

**Title:** People of the Philippines vs. Federico Bustamante [105 Phil. 64]

**Facts:**

- **August 9, 1954:** Federico Bustamante marries Maria Perez before the Justice of the Peace of Binalonan, Pangasinan.
- **September 16, 1955:** Bustamante contracts a second marriage with Demetria Tibayan, performed by Francisco Nato, Vice-Mayor acting as Mayor of Mapandan, Pangasinan.
- **Post-September 16, 1955:** Bustamante lives with Demetria and her parents for a month, then returns to his first wife, Maria Perez, in Calasiao, Pangasinan.
- **Discovery:** During her search for Bustamante, Demetria learns of his previous marriage from Binalonan municipal authorities.
- **Legal Action:** Bustamante is charged with bigamy in the Court of First Instance of Pangasinan.
- **Trial Proceedings:** Bustamante does not testify in his defense. His primary legal argument concerns whether Francisco Nato had the legal authority to solemnize the second marriage.
- **Initial Conviction:** Bustamante is found guilty of bigamy by the Court of First Instance of Pangasinan.
- **Appeal:** Bustamante appeals the conviction to the Philippine Supreme Court on points of law, mainly contesting the validity of his second marriage.

**Issues:**

1. **Validity of Second Marriage:** Whether Francisco Nato, as Vice-Mayor acting as Mayor, had the authority to solemnize the second marriage.
2. **Admission of Evidence:** Whether the lower court erred in admitting evidence contrary to what was initially charged in the information (mentioning Justice of the Peace instead of Francisco Nato).
3. **Correctness of the Penalty:** Whether the penalty imposed by the lower court aligned with the applicable legal standards.

**Court's Decision:**

1. **Validity of Second Marriage:** The Supreme Court upheld that Francisco Nato, acting as Mayor, had the authority to perform marriages under Article 56 of the Civil Code. The distinction laid out in previous cases between an "Acting Mayor" and a "Vice-Mayor acting as Mayor" did not strip Nato of this power.
  - The Court emphasized that when a Vice-Mayor assumes the mayoral role, he/she discharges all duties and powers of the office, therefore validating the second marriage's

solemnization.

- The distinction made in the case of *Salaysay vs. Castro* pertained to election code interpretation and was not applicable here.

2. **Admission of Evidence**: The Supreme Court ruled that any incorrect reference in the original information concerning who performed the marriage was immaterial. The critical matter was that a second marriage was contracted while the first remained undissolved. Thus, admission of evidence showing Francisco Nato solemnized the marriage was not a reversible error.

3. **Correctness of the Penalty**: The Court verified that the penalty was consistent with Article 349 of the Revised Penal Code and in accordance with the Indeterminate Sentence Law. They confirmed the lower court's sentence: imprisonment for not less than Two (2) Years, Four (4) Months, and One (1) Day of prision correccional and not more than Eight (8) Years and One (1) Day of prision mayor.

**Doctrine**:

1. **Authority of Vice-Mayor Acting as Mayor**: A Vice-Mayor acting as Mayor possesses all powers of the mayoral office, including the authority to solemnize marriages.

2. **Immaterial Errors in Information**: Minor inaccuracies in the information such as wrong identity of the marriage officiant do not prejudice the accused's rights when the essential elements of the charge are properly alleged.

**Class Notes**:

- **Bigamy**: Article 349, Revised Penal Code: Contracting a second marriage while the first is undissolved incurs the penalty of prision mayor.

- **Indeterminate Sentence Law**: Courts must impose an indeterminate penalty, with the maximum term being the appropriate penalty under the code and the minimum within the next lower range.

- **Authority to Solemnize Marriages (Article 56, Civil Code)**: Includes Chief Justice, Associate Justices, judges, mayors, municipal judges, registered religious figures, and specific special cases (ship captains, airplane chiefs, etc.).

- **Key Legal Concepts**: Valid authority in matrimonial ceremonies, impact of procedural errors, interpretation of acting capacity in political office.

**Historical Background**:

This case arose during the post-World War II period in the Philippines when the legal

system was undergoing modernization under the new Civil Code of the Philippines (enacted in 1950). This Supreme Court ruling settled ambiguities surrounding the legal powers of vice-mayors acting as mayors, fortifying the understanding of delegated authority in public office and ensuring consistent observance of matrimonial laws.