

**\*\*Title:\*\*** Chu Jan vs. Lucio Bernas, 34 Phil. 631 (1916)

**\*\*Facts:\*\***

**\*On June 26, 1913:\***

- A cockfight took place at the Tabaco, Albay cockpit between Chu Jan's and Lucio Bernas's roosters.
- Each party wagered P160.
- The referee declared Bernas's rooster the winner.
- Chu Jan filed suit in the Justice of the Peace Court of Tabaco, contesting the decision and asking that his rooster be declared the winner.

**\*Subsequently:\***

- The Justice of the Peace Court declared the bout a draw.
- Dissatisfied, Bernas appealed to the Court of First Instance.
- Chu Jan filed a complaint, seeking enforcement of cockfight regulations, the payment of P160, return of the wager held by Tomas Almonte (the cockpit owner), and cost assessment against Bernas.

**\*September 11, 1913:\***

- The Court of First Instance dismissed the complaint without special findings on costs.

**\*Post-judgment:\***

- Bernas excepted to the dismissal.
- In November 1913, on a motion by Chu Jan, the Court of First Instance ordered the provincial and municipal treasurers of Albay and Tabaco, respectively, to return the wager held as a deposit back to Chu Jan.

**\*Appeal:\***

- Bernas appealed through the proper bill of exceptions.

**\*\*Issues:\*\***

1. Whether the ignorance of the Court of First Instance regarding the rules governing cockfights and the law applicable to the dispute justifies the dismissal of the case.
2. Whether the Court of First Instance is obligated to make a decision based on the customs of the place and the general principles of law when no specific law is available.

**\*\*Court's Decision:\*\***

**\*On the First Issue:\***

- The Philippine Supreme Court held that the ignorance or lack of knowledge of the law by the judge of the Court of First Instance does not justify the dismissal of the case.
- Article 6 of the Civil Code obliges courts to observe customs in cases where no specific law is applicable, and in the absence of customs, to apply general principles of law.

**\*On the Second Issue:\***

- By dismissing the case due to unfamiliarity with the cockfighting rules and relevant laws, the Court of First Instance failed to perform its judicial duty.
- The Supreme Court stated that any court must first seek to find and apply any existing law or customs relevant to the case, resorting to general legal principles if necessary.

**\*\*Doctrine:\*\***

- The decision reiterates that courts must not dismiss a case because of unfamiliarity with the applicable rules or laws. They have a duty to seek out and apply the relevant legal or customary rules, and in the absence of such, the general principles of law as stipulated under Article 6 of the Civil Code.

**\*\*Class Notes:\*\***

1. **\*\*Imperative of Judicial Decision:\*\*** Courts cannot excuse themselves from making decisions due to unfamiliarity with applicable laws.
2. **\*\*Article 6, Civil Code:\*\*** Courts must apply customs and, failing that, general principles of law if no direct legal provision exists.
3. **\*\*Procedural Obligation:\*\*** Dismissal of cases on the ground of ignorance is improper.

**\*\*Historical Background:\*\***

This case occurred during a time when activities such as cockfighting were common in the Philippines. It highlights the judiciary's role in administering justice even in matters seemingly governed by local customs rather than formal law. In this early 20th-century context, the Philippine legal system was still evolving with significant Spanish influences, evident in the application of the Civil Code. The ruling underscores judicial responsibility and the expectation that courts adjudicate disputes according to available laws or customs, reiterating principles established during the Spanish colonization.