

THE HEIRS OF B. A. CRUMB, ETC., ET AL., PLAINTIFFS AND APPELLANTS, VS. MARGARITO RODRIGUEZ, ET AL., DEFENDANTS AND APPELLEES.

G.R. No. L-7954. March 31, 1959

Ponente: PADILLA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/d4b5a0e56273/>

PADILLA, J.:

On 7 November 1922 Burdett A. Crumb filed with the Bureau of Lands an application for lease of parts of a tract of public land situated in barrio Digos, municipality of Santa Cruz, province of Davao, originally applied for by the Mindanao Plantation Company (L. A. No. 17[E-14] and Albert N. Boen (L. A. No. 242 [E-92]) (L. A. No. 2122, Exhibit 1, Defendants, Exhibit Crumb). On 29 June 1924 the applicant died. On 12 January 1925 the Director of Lands awarded the lease applied for by the deceased to his heirs (Exhibit 1, Defendants, Exhibit Crumb). On 12 August 1935 the Director of Lands with the approval of the Secretary of Agriculture and Commerce cancelled the lease on the ground that part of the leased tract of land was subleased to aliens disqualified to lease public lands. The lessees prayed for reconsideration of the order of cancellation. No action on their petitions for reconsideration was taken until the outbreak of the war in 1941 (Exhibits A & B). After the war the lessees revived and pressed their petition for reconsideration. After investigation and ocular inspection conducted by the Bureau of Lands, on 30 July 1948 the Director of Lands found—

* * * that there is no sufficient evidence adduced to prove the subleasing of the land to aliens to justify the definite cancellation of the said Lease Application No. 2122 of the late B. A. Crumb and the disposition of the land covered thereby in favor of other persons, and, for this reason, it is neither legal nor just and equitable for this Office to cancel the said application. Considering, however, the fact that portions of the land covered by the said application identified as Lots Nos. 1586-A, 1601-A, 1620-A, and 1728-A and 1586-B are more suitable for commercial and residential purposes rather than for agricultural purposes and, in fact, the said portions are actually occupied and used as such, the said Lease Application No. 2122, should be as it is hereby reinstated but amended so as to exclude therefrom the said portions. The squatters occupying portions outside the areas of said Lots Nos. 1586-A and B, 1601-A, 1620-A and 1728—A, are hereby ordered to vacate the premises. (Exhibit A.)

Margarito Rodriguez, Martin Bosio, Elino Casilac, Galo Dumagan, Cresencio Erasmo, Juan Erasmo, Emilio Gubat, Claro (Carlos) Labos, Timoteo Lingcopines, Jesus Rabor, Cipriano Ravina, Rufino Revuelta, Dionisio Soriano, Julio Sotto and Barnabe (Bernardo) Vibas, who are among the defendants in the present case, and others whose names need not be mentioned, intervened and appealed to the Secretary of Agriculture and Natural Resources (Exhibit C). On 3 March 1949 the Secretary of Agriculture and Natural Resources denied their appeal (Exhibit B) and on 21 June 1949 their motion for reconsideration (Exhibit C). The intervenors appealed to the President of the Philippines. On 2 December 1950 the President denied their appeal (Exhibit D). Before the expiration of the lease on 12 January 1950 the lessees applied for renewal of the lease. On 5 June 1951 the Secretary of Agriculture and Natural Resources, upon recommendation of the Director of Lands, renewed the lease for another 25 years and denied the intervenors' opposition. (Exhibit E).

On 18 March 1952 the plaintiffs filed an amended complaint in the Court of First Instance of Davao alleging that the defendants are occupying parts of the leased tract of land without their consent since January 1940, that notwithstanding the order of the Director of Lands and the Secretary of Agriculture and Natural Resources to vacate the premises, they refused to do so; and that they have destroyed the hemp (abaca), coconut and ramie plants therein. They prayed that upon the filing of a bond to be fixed by the Court the defendants be enjoined from exercising further acts of possession over the parts of the land respectively occupied by them; that after hearing the defendants be ordered to vacate and deliver possession of the premises to them; and that the defendants be ordered to pay them damages in the respective amounts specified in the prayer (civil No. 344).

