THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. SABAS BAOIT, DEFENDANT AND APPELLANT.

G. R. No. 6319. February 26, 1910

Ponente: MAPA, J.

Read online (full-text search, related cases, audio case brief): https://batas.org/library/g-r-no-6319/

MAPA, J.:

It has been clearly proven that the defendant herein inflicted several wounds by means of a lance on a certain Wenceslao Agcaoili, some of which required more than ninety days to heal. Two witnesses for the prosecution have asserted that they saw the defendant in the act, and the latter admitted the fact on the stand. The allegation made by the defendant that he attacked the injured party because he, with the assistance of the two witnesses for the prosecution above alluded to; was endeavoring to break open, by means of bolos, the door of his mother-in-law's house, in which he was living, their intent being to kill him and afterwards to steal his carabaos, although corroborated by the testimony of his wife, was not "considered by the trial judge, and he certainly acted properly, because the preponderance of evidence fully demonstrates that the injured man and the said witnesses were quietly conversing among themselves and with the mother-in-law of the defendant, within the said house, at the time when the former was attacked and wounded by the latter. On the other hand, it is untrue that if the final purpose of the injured man was to steal the carabaos, as the defendant has stated, he would have tried to break open the door of the house instead of the gate of the fence where the carabaos were kept, thereby awakening the owners and alarming the whole neighborhood by blows struck with the bolos upon the door of the house, which would have been the surest and readiest means to prevent the carrying out of the intended robbery of the said animals.

The wounds of the injured man were classified by the trial judge as lesiones menos graves, because, in the opinion of the physician who examined them, they could have been cured under proper medical attendance in thirty to forty days. As a matter of fact, however, the wounds required from three to four months to heal. The injured man says that he had no money with which to pay for the services of a physician, and of course he was not to blame if, through lack of means, he was unable to secure medical attendance. If for such reason the healing of the wounds required longer than if they had been properly treated, the defendant must suffer the consequences thereof, which in reality are no other than the consequences of his own act in inflicting the wounds; and it does not appear, nor is there the least indication that the injured man did anything to retard or to prolong their healing. He who executes an act must respond for all the consequences arising therefrom which can not be imputed to the fault of the injured party. As the injuries above alluded to required more than ninety days to heal, the crime should be classified as graves, not menos graves as erroneously concluded by the court below in the judgment appealed from, and it falls within paragraph 3 of article 416 of the Penal Code.

It appears from the evidence that the injured party was entirely unable to take any precaution against the aggression of which he was the victim and which resulted in the injuries in question. He was engaged in a friendly conversation with other persons in the house of the defendant when he was suddenly attacked by the latter; not the least trouble, dispute, row, or anything in fact from which an aggression might have been feared or expected

preceded the act. It was, owing to the sudden character of the attack, a markedly treacherous act, which brings the present case within the provisions of the last paragraph of said article 416 which, in relation with paragraph 3 of the same article, imposes the penalty of prision correccional in its medium and maximum degrees.

The judgment appealed from is hereby reversed, and the defendant is sentenced to the penalty of three years six months and twenty-one days of prision correccional, to pay the sum of P6 to Antonio Castro, president of the municipal board of health, for fees due him for the treatment of the wounds of the injured party, to indemnify the latter in the sum of P25, or to suffer subsidiary imprisonment in case of insolvency at the rate of one day's imprisonment for every twelve and a half pesetas that he fails to pay, with one-half of the period of his detention to be credited to him, and to pay the costs of this instance. So ordered.

Arellano, C. J., Torres, Johnson, Carson, and Moreland, JJ., concur.

Bar review courses, mock exams and a study planner that keeps you on pace - batas.org

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.