

THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. JUAN LEANDRO VILLARIÑO AND EULALIO PEÑA, DEFENDANTS AND APPELLANTS.*G.R. No. 2430. March 09, 1906*

Ponente: CARSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-2430/>**CARSON, J.:**

Juan L. Villariño and Eulalio Peña, the appellants in this case, were convicted of the crime of conspiracy, as defined and penalized in section 4 of Act No. 292 of the Philippine Commission, and sentenced the first to five years' imprisonment with hard labor and P4,000 fine, and the second to four years' imprisonment with hard labor and \$3,000 fine, respectively, and both to suffer the subsidiary imprisonment prescribed in the Penal Code in case of failure to pay fines imposed in criminal proceedings, and to the payment of their proportionate share of the costs.

The evidence introduced at the trial, including the confession of Juan L. Villariño, and various papers and documents proven to have emanated from him, corroborated by the testimony of several witnesses, fully sustains the finding of guilt as to him, and we find no prejudicial error in the proceedings leading up to the imposition of sentence. The court erred, however, in imposing subsidiary imprisonment in case of failure to pay the fine, there being no provision for such imprisonment in the act of the Commission defining and penalizing the crime of which he was convicted.

We do not think the evidence of record is sufficient to sustain a finding of guilt as to his co-accused, Eulalio Peña. There is no evidence whatever connecting him with the conspiracy in which it is alleged he took part, except only an alleged confession which he is said to have signed in one of the police stations of the city of Manila. In view of the circumstances under which this alleged confession is said to have been made, and in view, furthermore, of the form and manner in which it is drawn up, we are not prepared to approve a finding of guilt based solely thereon, uncorroborated by any testimony connecting the accused with the crime which he is alleged to have committed. A document was introduced at the trial purporting to be a commission appointing the said Eulalio Peña brigadier-general of the armed forces which it is alleged the conspirators were organizing, but there is no evidence whatever to show that Peña ever received or accepted such appointment, or in fact knew of its existence. The prosecution attempted to connect him with this document by introducing evidence to show that one Ladislao Luna, near whose house the said document was discovered, and who himself was charged with being a member of the conspiracy, had stated that this commission, together with certain other papers and documents, had been entrusted to him by Peña for safe-keeping. This evidence, however, was entirely inadmissible, as hearsay, Luna himself not having been put on the stand.

The judgment and sentence of the trial court, in so far as it relates to Juan Leandro Villariño, is hereby affirmed, except in so far as it attempts to impose upon him subsidiary imprisonment, as to which said judgment and sentence is reversed, and the judgment and sentence in so far as it applies to the said Eulalio Peña is reversed, and the said Eulalio Peña is hereby acquitted, and will be set at liberty forthwith.

The said Juan Leandro Villariño will pay his proportionate share of the costs of this appeal, those of Eulalio Peña being declared de oficio in both instances. So ordered.

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

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.