The defendants, represented by the law firm of Ruiz, Ruiz, Ruiz & Ruiz, except Alipio Datoc and Quintin Garcia, deny that they are occupying parts of the tract of land leased to the plaintiffs and assert that they have been in possession of their respective landholdings even before the war. As special defense they assail the validity of the lease to the plaintiffs as the original applicant died before the award was made and his heirs could not legally step into his rights. In addition, they claim that granting that the lease was valid, the same already had expired on 12 January 1950, and, therefore, the leased tract of land reverted to the State and may be disposed of as part of the public domain; that since the cancellation of the lease on 12 August 1935 by the Secretary of Agriculture and Commerce, the plaintiffs had abandoned the leased tract of land and allowed more than 3,000 people including them to occupy it; and that if they are occupying parts of the tract of land in question, they are bona fide occupants pursuant to the policy of the Government of breaking up big landed estates to be distributed among the landless like them. They set up a counterclaim of P80,000 for the value of the improvements they have introduced, in the event that they are ordered to vacate the premises. They pray that the complaint be dismissed and the plaintiffs ordered to pay them P5,000 as damages for the malicious bringing of the action.

The defendant Alipio Datoc answered that he had acquired his landholding by homestead in 1927 and that the same is outside the boundaries of the tract of land leased by the plaintiffs. He set up a counterclaim of P500 and prayed that the complaint be dismissed.

The defendant Quintin Garcia claimed that he was a sublessee of the tract of land leased to the estate of B. A. Crumb, the plaintiffs predecessor-in-interest, occupying about 10 hectares which he planted to abaca which was destroyed during the war. He set up a counterclaim of P1,230 for the value of the improvements he had introduced and prayed that the complaint be dismissed.

The plaintiffs filed replies controverting the defendants' counterclaims.

After trial the Court rendered judgment dismissing the plaintiffs' complaint and ordered them to pay the defendants the sum of P1,000 as attorney's fees and costs of the suit. The plaintiffs have appealed.

The case involves possession of real estate the value of which exceeds P50,000 (Exhibits G and H), and for that reason the review of the judgment rendered by the trial court devolves upon this Court.

Section 4, Act No. 2874, under which the public land in question was leased to the appellants, provides:

Subject to said control, the Director of Lands shall have direct executive control of the survey, classification, lease, sale, or any other form of concession or disposition and management of the lands of the public domain, and his decisions as to questions of fact shall be conclusive when approved by the Secretary of Agriculture and Natural Resources.

Section 4, Commonwealth Act No. 141, under which the appellants' lease was renewed by the Secretary of Agriculture and Natural Resources for another 25 years, contains a similar provision. Section 37, Act No. 2874, provides in part:

Leases shall run for a period of not more than twenty-five years, but may be renewed for another period of not to exceed twenty-five years. In case the lessee shall have made important improvements which, in the discretion of the Secretary of Agriculture and Natural Resources, justify a renewal of the lease, a further renewal for an additional period not to exceed twenty-five years may be granted. * * *.

Section 38, Commonwealth Act No. 141, provides in part:

Leases shall run for a period of not more than twenty-five years, but may be renewed once for another period of not to exceed twenty-five years, in case the lessee shall have made important improvements which, in the discretion of the Secretary of Agriculture and Commerce, justify a renewal. * * *.

As the power to lease lands of the public domain to qualified persons or corporations is vested in the Director of Lands with the approval of the Secretary of Agriculture and Natural Resources, and the authority to renew the lease upon its expiration lies within the discretion of the Secretary of Agriculture and Natural Resources, the decision of the Director of Lands with the approval of the Secretary of Agriculture and Natural Resources reinstating the appellants' lease and the decision of the Secretary of Agriculture and Natural Resources renewing their lease for another 25 years may not be reviewed by the Courts in the absence of fraud. In reinstating the appellants' lease, the Director of Lands found that the administrator of the estate of B. A. Crumb merely hired Japanese subjects under the "pakiao" system to clear and cultivate the land and plant abaca trees and strip them; and that the evidence was not indubitable that their contract was a sublease (Exhibit A). These findings were approved by the Secretary of Agriculture and Natural Resources (Exhibit B). In renewing the appellants' lease for another twenty-five years, the Secretary of Agriculture and Natural Resources found—

" * * That B. A. Crumb during his lifetime had really introduced important improvements on the land, has been established in several investigations conducted by the different representatives of the Bureau of Lands and their findings have been confirmed in the decisions of the Department of Agriculture and Natural Resources; and of the Honorable Executive Secretary by authority of the President. Under these circumstances, this Office would be guilty of abuse of discretion if the lease in favor of the heirs of B. A. Crumb would not be renewed. B. A. Crumb, the original lessee, had; invested thousands of pesos in introducing improvements on the premises and to deprive his heirs of the fruits of the said improvements is not only unjust but illegal. (Exhibit E)

A lessee has direct right of action against an intruder.[1] In *Pitargue vs. Sorilla*, 92 Phil., 5; 48 Off. Gaz. 3849, 3854, this Court held that—

The vesting of the Lands Department with authority to administer, dispose, and alienate public lands, therefore, must not be understood as depriving the other branches of the Government of the exercise of their respective functions or powers thereon, such as the authority to stop disorders and quell breaches of the peace by the police and the authority on the part of the courts to take jurisdiction over possessory actions arising therefrom not involving; directly or indirectly, alienation and disposition.

