THE UNITED STATES, COMPLAINANT AND APPELLEE, VS. JUAN DE LA CRUZ ET AL., DEFENDANTS AND APPELLANTS.

G.R. No. 1478. February 16, 1904

Ponente: MAPA, J.

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MAPA, J.:

The defendants were sentenced in the Court of First Instance to the penalty of twenty years' imprisonment for the crime of brigandage, punished by section 1 of Act No. 518 of the Commission. The merits of the case demonstrate sufficiently the guilt of the said defendants and justify the sentence for the aforementioned crime.

The amendment to the complaint made before the presentation of the evidence for the defense has not prejudiced, nor could it have prejudiced, any essential rights of the defendants as well because it did not affect the essence of the crime charged, but merely an accidental detail of the same, as because it did not deprive the accused of an opportunity to produce evidence for their defense, if they had desired, in relation to the said amendment; its allowance was not, therefore, a fatal error, as the defense contends, relying upon section 10 of General Orders, No. 58.

For the reason stated we affirm the sentence appealed from, imposing the cost of both instances upon the defendants. So ordered.

Arellano, C. J., Torres, Cooper, Willard, McDonough, and Johnson, JJ., concur.

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