

THE PEOPLE OP THE PHILIPPINE ISLANDS, PLAINTIFF AND APPELLEE, VS. PANTALEON GONZALEZ ET AL., DEFENDANTS. MARIANO ARGUELLES, PATRICIO MERCADO, AND TELESFORO FUEGO, APPELLANTS.

G. R. No. 35141. October 29, 1931

Ponente: IMPERIAL, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-35141/>

IMPERIAL, J.:

Pantaleon Gonzalez, Patricio Mercado, Telesforo Fuego, and Mariano Arguelles were charged with the crime of robbery in the Court of First Instance of Tarlac, upon the following information:

"That on the night of September 20, 1930, in the municipality of Paniqui, Province of Tarlac, Philippine Islands, the aforementioned accused, acting in pursuance of a previous agreement and helping one another, did willfully, unlawfully, and feloniously, with animus lucrandi enter an inhabited house belonging to one Maria Arroyo, passing through a window, and having broken the lock of a closed box, opened it and took possession of a basket containing money, jewelry, and valuable papers belonging to the said Maria Arroyo, to wit:

One ring set with a diamond, valued at.

P900.00

One pair ear-rings with diamonds, valued at

500.00

One gold ring with three diamonds, valued at

120.00

One ring with seven diamonds, valued at

100.00

One ring set with seven diamonds in a circle valued at.

70.00

Two gold rosary beads, valued at

40.00

One gold chain, valued at

25.00

One gold ring set with pearls, valued at

15.00

One American gold coin with a chain, valued at

65.00

One gold coin, valued at

45.00

Three small gold coins, valued at.

30.00

Spanish and American silver coins, valued at

17.50

Two Insurance policies and other papers of value

9,000.00

Bank notes to the value of

4,850.00

15,777.50

equivalent to 78,887 pesetas and 10 centavos.

"Contrary to law."

Pantaleon Gonzalez demanded a separate trial. The case against his co-defendants Patricio Mercado, Telesforo Fuego, and Mariano Arguelles was tried, and after presentation of all the evidence, the court found them guilty of the crime of robbery, with the aggravating circumstance of nocturnity, and sentenced each of them to six years and one day of presidio mayor, the accessories of law, to indemnify the offended party jointly and severally in the sum of P15,882.50, and each to pay one-fourth of the costs. These defendants appealed.

Between seven and eight o'clock on the evening of September 20, 1930, Maria Arroyo, the offended party, entered the sola of her house in the municipality of Paniqui, Province of Tarlac, to open a wooden box which she used as a safe for her jewelry and other valuables. As she was about to insert the key into the padlock, she noticed that the wire with which the lock was fastened was cut, which caused her to cry out. She saw an open penknife near the box and picked it up; suddenly, she was seized by the hand, and turning her face to see who it was, recognized Pantaleon Gonzalez, who, as soon as he had secured the penknife, started to run and disappeared. When she recovered from the shock of the incident, she noticed that the basket in which she had kept and which actually contained the jewelry, money, receipts, and policy listed in the information, to the value of P15,882.50, had disappeared. Realizing that she had been robbed, the offended party reported the matter to the municipal police and to the Constabulary.

First Lieutenant Bernardo Saberola, Commandant of the Division of the Constabulary in Paniqui, at once made an investigation, employing a number of soldiers. One of these reported that he had seen Mariano Arguelles that

night hanging around rather suspiciously in the vicinity of the offended party's house. The man was arrested and upon investigation, denied any participation in the robbery. Subsequently, however, during another investigation made by Constabulary Lieutenant Saturnino Panganiban, said Arguelles admitted voluntarily that he had taken part in the robbery at the invitation of Pantaleon Gonzalez, from whom he received a certain sum of money, and that said Gonzalez, together with Patricio Mercado entered the house through a window; that when they left he saw them carrying a basket containing a number of articles and a roll of bank notes. Arguelles made the confession in writing (Exhibit C) under oath before the justice of the peace of Paniqui ; and he there spontaneously and categorically admits his participation in the crime in the manner stated above. Patricio Mercado and Telesforo Fuego were likewise detained and in the course of their investigation admitted their guilt and signed under oath their confessions, the instruments Exhibits A and B, respectively. Mercado confessed that he climbed through the window of the house with Pantaleon Gonzalez, and together they carried away the basket containing the money, jewelry, and other valuable papers. And Fuego confessed in the aforesaid instrument that he followed his co-accused, remained in the street near the house on the lookout, and that when Gonzalez and Mercado came down, they had a basket and a roll of bank notes. None of the stolen objects were recovered.

The appellants assign the following errors:

- The court a quo erred in admitting the alleged confessions of the accused, Exhibits A, B, C, D, and E, when the same were obtained by means of force, violence, duress, intimidation, and fraud.
- The court a quo erred in not giving credence to the testimonies of the accused which were made in a very natural, spontaneous, and convincing manner.
- The court a quo erred in finding the accused Mercado, Fuego, and Arguelles, guilty of the crime charged."

All the arguments of the defense deal with the probative value of the confessions Exhibits A, B, and C, and the sworn statements Exhibits D and E, made by Patricio Mercado and Telesforo Fuego respectively, before the justice of the peace of Paniqui, all of which, it is alleged, were extorted from them against their will by illegal means. The evidence, which we have carefully examined, does not bear out this contention. It appears that the three confessions were made by the appellants before the justice of the peace and the witnesses, while the Constabulary officers and soldiers who conducted or took a part in the investigation were absent; and the justice of the peace took this precaution in obedience, so he says, to instructions from the judge of the Court of First Instance of the district. The record contains nothing to support the insinuation of the defense that the appellants were subjected to maltreatment as a result of which they made the confessions. After reviewing all the evidence we are convinced that the appellants' guilt has been established beyond all reasonable doubt.

The crime committed falls under article 508 of the Penal Code and is punished in accordance with the second paragraph of said article with presidio correctional in the medium degree to presidio mayor in the minimum degree, in as much as the accused carried no arms and the value of the effects stolen exceeds 1,250 pesetas; this penalty must be applied in the maximum degree because the commission of the crime was accompanied by the aggravating circumstance of nocturnity, of which the appellants took advantage. With reference to the indemnity, however, we accept the Attorney-General's recommendation that the value of the policy be deducted, as the offended party has not lost its value but may obtain another copy of the policy. The value of the stolen receipts may be considered as a real pecuniary loss because the chances are that the credits evidenced thereby cannot be recovered; however, any amount the offended party may hereafter collect from her debtors upon such debts, shall be deducted from the amount of the indemnity. Therefore, the civil liability must be reduced to P10,382.50.

With the sole modification that the appellants shall indemnify the offended party in the sum of only P10,382.50, from which any sum she may succeed in collecting from such of her debtors as are referred to in the stolen

receipts shall be deducted, the judgment appealed from is affirmed, with costs against the appellants. So ordered.
Johnson, Street, Malcolm, Villamor, Ostrand, Romualdez, and Villa-Real, 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.