The appellee Alipio Datoc, who claims that he acquired his landholding from the Government by homestead in 1927 and that the same is not within the appellants' leasehold right, failed to present proof of such grant. And when upon his own motion the Court commissioned a surveyor to verify whether his landholding occupies a part of the appellants' leasehold right, the surveyor reported that his landholding falls within a part of the appellants' leasehold right (Exhibit L).

The appellee Quintin Garcia avers in his answer that he is a sublessee of the estate of B. A. Crumb. Therefore, his landholding falls within the appellants' leasehold right. The appellee Dionisio Soriano testified that Mr. Hughes, then manager of the Crumb Estate, gave him a piece of land containing an area of 7 hectares in Digos to cultivate (pp. 626, 627, t.s.n.). It is, therefore, within the appellants' leasehold right.

None of the appellees, all of whom claim ownership of the lands they respectively occupy, presented any proof of ownership or permit granted by the Director of Lands to occupy them. On the other hand, the appellants have preponderantly shown that the appellees are occupying parts of their leasehold right. In Exhibit 1, defendants, Exhibit Crumb, which is a true copy of the decision of the Director of Lands awarding to the appellant's heirs the lease of the public land in question, the said land is described as follows:

Bounded on the northeast, by Rio Digos, public land, Rio Digos, property claimed by Vicente Barlis and public land; on the southeast, by Gulf of Davao; on the south, by public land and property claimed by R. W. Haley; on the west, by public land, containing 1022-2416 hectares, situated in the barrio of Digos, Municipality of Sta. Cruz, Davao.

In Exhibit C, which is a true copy of the order of the Secretary of Agriculture and Natural Resources, denying the intervenors' motion for reconsideration in D.A.N.R. Case No. 241, the following appellees are mentioned as intervenors therein: Martin Bosio, Elinio Casilac, Galo Dumagan, Cresencio Erasmo, Juan Erasmo, Emilio Gubat, Claro Labos, Timoteo Lingcopines, Jesus Mercado, Jesus Rabor, Cipriano Ravina, Rufino Revuelta, Dionisio Soriano, Julio Sotto, and Barnabe (Bernardo) Vibas. In Exhibit M, which is a true copy of a list containing the "names of actual occupants (intervenors-appellants) of the Crumb Estate, Digos, Davao," signed by the same counsel for the appellees except Quintin Garcia and Alipio Datoc, the following appellees appear: Pedro Albino, Martin Bosio, Elinio Casilac, Zoilo Dumagan, Juan Erasmo, Emilio Gubat, Claro Labos, Timoteo Lingcopines, Jesus Mercado, Ignacio Paraiso, Jesus Rabor, Cipriano Ravina, Rufino Revuelta, Dionisio Soriano, Julio Sotto, Nicasio Ubongen and Bernardo Vivas. In Exhibits P, Q, R, S, T, U, V, W and X, which are true copies of the declaration of real property subscribed, sworn to in August 1947, and filed by Martin Bosio, Rufino Revuelta, Emilio Gubat, Pedro Albino, Zoilo Dumagan, Galo Dumagan, Jesus Mercado, Dionisio Soriano and Julio Sotto, respectively, under the provisions of Commonwealth Act No. 530, in Sta. Cruz, Davao, the following inscription appears: "On the land of B. A. Crumb Estate;" and in Exhibit Y, which is true copy of a similar declaration subscribed, sworn to and filed by Juan Erasmo on 16 October 1947 in the same municipality, the following annotation appears: On the public land formerly owned by B. A. Crumb." As it appears that the appellees are illegally occupying parts of the appellants' leasehold right, they should be ordered to vacate the respective premises they occupy and restore possession thereof to the appellants.

As there is no definite and satisfactory proof of the amount of damages suffered by the appellants, no amount of damages may be awarded to them. Neither may the appellees be awarded the value of the improvements as there is no indubitable proof to support their counterclaim on such improvements.

The judgment appealed from is reversed and the appellees ordered to vacate the premises they respectively occupy and restore possession thereof to the appellants, without special pronouncement as to costs.

Paras, C. J., Bengzon, Montemayor, Reyes, A., Bautista Angelo, Labrador, Concepcion, Reyes, J. B. L., and Endencia, JJ., concur.

[1] Article 1664, new Civil Code.

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.