

Title:

****Manalo and Salvador vs. Robles Transportation Company, Inc.: The Reinforcement of Subsidiary Liability in Light of Conviction and Insolvency****

Facts:

The incident at the heart of this case occurred on August 9, 1947, when a taxicab operated by Robles Transportation Company, Inc. (hereafter referred to as the Company), and driven by Edgardo Hernandez, collided with a passenger truck in Parañaque, Rizal. As a result of the accident, the taxicab ran over Armando Manalo, an eleven-year-old child, causing injuries that led to his death several days later.

Edgardo Hernandez was prosecuted for homicide through reckless imprudence and was found guilty, sentenced to one year of prison correctional, and ordered to indemnify the heirs of the deceased (Emilio Manalo and Clara Salvador, parents of Armando) the sum of P3,000. However, Hernandez was unable to pay the indemnity, demonstrated by the return of two unsatisfied writs of execution by the sheriff due to Hernandez's insolvency.

On February 17, 1953, the plaintiffs filed an action against the Company to enforce its subsidiary liability under Articles 102 and 103 of the Revised Penal Code. The Company's motion to dismiss, arguing that Hernandez was an indispensable party defendant, was denied by the trial court, a position later affirmed by the Court of Appeals. Consequently, the trial court ruled in favor of the plaintiffs, ordering the Company to pay P3,000 with 12% per annum interest from November 14, 1952, plus P600 for attorney's fees and litigation expenses.

Issues:

1. Whether the judgment of conviction against Hernandez and the sheriff's return of the unsatisfied writs of execution were admissible as evidence against the Company to establish subsidiary liability.
2. Whether Articles 102 and 103 of the Revised Penal Code were repealed by the New Civil Code.
3. Whether the action against the Company was barred by the Statute of Limitations under Article 1146 of the New Civil Code.

Court's Decision:

1. The Supreme Court reaffirmed the admissibility of the judgment of conviction and the sheriff's return as evidence, drawing on the precedent in *Martinez vs. Barredo* and asserting

that a sheriff's return is prima facie evidence of the facts stated therein, without needing the official to testify in court.

2. The contention that Articles 102 and 103 of the Revised Penal Code were repealed by the New Civil Code was found untenable. The Court explained that Article 2177 of the New Civil Code explicitly recognized civil liabilities from negligence under the Penal Code and clarified that a plaintiff cannot recover damages twice for the same act or omission.

3. The Court rejected the argument concerning the Statute of Limitations, clarifying that the action is grounded upon a judgment in the criminal case, thus subject to a ten-year period for instituting an action rather than being limited by a four-year period applicable to actions upon injury to rights or quasi-delicts.

Doctrine:

The judgment of conviction in criminal proceedings, in the absence of any collusion between the defendant and the offended party, is binding upon parties subsidiarily liable. Additionally, a sheriff's return as an official statement by a public official is prima facie evidence of the facts stated therein and can be admitted without the necessity of the official's court testimony.

Class Notes:

- ****Subsidiary Liability****: Articulated under Articles 102 and 103 of the Revised Penal Code and remains unaffected by the New Civil Code as per Article 2177.
- ****Evidence Admissibility****: Judgment of conviction and sheriff's return are admissible as evidence to establish subsidiary liability.
- ****Statute of Limitations****: Actions based on a judgment have a ten-year limitation period for initiation, distinct from the four-year limit for actions on injuries or quasi-delicts as per Article 1146 of the New Civil Code.

Historical Background:

This case, decided in the mid-20th century, underscores the evolving interpretation of liability and evidential admissibility within the Philippine legal framework. It highlights the intersection of criminal convictions and civil liabilities, particularly emphasizing the enduring principles of subsidiary liability despite changes in civil codes.