

2 Phil. 400

[G.R. No. 1174. August 03, 1903]

THE UNITED STATES, COMPLAINANT AND APPELLEE, VS. LEON ANGELES ET AL., DEFENDANTS AND APPELLANTS.

D E C I S I O N

WILLARD, J.:

It is claimed by the attorney for the defendants in this case that they were convicted without being heard in the court below. This claim is based upon the fact that the record does not show affirmatively that, after the Government rested its case, the defendants were informed that they could present witnesses in their own behalf.

The record does show, however, that on January 8 the defendants were asked if they desired to defend themselves or to have counsel assigned for them. They answered that they would reserve their decision, and on January 12 stated that they elected to defend themselves. On January 8 they were asked if they desired to have witnesses summoned in their behalf. They answered that their families would bring them. At the trial they were notified by the judge of their right to cross-examine the witnesses against them, and each one of said witnesses was cross-examined by one or more of the defendants.

In view of these facts, we can not reverse this judgment for the reason suggested by the counsel for the defendants. Upon the merits of the case the evidence is sufficient to justify the judgment, which is affirmed, with costs of this instance against the defendants.

Arellano, C. J., Torres, Cooper, Mapa, and McDonough, JJ., concur.

