

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF-APPELLEE, VS. JUAN ERRA, DEFENDANT-APPELLANT.

G.R. No. L-3918. April 28, 1952

Ponente: BENGZON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/f37692ac9e9c/>

BENGZON, J.:

This is one of several treason cases, which, originally filed with the People's Court, were with its abolition, turned over to the Court of First Instance of Zamboanga where the treasonous acts had allegedly been committed.

Charged upon seven counts, Juan Erra was found guilty of counts 3, 4, 5, and 7, for which he was sentenced to life imprisonment, and to pay a fine of P5,000 with accessory penalties, plus costs.

There is no question that defendant is a Filipino citizen, native and resident of the Philippines.

On count 3, Felix Francisco and Feliciano Ebol testified that while both were in the market-place of Gawit, Zamboanga, to buy some fish in the morning of December 5, 1944, three members of the Japanese Army, accompanied by the appellant approached them, and immediately the appellant said; "That is the bandit (guerrilla) Feliciano Ebol." Ebol was then hogtied and slapped, and taken to the house of the Nippon commander. The latter asked him about the rifle which according to appellant, he possessed; and because of the latter's denial, he was slapped several times. About 3 o'clock in the afternoon of the same day, Ebol was taken to San Ramon where was again investigated about his gun and likewise maltreated. In fine, Feliciano Ebol was detained for 14 days, after which, he was released.

Under count 4 the appellant is charged with having taken part in the early part of January, 1945, in the arrest and manhandling in the barrio of Talungatung, city of Zamboanga, of Hermenegildo Flores who was suspected of being a bandit (Guerrilla) leader supplying food to the underground. To establish this charge, Hermenegildo Flores, Pedro Anastacio and Eusebio L. Santos testified substantially that: In the early part of June, 1945, at about 8 o'clock in the morning, Hermenegildo Flores, who was watching the harvesting of palay on his farm, saw three Japanese armed with revolvers, being led by the accused who was likewise armed with a bolo, coming towards him. The appellant pointed at Flores to the Japanese, who presently approached to the latter and tied his hands to his waist and knees. Afterwards, Flores was conducted to a calesa and carried to the bamboo groves beyond the San Bernardino Bridge in Tetuan where he was questioned on suspicion of giving aid to the guerrillas. Denying such connections, he was, as a punishment, placed in a box from one o'clock in the afternoon to 3:30 in the afternoon of the next day. Flores was thus detained by the Japanese for about 38 hours.

Regarding count 5, which refers to the arrest and apprehension of Onofre Ebol, the latter told the court that about 8 o'clock in the morning of February 5, 1945, when he was in a camarin in Tulungatung, Zamboanga City, he saw the appellant leading three Japanese towards his place, and when they reached the stairs the appellant indicated him to the Japanese. Afterwards the Japanese beckoned to Ebol to come down and the latter had to obey. Thereupon the Japanese hogtied him, with the help of the accused, who held him by his two arms. He distinctly heard the accused make remark: "Now you will know, because of the aid and support you made to those

guerrillas in the interior.” Afterwards, Ebol was transferred to Maasin where he was investigated by a Japanese captain in the presence of the appellant and where he was likewise maltreated, and confined for six days. Eusebio Santos corroborated the testimony of Onofre Ebol.

Supporting the last count (No. 7), Esteban Carpio testified that about 6 o’clock in the morning of February 22, 1945, the appellant, leading a group of Japanese to his residence in Avela, Zamboanga City, told him to come down, which he did. Then the appellant tied Carpio’s hands. Thereafter the prisoner was taken to the house of a certain Ong Chua in Tulungatung where he was investigated by the Japanese regarding his giving aid to the guerrillas and after two hours he was transferred to Maasin where he was detained for five days. During his confinement Carpio has nothing to eat or drink. However before he was set at liberty, the Japanese commander apologized to him for the detention, attributing it to the report made by the herein accused. Carpio’s declarations were corroborated by the testimonies of Percy Young Lee (an American) and Vicente Tolentino.

The appellant in his defense asserted that Esteban Carpio, Hermenegildo Flores, Onofre Ebol and Feliciano Ebol were arrested by the Japanese because they had failed to turn over the amount of palay they had promised to give the Japanese in accordance with the agreement of the association to which they belonged—association of planters in the vicinity of Tulungatung. He denied having taken part in the arrest and apprehension of said persons.

Hermenegildo Flores, Esteban Carpio and Onofre Ebol denied the allegation of the accused that there was an association of palay growers in the barrio. They admitted however that the Japanese used to get palay and sometimes buy palay from the resident of the barrio, among them Esteban Carpio. These witnesses appear to have declared sincerely and truthfully.

In this instance, the appellant made no specific assignments of error in his brief; his entire argument revolving around the sufficiency of the evidence and the two-witness rule.

We have examined the records, and we find no reason to over-turn the verdict of guilt.

The crime is treason, and as recommended by the Solicitor General, the judgment of the lower court affirmed with costs. So ordered.

Paras, C.J., Feria, Pablo, Tuason, Montemayor, Reyes, and Bautista Angelo, 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.