

HATIM CAFURE, PLAINTIFF AND APPELLEE, VS. NICOMEDES MORALES AND CRISPINA MORCO, DEFENDANTS. CRISPINA MORCO, APPELLANT.

G.R. No. 7532. September 20, 1913

Ponente: JOHNSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-7532/>

JOHNSON, J.:

The purpose of the present action was to recover a balance due the plaintiff from the defendants resulting from certain commercial transactions covering a period from the 14th day of March, 1905, to the 18th day of November, 1907. The plaintiff alleges that during said period he sold to the defendants, upon commission, merchandise amounting to the sum of P2,229.05 and that there is still remaining due and unpaid on said transactions the sum of P666.05.

The defendants each presented a separate answer. They each, in addition to a general denial, allege that they each had been prosecuted for the crime of estafa, resulting from said commercial transactions, and had been absolved from all criminal liability in said action and that, therefore, they are not liable civilly for the amount demanded by the plaintiff.

The record shows that some time prior to the commencement of the present action a criminal action had been commenced against the defendants for the crime of estafa, resulting from the commercial transactions described by the plaintiff in his present complaint. The record also shows that each of the defendants had been absolved from said alleged criminal liability.

After hearing the evidence adduced during the trial of the cause, the Honorable Percy M. Moir, judge, rendered a judgment against the defendants for the sum of P666.05, with interest at the rate of 6 per cent from the 25th day of July, 1910. From that judgment each of the defendants gave notice of his intention to appeal. The defendant, Crispina Morco, only perfected her appeal. The only question, therefore, presented to this court, is whether or not the appellant, Crispina Morco, is responsible for the payment of the said sum of P666.05.

From an examination of the record we find the following facts:

- That during the trial of the cause the plaintiff presented certain vales and certain receipts relating to commercial transactions between him and the defendants. These vales and receipts were signed by the defendants separately. There is not a word in the record to indicate that the accounts which the defendants had with the plaintiff were joint accounts. Each transaction had between the plaintiff and defendants shows that it was a separate transaction with each of the defendants. No joint responsibility is shown on the part of the defendants to the plaintiff.
- During the period from March 14, 1905, to November 18, 1907, the record shows that the defendant and appellant, Crispina Morco, took merchandise of various classes from the plaintiff to sell on commission; that the total amount of merchandise so taken was the sum of P424 (see Exhibits B, C, E, and G); that during the same period the record shows that the defendant and appellant, Crispina Morco, paid to the plaintiff the sum of P478

(see Exhibits 12, 13, 14, 15, 16 and E). The foregoing purchases and the foregoing receipts showing payment are corroborated by the exhibits presented by the plaintiff. These exhibits show that the defendant and appellant has paid to the plaintiff a sum larger than the sum total of her purchases.

In view of the fact, therefore, that the record shows in joint responsibility between the defendants to the plaintiff, and in view of the fact that the defendant and appellant, Crispina Morco, has fully paid and more than fully paid for all the merchandise which she purchased from the plaintiff, and without discussing the other questions presented by the appellant, it is hereby ordered that the judgment of the lower court, so far as it affects the defendant and appellant, Crispina Morco, is hereby reversed, without costs, and the said defendant and appellant is hereby relieved from any responsibility under the complaint.

Arellano, C, J., Torres, Carson, and Moreland, 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.