. Rep., 309) ; but while it is true that this court has uniformly declined to apply the provisions of article 11 so as to secure to a convict the benefit of the extenuating circumstance of race in cases of simple robbery, and generally in cases of robbery, theft, and estafa, so that it may be said that as a general rule the provisions of this article should not be applied in cases of "crimes against property" of this class, yet the rule should not be extended further, and in each case where the defendant has been convicted of one of the many other classes of crimes against property, it is the duty of the court, in the exercise of its sound discretion, to apply or to refrain from the application of the provisions of this article with due regard to the particular circumstances of the case under consideration.

The judgment of conviction and the sentence imposed by the trial court should be affirmed, with the costs of this instance against the appellant. So ordered.

Arellano, C. J., Torres, Mapa, Moreland, and Elliott, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.