

THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. APOLONIO CANAMAN IST AL., DEFENDANTS AND APPELLANTS.

G.R. No. 3619. October 26, 1907

Ponente: TORRES, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-3619/>

TORRES, J.:

On the 12th of June, 1906, Apolonio Canaman (alias Onong), of Beri, Mateo Amata (alias Tio), and Martin Canique (alias Martil Diotay) were accused by the provincial fiscal before the Court of First Instance of Iloilo of the crime of robo en cuadrilla and murder, inasmuch as on the morning of November 10, 1903, the above-named individuals, together with others unknown, who formed a band of ladrones numbering fifteen men, all of them provided with bolos and guns, maliciously and unlawfully and for the purpose of committing a robbery, assaulted on the road from Cabatuan to Janiuay a wagon loaded with merchandise at the place known as Bancal, a barrio of Tigbauan, within the limits of Cabatuan, Iloilo, and by the use of violence against the persons and the employment of force, and with intent of gain, took possession of the property of T. Quina, a Chinaman, as well as of some jewelry and 50 pesos in cash, the property of the wife of the latter, Eamona Corouelso, whom they killed at the time of the assault; that they fired several shots at her and at the said Chinaman, the latter also being thereby seriously wounded, which wounds required more than thirty but less than ninety days to heal; and that the value of the goods, jewelry, and money stolen amounted to not less than 600 pesos.

Proceedings having been instituted by reason of the foregoing complaint, the judge, in view of the result thereof, entered judgment on the 24th of July, 1906, sentencing the accused to life imprisonment, to indemnify the injured China man in the sum of 600 pesos, as the value of the stolen property, and 500 pesos to cover expenses and damages during the time he was being cured, and to pay 800 pesos to the heirs or legal representatives of Ramona Corouelso, the murdered woman, the indemnities being payable by the accused jointly and severally; they were further sentenced to suffer all the accessory penalties and each of them to pay one-third of the costs. From said judgment appeal was taken by the accused.

It is proved in this case that on Saturday, October 10, 1903, at about 5 in the morning, the Chinaman T. Quina and his wife, Ramona Corouelso, were riding in a cart driven by Vicente Maravilla and had left the town of Cabatuan and were going to the market of Janiuay to sell the merchandise loaded on the said cart, the value of which was about 520 pesos; that as they were halfway on the journey they suddenly received a volley fired by a gang of ladrones who were lying in ambush on one side of the highway, and in consequence of the aggression the woman was killed by the bullet wounds she received and the Chinaman in his turn was wounded in the breast, in the side, and in both shoulders; that thereafter the ladrones seized the goods that were in the cart, together with the sum of 80 pesos which the occupants carried with them, and a ring and set of earrings which the murdered woman was wearing, and immediately left the place where they committed the robbery. The body of the murdered woman was afterwards found in the cart, and the Chinaman was lying on the ground with several wounds which it required about ten months to completely cure under medical treatment, notwithstanding which he lost the use of one of his arms. As the driver of the cart, Vicente Maravilla, heard the shots, he jumped to the ground and went to the rear of

the cart to assist the murdered woman, who fell inside of the vehicle, but one of the ladrones rushed up to hint, for which reason he ran away to the other side of a neighboring hill; that after the ladrones, who were about twenty, with knives and firearms, had gone, he returned to the place of the occurrence and there remained until assistance arrived. Both this witness and the Chinaman have testified that at the time they saw some persons on the road at a certain distance ahead of and also behind the cart.

The above facts constitute the crime of robbery with homicide, defined and punished under articles 502 and 503, No. 1, of the Penal Code, because in order to overcome all opposition or resistance by the assaulted parties, the ladrones fired simultaneously at the persons who were riding in the cart loaded with goods, which latter they immediately seized after killing the woman, Iliana Corouelso, and seriously wounding the Chinaman who was with the latter in the cart; and, in view of the time which it has taken the Chinaman to recover from his wounds, it can not be doubted that they were serious, particularly as the judge states in his decision that the man's recovery was somewhat of a miracle. It is unquestionable that the ladrones, in order to commit the robbery, did not hesitate to attempt to kill the persons who rode in the cart, and if the driver was not wounded also it must have been because none of the fifteen guns were aimed at him.

The three accused persons, namely, Apolonio Canaman, Mateo Amata, and Martin Canique, did not plead guilty, but, notwithstanding their denial and allegations, the case furnishes sufficient evidence of their culpability as the proven authors duly convicted of the double crime in question, since two of the eyewitnesses recognized the three persons accused as forming part of the numerous band who suddenly fired at the injured parties riding in the cart, and another eyewitness, the driver, Vicente Maravilla, also recognized Mateo Amata and Apolonio Canaman among the assaulting ladrones. The testimony of the above-mentioned witnesses is further confirmed by that of Maria Casono, who, on a certain occasion, was informed of the crime by the accused themselves; this latter is not at all improbable since this last witness was the godmother (comadre) of Apolonio and an old acquaintance whose house the accused frequently visited. It appears of record that the accused formed part of the band led by the so-called Taleon, who, according to the first two witnesses, took part in the assault and was one of the twenty ladrones who were posted near the highway on the morning of the affair.

The misunderstanding which Apolonio Canaman alleges that existed between him and Maria Casono, even if proven, can not, in our opinion, destroy the reality of the facts nor destroy the truth of the testimony of Maria Casono, for the reason that the latter has simply confirmed the testimony of other eyewitnesses. It may be true that on the days previous to and after the affair the accused engaged in field work; but this supposition does not exclude the possibility of the crime having been committed at the time and place where it is stated to have occurred, because, being accustomed to the commission of crimes and believing themselves beyond the reach of the law, it is not surprising that a few hours after the crime they engaged in labor as peaceful inhabitants of the barrios of Mambung and Beri, which, as appears from the proceedings, seem to be the rendezvous of habitual ladrones.

The case offers sufficient indications that the accused were already known for many years to be habitually engaged in robberies under the leadership of the notorious bandit named Taleon, and that the crime prosecuted herein is but one of the several crimes committed by such band.

In the commission of the robbery with homicide in question, the aggravating circumstances 2 and 15 should be considered because the double crime was committed by a numerous armed band lying in ambush on one side of the highway awaiting the injured parties, at whom a volley was fired in order to rob them with impunity, the possibility of their escape being thus precluded on account of the suddenness of the attack. The mitigating circumstance established by article 11 can not be herein considered because a crime of robbery is concerned.

Therefore, by reason of the considerations above set forth, and in view of the fact that under the law, of the two indivisible penalties imposed by the said article 503, No. 1, the maximum must necessarily be imposed, for the reason that two aggravating circumstances are present without any mitigating circumstance, the judgment appealed from should, in our opinion, be reversed, and the accused Apolonio Oanaman (alias Onong), of Beri, Mateo Amata (alias Tio), and Martin Canique (alias Martil Diotay) are hereby sentenced to the penalty of death, which shall be executed at the place appointed by law and pursuant to the provisions of Act No. 451; and, in case of a pardon being granted, they are further sentenced to suffer the accessory penalties of perpetual disqualification and to be for life under police surveillance, unless said accessory penalties are specially remitted in the pardon; to indemnify jointly and severally the heirs of the murdered woman in the sum of 1,000 pesos; to pay 500 pesos to the wounded Chinaman T. Quina.; to return the stolen money and goods or to pay the 600 pesos at which the same are valued, and each of them to pay one-third of the costs in this instance. So ordered.

Arellano, C. J., Johnson, Willard, and Tracey, 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.