

### Title:

Bachelor Express, Inc. vs. The Court of Appeals, et al.

### Facts:

On August 1, 1980, a bus operated by Bachelor Express, Inc. and driven by Cresencio Rivera became the scene of a tragic stampede caused by a passenger attacking a PC soldier, leading to the deaths of passengers Ornominio Beter and Narcisa Rautraut. This incident prompted the heirs of the deceased to file a complaint for damages against Bachelor Express, Inc., its owner, and the driver, claiming negligence. The defense argued the incident was beyond their control, attributing the deaths to the unforeseen violent actions of a third party, hence absolving them of liability. However, the trial court dismissed the complaint, a decision later overturned by the Court of Appeals, which found Bachelor Express and the driver jointly liable, awarding damages to the heirs of the deceased.

### Issues:

1. What was the proximate cause of the deaths of Ornominio Beter and Narcisa Rautraut?
2. Did Bachelor Express, Inc. and its employee exercise the requisite extraordinary diligence expected of common carriers?
3. Can the defense of force majeure absolve the carrier of liability in this incident?

### Court's Decision:

The Supreme Court affirmed the decision of the Court of Appeals, holding Bachelor Express, Inc. and its driver liable for damages. It was determined that:

- The proximate cause of the deaths was not solely the unforeseen act of a passenger running amuck but also included the negligence of the common carrier in failing to ensure the safety of its passengers.
- Bachelor Express, Inc. did not exercise extraordinary diligence as required of common carriers; the bus lacked adequate safety measures, and the employees failed to manage the situation effectively.
- While the initial act leading to the panic was a case of force majeure, the carrier's liability stemmed from its inability to prove that it exercised the due diligence necessary to prevent or mitigate the effects of such unforeseen events.

### Doctrine:

This case reiterates the doctrine that common carriers are presumed negligent in cases of death or injury to passengers and must demonstrate extraordinary diligence to overcome this presumption. It also highlights the principle that a common carrier cannot absolve itself

of liability due to force majeure without proving that it took all necessary measures to avert the consequences of such events.

**### Class Notes:**

- **\*\*Common Carrier Responsibility:\*\*** Common carriers are bound by law to ensure the safety of passengers, exercising extraordinary diligence (Articles 1733, 1755, New Civil Code).
- **\*\*Presumption of Negligence:\*\*** In cases of passenger injury or death, common carriers are presumed negligent and must prove they exercised extraordinary diligence to overcome this presumption (Article 1756).
- **\*\*Force Majeure:\*\*** To claim exemption from liability under force majeure, a common carrier must prove the event was unforeseeable or unavoidable and that due diligence to prevent injury was exercised.

**### Historical Background:**

This case underscores the stringent obligations imposed on common carriers in the Philippines, reflecting the legal system's prioritization of passenger safety over the operational challenges of public transportation. It also exemplifies the judiciary's role in scrutinizing claims of force majeure, ensuring that such defenses do not serve as easy escapes from liability for carriers.