

4 Phil. 465

[G.R. No. 2245. April 25, 1905]

**THE UNITED STATES, COMPLAINANT AND APPELLEE, VS. FRANCISCO JAVATE,
DEFENDANT AND APPELLANT.**

D E C I S I O N

WILLARD, J.:

The evidence of the Government shows that Margarita Tal Placido voluntarily left her home and went to San Isidro. Not finding the defendant there, and learning that he had gone to Baliuag, she went to the latter place in search of him. They lived together for several days, when she was taken to her home by her father. She and the defendant went to a justice of the peace for the purpose of being married, but the justice would not marry them without the consent of her father, which the latter refused to give.

There is no evidence in the case that Margarita was induced to leave her home by the defendant or that he had anything to do with her departure therefrom. Under these circumstances we agree with the Solicitor-General that he is not guilty of the offense of abduction.

The judgment of the court below is reversed and the defendant acquitted, with the costs of both instances *de officio*.

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