

[Commonwealth Act No. 417, May 22, 1939]

AN ACT INCREASING THE PENALTY FOR ROBBERY OR THEFT OF MAIL MATTER, BY AMENDING ARTICLES THREE HUNDRED TWO, AND THREE HUNDRED TEN, AS AMENDED, OF THE REVISED PENAL CODE.

Be it enacted by the National Assembly of the Philippines:

Sec. 1. Article 302 of the Revised Penal Code is amended to read as follows:

"Art. 302. *Robbery in an uninhabited place or in a private building.* - Any robbery committed in an uninhabited place or in a building other than those mentioned in the first paragraph of article 299, if the value of the property taken exceeds 250 pesos, shall be punished by prision correccional .in.its medium and maximum periods provided that any of the following circumstances is present:

"1. If the entrance has been effected through any opening not intended for entrance or:egress.

"2. If any wall,roof, floor or outside door or window has been broken.

"3. If the:entrance has been effected through the use of false keys, picklocks or other similar tools.

"4. If any door, wardrobe, chest, or any sealed or closed furniture or receptacle has been broken.

"5. If any closed or sealed receptacle, as mentioned in preceding paragraph, has been removed, even if the same be broken open elsewhere.

"When the value of the property taken does not exceed 250 pesos, the penalty next lower in degree shall be imposed.

In the cases specified in articles 294, 295, 297, 299, 300, and 302 of this Code, when the property taken is mail matter or large cattle, the offender shall suffer the penalties next higher i in degree than those provided in said articles."

Sec. 2. Article 310 of the same Code, as amended by Commonwealth Act Numbered Two hundred and seventy-three, is further amended to read as follows:

"Art. 310. *Qualified theft.* - The crime of theft shall.be punished by the penalties next higher in degree than those respectively specified in the next preceding article, if committed by a domestic servant, or with grave abuse of confidence, or if the property stolen consists of coconuts or fish taken from a fishpond or fishery. The maximum period the penalty prescribed in this article shall be imposed if the property stolen is mail matter or large cattle."