

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. MARCELO ALATIIT, DEFENDANT-APPELLANT.

G.R. No. L-2322. June 29, 1950

Ponente: BENGZON, J.

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BENGZON, J.:

Charged with treason in four counts and found guilty of three, Marcelo Alatiit, a Filipino citizen, reiterates his plea of innocence to obtain reversal of the judgment of the People's Court that sentenced him to life imprisonment and to pay ten thousand pesos plus the costs.

The evidence presented at the trial has been reviewed; and bearing in mind the two-witness rule in felonies of this nature, we may state the facts to be as follows:

During the Japanese occupation, there was in Biñan a branch of the Makapili organization. The accused Marcelo Alatiit known to be a member thereof, was considered a captain, and was seen doing patrol duty with the Japanese, armed with a rifle. The Makapili is a military organization established by the Japanese to help them in their war operations, specially against the underground resistance movement.

On June 20, 1943, at about 9:00 p.m., some Japanese soldiers accompanied by Filipinos — among them Marcelo Alatiit — went to the house of Angeles Vicentina in barrio Malaban, Biñan, Laguna, inquiring for the residence of Gregorio Corrales. He directed the inquirers to the desired place and there they arrested Gregorio Corrales. The same group effected the arrest of Macario Alzona and Juan Romero in their respective dwellings in that vicinity. The captives were guerrilla suspects, and were subsequently turned over to Japanese military authorities, who confined them for five days in the garrison at Calamba, Laguna.

One night about the middle of November, 1943 — about two o'clock in the morning — some Japanese soldiers accompanied by Marcelo Alatiit and Matias Almazan searched the house of Felipe Capili in barrio Malaban, Binan, Laguna, and arrested him together with Valentin Belmonte and the latter's sons, Teodoro and Esperidion — all of whom were suspected of connections with the underground operations. With their hands tied, the four captives were brought in a truck to the Japanese garrison at Calamba where they were kept for seven days and even physically maltreated. This arrest is testified by Angeles Vicentina, Valentin Belmonte and Felipe Capili,

The defendant denied that he was a Makapili. He called witnesses who declared that there was no such organization in Biñan. He averred that he saw the apprehension of Corrales, Alzona and Romero as a mere bystander. He said he did not take part in the arrest of Felipe Capili.

These claims were found to be unmeritorious by the trial judges. After reading the evidence, we see no good ground to disagree with their conclusion. The membership of appellant in the subversive Makapili organization was known to at least seven witnesses for the prosecution. Some of these saw him going on patrol fully armed with Nippon soldiers and other Makapilis.

And as to the allegation that he was a mere bystander, the arrested persons themselves pointed out to their captors.

They all indicated the herein appellant as one of such captors. And we see no valid reason to believe they falsely imputed to herein appellant the commission of such serious offense.

Judgment affirmed. With costs.

Ozaeta, Actg. C.J., Pablo, Tuason, Montemayor, and Reyes, JJ., concur.

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