

**EXPECTACION DE LA CRUZ, POR SI Y COMO CURADOR AD LITEM DE
LYDIA, EMERLY, RICARDO Y SOCORRO, APELIDADOS REYES,
DEMANDANTES Y APELANTES, CONTRA LA CIUDAD DE MANILA,
DEMANDA Y APEL...**

G.R. No. L-1541. June 21, 1948

Ponente: BRIONES, J.

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BRIONES, J.:

DERECHO CONSTITUTIONAL Y POLITICO; "GOBIERNO DE FACTO"; CIUDAD DE MANILA; RESPONSABILIDAD POR OBLIGACIONES DEL GOBIERNO MUNICIPAL DURANTE LA OCUPACION MILITAR DEL ENIMIGO; LEY DE COMPENSACION OBRERA; CASO DE AUTOS.-Es indiscutible que el gobierno municipal de Manila durante la ocupacion militar de enemigo, era un gobierno de facto, de cierto tipo (Co Kim Cham contra Valdez Tan Keh, 41 Off. Gaz., 779) Es igualmente indisquitable que dicho gobierno tenia facultad para de establecer ciertos servicios en beneficio del vecindario, entre ellos el de transporte terrestre ofrecido por la City Bus Transporatation. No habiento desputa de que rR murio en el desempeno de su empleo y con motivo del mismo, mientras trabajaba pra bien y comodidad del vecindario de Manila, al servicio de un regimen municipal que era prolongacion de facto del existente bajo el Commonwealth para seguir administrando los intereses de la Ciudad, evitando asi un caos y, en general, los males que implica todo desgobierno, la aplicacion de la Ley de Compensacion Obrera contra el gobierno actual de la Ciudad de Manila resulta a todas luces indisputable, pues en el caso de san todas las condiciones y requisitos provistos en la Ley, a saber: Trabajo compensable; muerte accidental en el curso del mismo; y relacion entre el patrono y el obrero accidentado.

Paras, Perfecto,y Tuason, MM., estan conformes.

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