

2 Phil. 126

[G.R. No. 1185. April 04, 1903]

**THE UNITED STATES, COMPLAINANT AND APPELLEE, VS. VENTURA BETIONG,
DEFENDANT AND APPELLANT**

D E C I S I O N

LADD, J.:

The complaint charges the defendant with the offense in aiding and abetting a band of brigands by supplying them with food. (Act No, 158, sec. 4) Upon being arraigned in the Court of First Instance, the defendant, who had no counsel, having elected to defend himself, stated that the facts charged in the complaint were true, by that he supplied the brigands with food through fear that if he did not do so they would kill him. Without hearing any evidence, the court thereupon found the defendant guilty, and sentenced him to ten years' imprisonment

What the defendant stated when arraigned amounted to a denial of criminal responsibility, based on facts which, he conceived, constituted a lawful excuse for his conduct. It was virtually a plea of not guilty. (See United States vs. Padilla, decided November 18, 1902.) It is quite apparent that the court regarded it as a plea of guilty, and for this error the cause must be sent back for a new trial.

The place where the alleged crime was committed is not stated in the complaint. This defect should be supplied by amendment.

The judgment of the court below will be reversed and the cause returned to that court for proceedings in conformity with this opinion. So ordered.

Arellano, C. J., Torres, Cooper, Willard, and Mapa, JJ., concur.

McDonough, J., did not sit in this case.

Date created: April 14, 2014