

THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. CANUTO BUTARDO ET AL., DEFENDANTS AND APPELLANTS.

G.R. No. 3900. November 21, 1907

Ponente: CARSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-3900/>

CARSON, J.:

The evidence of record establishes the guilt of the appellants Canute Butardo, Valentin Butardo, Fernando Pascua, and Gelasio Fernandez beyond a reasonable doubt, and we find no error in the proceedings prejudicial to the rights of the accused.

Counsel for the appellants lays great stress upon the fact that the principal witness against the accused was a self-confessed accomplice, and argues at length against the admission of the testimony of accomplices or confederates in criminal cases.

Jointly with the appellants, the witness was charged with the commission of the offense for which they were convicted, but the complaint was dismissed as to him, under the provisions of section 34, General Orders, No. 58, in order that he might be called as a witness for the prosecution.

This court has frequently held that the testimony of accomplices or confederates even when uncorroborated is admissible and competent, under the provisions of section 55 of General Orders, No. 58, although it is always subject to grave suspicion, coming, as it does, from a polluted source, and should be received with great caution and closely and doubtingly examined. (U. S. vs. Ocampo, 5 Phil. Eep., 339.)

In the case at bar the testimony of the accomplice was fully corroborated by the extrajudicial confessions of the accused and by the discovery in the possession of the conspirators of a number of important documents touching the conspiracy, which constituted damaging evidence against the accused. The judgment and sentence of the trial court should be, and is hereby, affirmed, with a proportionate share of the costs in this instance against the appellants. So ordered.

Arellano, C. J., Torres, Johnson, Willard, and Tracey, 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.