

THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. MANUEL FLORES ET AL., DEFENDANTS AND APPELLANTS.*G.R. No. 9008. September 17, 1914*

Ponente: CARSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-9008/>**CARSON, J.:**

This is an appeal from the judgment entered in the Court of First Instance of Bataan, convicting the defendants and appellants Manuel Flores, Irineo de la Cruz, Domingo de los Santos, Doroteo de los Santos, and Lorenzo Orozco of the crime of assassination marked with various aggravating circumstances, and sentencing each and all of them to the death penalty except Domingo de los Santos, who was found guilty as an accessory and sentenced to cadena temporal in its medium degree.

The principal witness for the prosecution was one Pedro Flores, a self-confessed accomplice, who gave a detailed account of the commission of the crime which, if true, fully sustains the findings of fact by the trial judge and leaves no room for reasonable doubt as to the guilt of each and all of the appellants of the crime of which they were convicted. He testified that the murder was planned by the appellant Lorenzo Orozco, with whose wife the deceased had been maintaining illicit relations, and that he himself as well as the other appellants had joined the party which committed the crime at the urgent invitation of Orozco, who gave the various members of the party small sums of money as an expression of his appreciation of their assistance (gratificacion). His account of the infliction of the wounds upon the deceased and of the burial and concealment of the corpse, as given on the witness stand and as given by him when he first confessed his guilty participation in the commission of the crime while under arrest, was fully corroborated by the law and medical officers who found the body of the deceased buried at the place and in the manner indicated by him in his extrajudicial confession. His account of the guilty participation in the crime of the appellants Lorenzo Orozco and Doroteo de los Santos was substantially corroborated by one Lucio Espiritu, the patron of a launch, who swore that he overheard these two discussing the crime on board his boat, and that when he asked Orozco why he had killed the deceased, Orozco replied "that he was his wife's paramour."

On this appeal counsel for the defense rely for the most part on their contention that the evidence of Pedro Flores, the principal witness for the prosecution, is not worthy of credence, he being a self-confessed accomplice in the commission of the crime, and it appearing further that his testimony at the trial was not in entire conformity with his written and signed extrajudicial confession and his testimony at the preliminary investigation.

As to counsel's contentions that the testimony of Pedro Flores should be rejected solely on the ground that this witness was a self-confessed accomplice, it is sufficient to say that we have frequently decided that the testimony of accomplices, even when uncorroborated, is competent and admissible; and that while it should always be received with caution and scrutinized with the utmost care, coming as it does from a polluted source, nevertheless if under all the circumstances of the case it is so clear, satisfactory, and convincing as to leave no doubt in the mind of the court as to its truth, a conviction may properly be based upon it. (U.S. vs. Ocampo, 4 Phil. Rep., 400; U. S. vs. Grandoso, 16 Phil. Rep., 419; U. S. vs. Bernales, 18 Phil. Rep., 525; U. S. vs. Soriano, 25 Phil. Rep.,

624.)

After a careful review of all the evidence of record we find nothing which would justify us in disturbing the findings of the trial judge as to the credibility of this witness.

In the first place, as we have so frequently pointed out, the trial judge who sees and hears the witnesses testify has exceptional opportunities to form a correct conclusion as to the degree of credit which should be accorded them, and where, as in this case, he has manifestly exercised due care and discretion in making his findings and has not over looked anything which would justify us in questioning the soundness of his conclusions, this court will rarely be justified in disturbing his findings and conclusions in this regard;

In the second place, the alleged inconsistencies and contradictions in the testimony of this witness at the trial and in the course of his preliminary examination, are not such, in our opinion, as to put in doubt the truth of his statements on the witness stand. It appears that in his extrajudicial confession and during the preliminary investigation he did not mention the names of Manuel and Meliton Flores as members of the party implicated in the murder, but that at the trial in the court below he included their names together with those mentioned by him in the course of the preliminary proceedings. His explanation was that these men were his brothers and that he withheld the fact that they had anything to do with the commission of the crime because he wanted if possible to shield them from the consequences of their guilty association with the other defendants. We do not think that his conduct in this regard was such as to raise any real doubt as to the truth of his testimony upon the witness stand, where he evidently felt obligated to speak the whole truth, without any attempt at concealment and without any hope of being able to save his brothers from the legal consequences of their complicity in the crime. As to the other alleged inconsistency and contradictions in his statements made at and before the trial, it is sufficient to say that we are satisfied that they are more apparent than real, and that in any event they are wholly insufficient to raise any real doubt that when testifying at the trial in the court below he was testifying to the truth as he then recalled it.

In the third place, the very form and manner in which the testimony of the informer is spread on the record are strongly persuasive of its truth, and a reading of the whole story of the commission of the crime as told by this witness leaves no room for doubt as to its substantial accuracy. Indeed, we are convinced that this witness could not have successfully withstood the examination to which he was subjected without betraying himself to the trial judge, had he been consciously engaged in an attempt to tell anything but the truth and the whole truth as he understood it.

And finally, his testimony was fully corroborated by the unquestioned and unquestionable testimony of a number of competent witnesses as to the manner in which the fatal wounds were inflicted, as to the place and manner of the burial of the deceased after the commission of the crime, and as to the motive which inspired its instigator; and as to the participation of Lorenzo Orozco and Doroteo de los Santos.

We conclude that the judgment of conviction entered in the court below is fully sustained by the competent evidence in the record and that there can be no reasonable doubt as to the guilt of the appellants of the commission of the crime of which they were convicted, marked with various aggravating circumstances as set forth in the opinion of the trial judge.

We are of opinion however that in imposing the penalty upon the four defendants and appellants convicted as principals in the commission of the crime these aggravating circumstances should have been compensated by the extenuating circumstances set forth in subsection 7 of article 9 of the Penal Code and in article 11 as amended by Act No. 2142. A review of the whole record convinces us that all these defendants are men of a low order of intelligence, with but little "instruction or education." It also affirmatively appears that the instigator of the crime

had been aroused to a high degree of passion and "obfuscation" by the discovery of the fact that the deceased was carrying on illicit relations with his wife and had recently come into the community for the express purpose of continuing those illicit relations; while his accomplices, who appear to have been ignorant friends, neighbors and dependents, were also aroused by him to a high pitch of anger against the betrayer of the family of their friend.

We have hesitated considerably in giving these convicts the benefit of any doubt there might be as to their right to have these extenuating circumstances taken into consideration in fixing the penalty, in view of the fact that it appears that they received some small sums of money from the instigator of the crime immediately after it was committed. Upon a review of the whole record of the case, however, we are inclined to think that this money was not offered or paid as a recompense for their participation in the crime, and that it was not the moving factor which induced them to aid the offended husband in obtaining his revenge. It seems rather to have been given voluntarily by Orozco after the crime had been committed as a sort of expression of his appreciation of their sympathy and aid (gratificacion).

The sentence imposed by the trial judge, modified by substituting for so much thereof as imposes the death penalty upon the defendants and appellants Lorenzo Orozco, Irineo de la Cruz, Manuel Flores and Doroteo de los Santos, the penalty of cadena perpetua, together with the subsidiary penalties prescribed by law, should be and is affirmed, with the costs of this instances against the appellants.

Arellano, C. J., Torres, Johnson, Moreland, and Araullo, 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.