

Title: Ramon C. Ong vs. Court of Appeals, Francisco Boix, and Arsenio Camino as Deputy Sheriff of Camarines Norte

Facts:

- **November 16, 1961:** Ramon C. Ong files a complaint against Deputy Sheriff Arsenio Camino of Camarines Norte and Francisco Boix to annul the October 10, 1958 auction sale of a parcel of land allegedly owned conjugally by Ong and his former wife, Teodora B. Ong.
- **August 18, 1955:** Teodora B. Ong secures a loan of Php 2,827.83 from Francisco Boix for her logging business in Camarines Sur.
- **Default on Loan:** Due to business mismanagement, Teodora defaults, prompting Boix to file a complaint to collect the debt.
- **Civil Case No. 33396:** The Court of First Instance of Manila renders judgment in favor of Boix. The court orders Teodora to pay Boix the amount of Php 2,827.83 plus interest and attorney's fees.
- **August 8, 1958:** A writ of execution is issued, and the Sheriff of Camarines Norte levies and auctions Teodora's property in Daet, Camarines Norte.
- **October 10, 1958:** Boix is adjudged the highest bidder in the auction.
- **Subsequent Legal Motions:** Ramon C. Ong files an omnibus motion on October 2, 1961 with the Court of First Instance of Manila to quash the writ of possession, which is denied. Ong's motion for reconsideration is also denied.

Procedural Posture:

- **Trial Court:** Judgment against Teodora B. Ong in favor of Boix.
- **Intermediate Steps:** Ramon C. Ong files motions to quash the auction results and writ of possession, both denied.
- **Court of Appeals:** Ong brings the annulment case to the Court of Appeals which affirms the trial court's decision.
- **Supreme Court:** Ong petitions for review asserting the auction was void and the property was conjugal, making it inappropriate to levy for Teodora's personal debt.

Issues:

1. **Jurisdictional Issue:** Whether the auction sale is null due to being held on a different date than advertised and not published in a general circulation newspaper.
2. **Property Classification:** Whether the property sold at auction is conjugal, thus improperly levied for Teodora's debt only.
3. **Validity of Auction Procedures:** Whether the auction procedures, including publication and date of holding, were valid.

Court's Decision:

- **Jurisdiction and Validity of Auction:** The Supreme Court defers to the trial court's factual findings, which concluded the auction was validly conducted. The petitioner failed to show any grave abuse of discretion or misapprehension of facts.
- **Property Classification:** The Court affirms that the subject property is paraphernal (not conjugal) because it was declared solely in Teodora B. Ong's name. The mere use of the husband's surname does not prove it was acquired during the marriage. Citing jurisprudence, the presumption of conjugal property applies only if there is proof of acquisition during the marriage.
- **Conjugal Liability for Business Debts:** Even assuming it was conjugal property, the Court holds it could still be liable for debts incurred by Teodora in her business given the apparent knowledge and implicit consent by Ramon C. Ong.

Doctrine:

1. **Property Presumption Under Art. 160, Civil Code:** The presumption that property is conjugal refers to property acquired during the marriage. Proof of acquisition during the marriage is a prerequisite.
2. **Liability for Business Debts Under Art. 117, Civil Code:** The wife's engagement in business activities implicitly with the husband's consent subjects both her paraphernal and conjugal properties to obligations incurred in the course of business.

Class Notes:

- **Property Presumption (Art. 160):** Proof of acquisition during the marriage is necessary to presume property as conjugal.
- **Business Debts (Art. 117, 140, 172, Civil Code):** The consent or lack of objection by the husband implies liability of conjugal property for business debts of the spouse.
- **Factual Findings in Lower Courts:** The Supreme Court generally defers to the factual findings unless a grave abuse of discretion is shown.

Historical Background:

The case occurred in the context of the Philippine legal environment in the 1950s-1970s where interpretations of conjugal property and liability for business debts often had significant economic implications for families engaged in business ventures during a time of increasing commercial activity. The court's rulings reflect the nuances of property law and debt liability within the marriage context during this period.