

4 Phil. 215

[G.R. No. 1990. February 13, 1905]

**THE UNITED STATES, COMPLAINANT AND APPELLEE, VS. SIXTO PABLO,
DEFENDANT AND APPELLANT.**

D E C I S I O N

JOHNSON, J.:

The defendant in this case was charged with the crime of robbery. The complaint filed in said case alleged that the defendant, in company with two other persons armed with guns and revolvers, in the middle of the night on the 7th of August, 1903, in the sitio of Balante, barrio of Santa Cruz, pueblo of Gapan, Province of Nueva Ecija, did, by force, violence, and intimidation, take, steal, and carry away one carabao, the property of Francisco Vergara.

The court found the defendant guilty of the crime charged and sentenced him to be imprisoned for the period of two years eleven months and eleven days and to pay the costs of the action.

The evidence shows that the said defendant did, in the middle of the night on the 7th of August, 1903, together with armed companions, by force and violence, take and carry away one carabao, the property of Francisco Vergara, with the intent then and there to deprive the owner of said property, contrary to the provisions of articles 502 and 503 of the Penal Code, and he is therefore hereby sentenced to the penalty of *presidio correccional* for a period of two years eleven months and eleven days, and to pay the costs of both instances. So ordered.

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

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