

THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. AMBROSIO ELISES, DEFENDANT AND APPELLANT.

G.R. No. 5672. August 12, 1911

Ponente: JOHNSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-5672/>

JOHNSON, J.:

A complaint was presented in the Court of First Instance of Ambos Camarines in which the defendant, Ambrosio Elises, was charged with the crime of "infidelidad en la custodia de documentos." He was found guilty of the crime charged in the lower court and was sentenced to be imprisoned for a period of one year eight months and twenty-one days of prision correccional, with the accessories of the law, and to pay a fine of 1,500 pesetas, with subsidiary imprisonment in case of insolvency and "inhabilitacion especial temporal" of eleven years and one day and to pay the costs. From that sentence the defendant appealed.

From an examination of the record it appears that the defendant was the secretary of the municipality of Daet during the months of March and April, 1909; that during that period several meetings of the municipal council were held; that acta No. 13 of said council contained certain proceedings which took place at one of the meetings of said council; that between the time of the meeting of the council and the approval by said council of said acta No. 13, the defendant, as secretary of the municipality, together with the presidente of said municipality, made certain changes in the phraseology of said acta; that after said changes had been made, the said council approved said acta No. 13.

The Attorney-General, after a full discussion of article 360 of the Penal Code, under which the defendant was charged, reached the conclusion that the facts charged and proven did not constitute a cause of action against the defendant, and recommended that the sentence of the lower court be revoked and that the defendant be absolved from any liability under said complaint and that said complaint be dismissed.

After a full consideration of the facts and the law applicable thereto, we are of the opinion that the Attorney-General is right in his conclusions and recommendations. Therefore the sentence of the lower court is hereby reversed and it is hereby ordered that a judgment be entered dismissing the complaint against the defendant and absolving him from all liability thereunder, with costs de oficio. It is so ordered,

Torres, Mapa, and Moreland, 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.