

34 Phil. 245

[G.R. No. 9497. March 15, 1916]

SIMONA GALICIA, WIDOW OF NICOLAS NAVARRO, EUGENIA NAVARRO AND BENITA NAVARRO, PLAINTIFFS AND APPELLANTS, VS. TEODORA NAVARRO, AS ADMINISTRATRIX OF THE ESTATE OF JUAN NAVARRO, DECEASED, DEFENDANT AND APPELLEE.

D E C I S I O N

JOHNSON, J.:

This was an action to recover rent due on a certain piece or parcel of land particularly described in paragraph 3 of the complaint. The amount of rent claimed by the plaintiffs was P10,000. The defendant, in addition to a general denial, interposed a counterclaim by virtue of which she claimed from the plaintiffs the sum of P19,530 for the maintenance of the plaintiffs, together with the husband of Simona Galicia, for a number of years. The defendant also interposed the defense of prescription against the action of the plaintiffs.

The action was commenced in the Court of First Instance of the Province of Nueva Ecija on the 21st of December, 1910. The Honorable Julio Llorente rendered a judgment on the 28th of February, 1913, in which he absolved the defendant from all liability under the complaint and the plaintiffs from liability under the counterclaim, with costs against the plaintiffs. From that decision the plaintiffs appealed to the Supreme Court. The record was received in the Supreme Court upon the 13th of November, 1913. The cause was finally, after many delays caused by the parties themselves, submitted to the Supreme Court for decision on the 8th of February, 1916.

From an examination of the record we find that certain facts are proved by a large preponderance of the evidence.

First. That Nicolas Navarro (now deceased) and the defendant, Teodora Navarro, were the children born of the lawful marriage of Juan Navarro and Miguel a Galicia.

Second. That some time prior to the year 1874, the said Nicolas Navarro was joined in

lawful wedlock with the plaintiff herein, Simona Galicia; that there were born to them three children, Eugenia, Benita, and Lorenza Navarro, the latter of which died at the age of 17 years.

Third. That Nicolas Navarro became insane in the year 1874, and died in the year 1906.

Fourth. That some time prior to the year 1874, and perhaps after the marriage of Nicolas Navarro with Simona Galicia, he purchased the land described in paragraph 3 of the complaint.

Fifth. That in the year 1874 and after Nicolas Navarro became insane he, his wife, and the three children above mentioned, lived in the home of the said Juan Navarro and Miguela Galicia; that during the time the family of Nicolas Navarro lived with Juan Navarro and Miguela Galicia, they were supported by Juan Navarro and his wife.

Sixth. That from the year 1874 up to the time of the death of Juan Navarro (in the year 1891), he, perhaps, did cultivate the parcel of land in question and reaped the crops therefrom, and that said crops were placed in the same *bodega* or *camarin* with the crops which were reaped from other lands; that the mass of the crops so reaped and mingled was used in the maintenance of the common families of Juan Navarro and the said Nicolas Navarro. There is no proof in the record that any portion of the crops reaped from the parcel of land in question was used in any manner whatsoever except to maintain the two families. Neither does the record show that the parcel of land in question produced more than enough, if even that, to support the family of Nicolas Navarro.

Seventh. It is, perhaps, true that after the death of Juan Navarro, the defendant herein for a short period continued to administer the parcel of land in question, reaping the crops grown thereon; and made the same disposal of them as had been made by her father.

Eighth. The record shows that several years before the death of Nicolas Navarro, his wife Simona Galicia came to Manila, leaving the burden of taking care of Nicolas Navarro to the family of Juan Navarro.

Ninth. The record also shows that in the year 1906 the plaintiffs herein, on the 13th of August, sold said parcels of land and received therefor the sum of ₱1,721.50. There is not now nor ever has been any question between the plaintiffs and the defendant concerning the ownership of the land in question.

In view of all of the foregoing and in view of the very clear and concise statement of facts made by the Honorable Julio Llorente, in his decision, and in view of the long lapse of time and the relation which the plaintiffs bore to the family of the defendant, and in view of the fact that the family of the defendant maintained the family of the plaintiffs for so many years, and in the absence of any proof whatever showing that the defendant was enriched in any way by virtue of the administration of the parcel of land in question, and in the interest of justice and equity, we are of the opinion and so hold that the judgment of the lower court should be affirmed, with costs. So ordered.

Torres, Moreland, Trent, and Araullo, JJ., concur.

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