

UNITED STATES, PLAINTIFF AND APPELLEE, VS. UY POCO ALIAS CHIQUITO, DEFENDANT AND APPELLANT.

G.R. No. 4306. March 12, 1908

Ponente: CARSON, J.

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CARSON, J.:

MURDER; CHARACTER OF WITNESSES.—From the Court of First instance of Cebu. Notwithstanding the questionable character of the witnesses for the prosecution, evidence held sufficient to justify conviction, and judgment affirmed.

Per Carson, J.

For appellant: Eduardo Gutierrez.

For appellee: Attorney-General Araneta.

The evidence of record is conflicting to a degree, and the character of the witnesses for the prosecution whose testimony connects the accused with the commission of the crime with which he is charged is not above reproach; nevertheless, upon a review of the whole record, and taking into consideration the fact that before pronouncing judgment of conviction, the trial judge, who saw and heard the witnesses testify, appears to have carefully weighed the conflicting testimony and to have had clearly in mind the possibility that the witnesses for the prosecution in this case might have been induced to testify falsely from improper motives, we are of opinion that the judgment and sentence of the trial court should be affirmed, with the costs of this instance against the appellant.

It is so ordered.

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