

6 Phil. 382

[G.R. No. 2752. August 22, 1906]

**THE UNITED STATES, COMPLAINANT AND APPELLEE, VS. FLORENTINO SAYSON,
DEFENDANT AND APPELLANT.**

D E C I S I O N

WILLARD, J.:

The defendant was prosecuted in the court below for falsification of a public document, in violation of the provisions of articles 300 and 301 of the Penal Code. The documents consisted of certificates of the transfer of carabaos. That they were false and were used by the defendant, knowing them to be false, was clearly established by the evidence. The court below convicted him of a violation of article 301 and sentenced him to be imprisoned for eight years and one day of *presidio mayor*.

The decision of the supreme court of Spain of the 15th of January, 1895, was rendered in a case which arose in the Province of Pangasinan and in which the facts were practically the same as the facts in this case. In that case the Supreme Court held that these certificates of the transfer of carabaos were not public documents within the meaning of article 300, but, on the contrary, were certificates within the meaning of article 311 of the Penal Code.

We follow the decision in that case. The judgment is accordingly reversed and the defendant is convicted of a violation of article 311 of the Penal Code and is sentenced to four months' imprisonment (*arresto mayor*), with the accessories of the law and costs, and with the right to an allowance of one-half of the time during which he has been confined prior to the entry of judgment herein. At the expiration of ten days after the date of final judgment let the case be remanded to the court below for proper action. So ordered.

Arellano, C. J., Torres, Mapa, Carson, and Tracey, JJ., concur.

Date created: May 02, 2014