

**THE PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE, VS.
MOROS ANSANG, ET AL., DEFENDANTS. MORO ANSANG AND MORO
JUBAIL, DEFENDANTS AND APPELLANTS.**

G. R. No. L-4847. May 15, 1953

Ponente: JUGO, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/35da0c2b5761/>

JUGO, J.:

Moros Ansang, Jubail and Jaho were accused of multiple murder of the Court of First Instance of Zamboanga. Moro Jaho was acquitted, but Ansang and Jubail were found guilty, and each was sentenced to suffer reclusion perpetua, to pay the heirs of each victim jointly and severally an indemnity of P2,000, to suffer the accessory penalties of the law, and each to pay one-third of the costs. Ansang and Jubail appealed.

Sometime in October, 1949, Ansang complained to the Chief of Police of Maluso that Moro Berto was taking away the coconuts from his (Ansang's) plantation. The chief of police told him to complain to the provincial fiscal. Ansang was unable to see said officer. Berto continued picking up the coconut fruits, claiming that he was the owner of the plantation.

On October 7, 1949, Jubail, the foster son of Ansang, went to the seashore of Sangbay, Basilan City, Zamboanga, and there saw Moros Berto, Abdani, Eka, and Kasim, loading seven sacks of copra gathered from the plantation. Jubail asked Berto what was he going to do with the copra. The latter answered that he would take it to the town of Isabela that same day. Berto and his three companions sailed for said place.

A few days afterwards, Moro Abdul Samad saw Jubail with Jaho, boarding another vinta, Jubail carrying with him three home made bombs or hand grenades. When Moro Wahina asked what those objects were, Jubail answered that they were home made bombs which they were going to use for fishing. Afterward Jubail and Jaho sailed away. When they returned to Sangbay, Samad and Wahina noticed that they no longer had bombs, and that they did not bring any fish. From that time, Berto, Abdani, Eka, and Kasim have not been seen or heard from by anybody.

Abdul Samad saw pieces of Berto's vinta on the seashore of the Island of Pilas.

When the authorities were apprised of the disappearance of Berto and his three companions, and the discovery of the wreckage of Berto's vinta, they began to make an investigation, and arrested Ansang, Jubail, and Jaho.

Ansang made a confession (marked Exhibit "B") in which he said that in view of the fact that Berto and his companions had taken away copra from his plantation, he ordered his foster son Jubail to follow them and kill them.

Jubail also made a written confession, saying that upon order of his foster father, he gathered three home made bombs and invited Jaho to sail with him, telling the latter that they were going to fish. With Jaho as helmsman, they followed the vinta of Berto, which had sailed ahead. Upon reaching a point about seven brazas distant from Berto's vinta, he, Jubail, ignited the bombs one by one and threw them successively at Berto's vinta, causing its

destruction and the disappearance of the four passengers. Then they sailed back and kept silent as to what they had done.

Jaho also made a written confession, stating that he was invited by Jubail to go fishing with dynamite. He acted as helmsman and upon instruction of Jubail, they followed the vinta of Berto. When they came near it, to his surprise, he saw that Jubail was throwing bombs or hand grenades at said vinta. He told Jubail that had he known that was the purpose, he would not have accompanied him. Before going with Jubail, he believed that they were going to fish and had no idea at all that Jubail intended to commit a serious crime.

At the trial of the case, Ansang, Jubail, and Jaho did not assail the validity of their respective confessions, confining themselves to a general denial of the crime charged. They did not say that they were forced, tortured or given a promise to induce them to make and sign their confessions.

Appellant's counsel contend that a conviction cannot be based on an extrajudicial confession without proof of the corpus delicti, independent of the confession. That is true, but, in the present case, the corpus delicti is shown by the following facts established by evidence independent of the confessions:

Jubail was the foster son of Ansang, who had a grudge against Berto. Jubail and Jaho were seen by Samad and Wahina sailing from the shore of Sangbay, Jubail carrying three hand grenades. When asked where they were going, Jubail answered that they were going to fish. Berto and his companions have never returned from the trip and have never been seen or heard of by anybody. When Jubail and Jaho returned, they no longer had hand grenades nor did they bring any fish. The pieces of the wreckage of Berto's vinta were seen on the shore of the Island of Pilas. Berto and his companions must have met a violent death due to the commission of a crime.

In the case of *U. S. vs. Valdez*, (41 Phil., 497, 498) this Court said: "The work of raising the anchor seems to have proceeded too slowly to satisfy the accused, and he accordingly began to abuse the men with offensive epithets. Upon this Venancio Gargantel remonstrated, saying that it would be better, and they would work better, if he would not insult them. The accused took this remonstrance as a display of insubordination; and rising in rage he moved towards Venancio, with a big knife in hand, threatening to stab him. At the instant when the accused had attained to within a few feet of Venancio, the latter, evidently believing himself in great and immediate peril, threw himself into the water and disappeared beneath its surface to be seen no more."

In that case, the accused did not stab the deceased, but only threatened him with a knife. The deceased jumped into the river and was seen no more. The conclusion was that he died. This is the corpus delicti. The evidence of the corpus delicti in that case is very similar to that in the present.

In the case of *People vs. Marquez*,[*] (43 Off. Gaz., 1652, 1653) this Court held: "Derecho Penal y Procedimiento Criminal; Robo y Hurto; Prueba; Confesion Extrajudicial; Corroboracion por 'Corpus Delicti'; Significacion del Artículo 96, Regla 123, del Reglamento de los Tribunales.—Invocando el artículo 96, Regla 123, del Reglamento de los Tribunales, se arguye que no se ha producido en el juicio el dinero robado, y que cuando los policas registraron el cuerpo del apelante no le hallaron ningun dinero. De esto se quiere deducir que no existe prueba del corpus delicti excepto la confesion extrajudicial. En primer lugar, aqui hay una confusion de conceptos. El corpus delicti no es el cuerpo del delito, tal como este concepto se entiende vulgarmente, v. gr., la cosa robada o hurtada en los casos de robo y hurto. Solo secundariamente se emplea a veces la frase o concepto para denotar el sujeto del delito y su efecto visible, como el cadaver de la persona asesinada y las ruinas de una casa incendiada. Basicamente, esencialmente, el termino corpus delicti, con referencia a un crimen particular, significa que un delito especifico se ha cometido actualmente por alguno y se compone de los elementos: primero, que cierto resultado se ha producido; segundo, que alguien es criminalmente responsable'. En segundo lugar, la regla de prueba citada 'no significa que se debe demostrar, mediante prueba aparte de la confesion, todos los elementos

del delito, sino que meramente debiera haber algunas pruebas, aparte de la confesion, que tiendan a demostrar que se ha cometido un delito'."

In view of the foregoing, the decision appealed from is affirmed with the modification that the indemnity should be raised to P6,000, with costs against the appellants.

Paras, C. J., Feria, Pablo, Bengzon, Tuason, Reyes, Bautista Angelo and Labrador, JJ., concur.

[*] 77 Phil., 93.

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.