

Title:

Elcano vs. Hill (G.R. No. L-24803, May 26, 1977)

Facts:

Pedro Elcano and Patricia Elcano, as ascendants of the deceased Agapito Elcano, filed a civil case for damages against Reginald Hill, a minor, and his father Marvin Hill. The case stemmed from the death of Agapito Elcano, who was killed by Reginald Hill. In a preceding criminal case, Reginald had been acquitted on the ground of “lack of intent to kill, coupled with mistake.”

Moving through the courts, the civil case was initially dismissed by the Court of First Instance of Quezon City upon a motion to dismiss filed by the defendants. The motion was grounded on the argument that the action was violative of the rules of court, barred by prior judgment (*res judicata*), and that Marvin Hill had no liability as he was no longer the guardian of Reginald due to the latter’s emancipation by marriage. Upon the plaintiffs’ motion for reconsideration, the trial court initially denied the motion to dismiss, but later on reconsidered and dismissed the case.

The Elcanos then appealed to the Supreme Court, contending the continued liability of Reginald as well as the liability of Marvin Hill despite Reginald’s marriage.

Issues:

1. Does the principle of civil liability arising from a quasi-delict (civil negligence) apply independently of criminal negligence, and is it therefore unaffected by the acquittal of the accused in a criminal case on the ground of lack of intent or mistake?
2. Does the emancipation by marriage of a minor absolve the parental authority and liability for a tort committed by the minor?

Court’s Decision:

The Supreme Court held that:

1. Civil liability arising from a quasi-delict, under Article 2176 of the Civil Code, is separate and distinct from criminal negligence and is not precluded by an acquittal in a criminal case where such acquittal is based on reasonable doubt. Thus, a separate civil action can be pursued for damages caused by an act constituting a quasi-delict, despite an acquittal in the criminal proceeding.
2. The emancipation by marriage of a minor does not relieve the parents of their subsidiary civil liability for damages caused by their minor children who live in their company. In this

specific case, since Reginald was living and receiving subsistence from his father Marvin Hill at the time of the incident, Marvin Hill remained subsidiarily liable for the damages caused by his son even though Reginald was already married.

**Doctrine:**

The doctrine established in this case is that the civil liability resulting from a fault or negligence under Article 2176 of the Civil Code is separate from and independent of the civil liability arising from negligence under the Penal Code. This separability principle (codified in Article 2177) ensures that an acquittal in criminal prosecution on grounds not negating the act or omission, such as reasonable doubt, does not necessarily extinguish civil liability for the same act considered as a quasi-delict.

**Class Notes:**

- Article 2176 of the Civil Code establishes the concept of quasi-delicts, governing obligations arising from negligence, fault, or omission not resulting from a pre-existing contractual relation.
- The civil liability in quasi-delicts is distinct from the civil liability arising from criminal offenses (Revised Penal Code, Article 100).
- Article 2180 of the Civil Code ascribes responsibility to parents for the acts of their minor children living in their company.
- Emancipation by marriage (Civil Code, Article 397) does not fully terminate parental authority in all aspects, particularly regarding liabilities for quasi-delicts committed by the emancipated minor (Civil Code, Article 399).
- Article 2177 of the Civil Code clarifies the independence of civil liability under quasi-delicts from civil liability from criminal offenses, allowing civil action for damages separate from any criminal action.

**Historical Background:**

The case interprets the Civil Code provisions related to obligations and quasi-delicts in the context of the evolving understanding of civil liability independent of criminal liability in Philippine jurisprudence. The decision reinforced the doctrine established in earlier cases that civil negligence is distinct and demandable apart from criminal negligence, further carving out the path for litigants to seek reparations through civil action regardless of criminal case outcomes.