

THE PEOPLE OF THE PHILIPPINES, PLAINTIFF AND APPELLEE, RICO ELIZAGA, FELIPE LOZADA, JR., AND ELIEZER TOLENTINO, ACCUSED AND APPELLANTS.*G.R. No.2487. July 20, 1950*

Ponente: TUASON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-2487-2/>**TUASON, J.:**

This case was thoroughly discussed, and the testimony was carefully reviewed and the exhibits, specially the supposed school registers, examined. No important detail of the evidence escaped our attention or was overlooked in reaching a decision. We do not believe it necessary therefore to enter into a new discussion of any of the matters. This resolution will be confined to straightening a few misconceptions regarding the meaning and effects of some of our findings and pronouncement.

When we said that possible motive for the crime was religious, no disparagement to any religion or religious belief was intended. In pointing to differences of religion between the deceased and the accused as the possible motive, we endeavored to show that robbery was not necessarily in the mind of the accused when they committed the crime, as the lower court had found. The result of the possible existence of a motive other than robbery was the reversal of the trial court's opinion that the accused were guilty of robbery with homicide, which is one of the gravest and most heinous crimes known to law. Our surmises, which were evolved out of facts revealed by the record, were then intended and used to lighten the defendants' responsibility and save them from the stigma of a most dishonorable offense. Reasonable speculations are justified when indulged in the interest of accused because they are entitled to the benefit of reasonable doubt, and the appellants in this case should be the last ones to object when we cast for and brought out a theory that changed for the better the legal qualification of the killing and considerably reduced the penalty imposed on them.

Uncertainty as to the motive, however, does not operate to entitle the appellants to absolute acquittal. Proof as to motives is important or essential when the evidence on the commission of the crime is purely circumstantial or inconclusive. It is otherwise, as this Court has repeatedly held, when there is direct testimony of eye-witnesses whose credibility is found to be beyond question. Motive is a subjective matter which can not always be proved. A murder committed for a price may fail to exhibit any motive when the connection between the murderer and the inductor is not discovered. Yet no thinking men would plead for the murderer's acquittal on that ground in the face of positive testimony by credible eye-witnesses.

Similarly, the uncertainty as to the immediate cause of death is unimportant in the face of Calavia's evidence that the accused attacked the deceased who was later found dead at the place of the assault. One set of expert witnesses said the priest died from strangulation and another set said from drowning. One or the other theory is possible but not certain, as we have stated, but neither is inconsistent with the hypothesis of guilt; neither destroys or weakens Calavia's statements. If Father Guevara's death was caused by strangulation, the defendants choked him; if he died from drowning, his head must have been submerged in water purposely or otherwise when he was

still alive but too weak from beating to pull out of it. For accidental drowning, as we have carefully pointed out, was out of the question, and so was the idea that others were the aggressors.

As to the money contained in the bag Antonio Abad testified that it was P500.00. The trial court accepted this testimony entirely. While agreeing with the court that the bag contained cash and that the bag was carried away by the defendants, we thought that the amount was exaggerated, intentionally or through honest mistake, and for the benefit again of the defendants, we fixed it at what we deem the lowest possible amount for lack of surer basis.

The motions for reconsideration are therefore denied.

Ozaeta, Pablo, Bengzon, Montemayor, and Reyes, 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.