

**[ EXECUTIVE ORDER NO. 44, May 31, 1945 ]**

**AMENDING ARTICLE 114 OF THE REVISED PENAL CODE  
DEFINING AND PUNISHING THE CRIME OF TREASON**

WHEREAS, in order to safeguard the integrity of the Philippines and to preserve internal security during these times of national emergency, it is deemed necessary to curb and suppress treason both on the part of Filipinos and aliens residing in the Philippines;

WHEREAS, to enable the Commonwealth Government to prosecute resident aliens of the high crime of treason and to extend to them the full force and effect of the law, it is necessary to alter and modify article 114 of the Revised Penal Code which in its present text excludes resident aliens;

NOW, THEREFORE, I, SERGIO OSMEÑA, President of the Philippines, by virtue of the powers vested in me by the Constitution and laws of the Philippines, particularly Commonwealth Act No. 600, as amended by Commonwealth Act No. 620, and Commonwealth Act No. 671, do hereby order that article 114 of the Revised Penal Code be amended, as it is hereby amended, so as to read as follows:

"Art. 114. Treason. - Any person who, owing allegiance to the United States or the Government of the Philippine Islands, not being a foreigner, levies war against them or adheres to their enemies, giving them aid or comfort within the Philippine Islands or elsewhere, shall be punished by reclusion temporal to death, and shall pay a fine not to exceed 20,000 pesos.

No person shall be convicted of treason unless on the testimony of two witnesses at least to the same overt act or on confession of the accused in open court.

Likewise, any alien, residing in the Philippine Islands, who commits acts of treason as defined in paragraph 1 of this article shall be punished by prision mayor to death and shall pay a fine not to exceed 20,000 pesos."

DONE in the City of Manila, Philippines, this 31st day of May, in the year of Our Lord, 1945, and of the Commonwealth of the Philippines, the 10th.

(Sgd.) **SERGIO OSMEÑA**  
President of the Philippines

By the President:  
(Sgd.) **JOSE S. REYES**  
Secretary to the President

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