

**REPUBLIC OF THE PHILIPPINES, PETITIONER, VS. THE
WORKMEN'S COMPENSATION COMMISSION AND IRENE
FERNANDEZ VDA. DE ESPIRITU, FOR HIMSELF AND IN BEHALF OF
THE MINORS MANUEL AND JOSE,...**

G. R. No. L-19946. February 26, 1965

Ponente: MAKALINTAL, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/4bf95d9cb9b3/>

MAKALINTAL, J.:

Gregorio H. Espiritu died of pulmonary tuberculosis contracted while working as letter-carrier in the post office of Libmanan, Camarines Sur. Upon claim duly filed, compensation benefits were granted to his widow, Irene Fernandez, and to two minors, Manuel and Jose Espiritu, alleged illegitimate (spurious) children of the deceased by another woman. The award is as follows:

- "1. To pay the heroin claimants, thru this Commission, the amount of THREE THOUSAND FORTY-FIVE PESOS AND 12/100 (P3,045.12) as compensation;
2. To reimburse the widow the amount of FOUR HUNDRED FIFTY PESOS (P3,450.00) for medical and burial expenses incurred; and
3. To pay to this Commission the amount of P36.00 as fees (including the P5.00 fee for this review) pursuant to Section 55 of Act 3428, as amended."

In due time the Government filed the instant petition for review.

Neither the compensability of Espiritu's death nor the award to his widow is disputed. What appellant objects to is the extension of death benefits to the two minors. The objection is based on two grounds, the first of which is that not being acknowledged natural children they are not dependents within the meaning of Section 9 and 11 of the Workmen's Compensation Law, Act No. 3428, as amended.

Among the persons enumerated in Section 9 as entitled to compensation is "a son or daughter, if under eighteen years of age or incapable of supporting him or herself, and unmarried, whether actually dependent on the deceased or not." Section 11 in turn provides that the words "son," "daughter" or "children" include "illegitimate children acknowledged by and dependent upon the deceased before the injury was contracted." The contention is that according to this Court (*Madueño vs. Cabanatuan Lumber Co.*, 73 Phil. 356) only natural children may be acknowledged and hence considered as "dependents" under the Workmen's Compensation Law. It should be noted, however, that the said case was decided under the regime of the old Civil Code, according to which recognition could be extended only to natural children and not to children of adulterous relationship. Appellant admits that in the new Civil Code (Art. 287 and 291) illegitimate children other than natural are given greater rights than before, among them the right of succession from their parents. But appellant maintains that said rights have nothing to do with the benefits granted by the Workmen's Compensation Act.

We do not consider it necessary to resolve this particular issue, for the claim in behalf of the two minors must fail

on the other ground invoked by appellant, namely, that their filiation has not been established. This Court, construing the various pertinent provisions of the Civil Code concerning illegitimate children, has held that an illegitimate (spurious) child, to be entitled to support and successional rights from his parents, must prove his filiation, and this may be done by means of voluntary or compulsory recognition of the relationship. For this purpose the provisions concerning natural children are held applicable. Thus recognition is voluntary when made in the record of birth, a will, a statement before a court of record, or in any authentic writing (Article 278) ; and compulsory when made by means of a court action in the cases enumerated in Articles 283 and 284. (Pauline vs. Paulino, 113 Phil. 697).

In the case at bar, the minors Espiritu have not been voluntarily recognized as his by the deceased Gregorio H. Espiritu. The only evidence adduced below consists of baptismal certificates; but these are not the records of birth referred to in Article 278. (Vidaurreaga vs. Court of Appeals, 91 Phil. 492; Capistrano vs. Cabino, 8 Phil. 135). Neither do they constitute "authentic writing." They are proof only of the act to which the priest may certify by reason of his personal knowledge an act done by himself or in his presence" particularly the administration of the sacrament of baptism on the stated day; they are not proof of the truth of the declarations therein with respect to the parentage of the baptized children (Adriano vs. De Jesus, 23 Phil. 350).

The fact that the minors had been living with Gregorio H. Espiritu and were supported by him during his lifetime may be a ground for compulsory recognition (Article 283), but it does not appear that the children ever instituted a suit to that end a suit that falls within the jurisdiction of the courts and not of respondent Workmen's Compensation Commission.

The decision appealed from is modified by eliminating the award of compensation to the two minors. Under Section 8, paragraph (a) of the Workmen's Compensation Law, the widow is entitled to 45% of the deceased's weekly salary of P29.28 (P1,522.80 per annum) for a period of 208 weeks, or a total of P2,741.44. Appellant should pay this amount to the widow only instead of P3,045.12 to the widow and the minor children. In all other respects the decision is affirmed. Without costs.

Bengzon, C. J., Bautista Angelo, Concepcion, Reyes, J.B.L., Barrera, Paredes, Dizon, Regala, Bengzon, J.P. and Zaldivar, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.