

URBANO SAPICO, ET AL., PLAINTIFFS AND APPELLEES, VS. MANILA OCEANIC LINES, INC., ET AL., DEFENDANTS MANILA OCEANIC LINES, INC., DEFENDANTS AND APPELLANTS.

G.R. No. L-18776. January 30, 1964

Ponente: LABRADOR, J.

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LABRADOR, J.:

This is an appeal from a decision of the Court of First Instance of Manila sentencing defendants to pay plaintiffs P24,570.76 as unpaid wages and P5,000.00 as attorney's fees, for the officers and crew of a vessel to be brought from Hongkong to Manila for the account of defendants.

The complaint filed in the case contained 3 causes of action, (1) to collect P24,570.76 representing unpaid wages as per contract, (2) moral damages at the rate of P10,000.00 for the Master, and P5,000.00 each for each marine officer, including radio officer, P2,000.00 for each crew member or a total of P111,000.00 and (3) P5,000.00 attorney's fees. It is contended on the appeal that if the amount claimed totalling P140,570.76 be divided among the 38 members and officers of the crew, each would be demanding only P3,699.23-1/19, which claim does not reach the jurisdiction of the Court of First Instance where the action was brought. But the second cause of action of the complaint alleged that the captain demanded P10,000.00 as damages, plus the amount of his pay. The claim, therefore, that the case does not fall within the jurisdiction of the Court of First Instance, is without merit.

Wherefore, the decision appealed from is affirmed, with costs. So ordered.

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

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