

CITY OF BAGUIO, REFORESTATION ADMINISTRATION, FRANCISCO G. JOAQUIN, SR., FRANCISCO G. JOAQUIN, JR., AND TERESITA J. BUCHHOLZ, PETITIONERS, VS. HON. PIO R. MARCOS, JUDGE OF THE C...

G.R. No. L-26100. February 28, 1969

Ponente: SANCHEZ, J.

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SANCHEZ, J.:

Petitioners attack the jurisdiction of the Court of First Instance of Baguio to reopen cadastral proceedings under Republic Act 931. Private petitioners specifically question the ruling of the Court of Appeals that they have no personality to oppose reopening. The three-pronged contentions of all the petitioners are: (1) the reopening petition was filed outside the 40-year period next pre-ceding the approval of Republic Act 931; (2) said petition was not published; and (3) private petitioners, as lessees of the public land in question, have court standing under Republic Act 931. The facts follow:

On April 12, 1912 the cadastral proceedings sought to be reopened, Civil Reservation Case No. 1, GLRO Record No. 211, Baguio Townsite, were instituted by the Director of Lands in the Court of First Instance of Baguio. It is not disputed that the land here involved (described in Plan Psu-186187) was amongst those declared public lands by final decision rendered in that case on November 13, 1992.

On July 25, 1961 respondent Belong Lutes petitioned the cadastral court to reopen said Civil Reservation Case No. 1 as to the parcel of land he claims. His prayer was that the land be registered in his name upon the grounds that: (1) he and his predecessors have been in actual, open, adverse, peaceful and continuous possession and cultivation of the land since Spanish times, or before July 26, 1894, paying the taxes thereon; and (2) his predecessors were illiterate Igorots without personal notice of the cadastral proceedings aforesated and were not able to file their claim to the land in question within the statutory period.

On December 18, 1961, private petitioners Francisco G. Joaquin, Sr., Francisco G. Joaquin, Jr., and Teresita J. Buchholz registered opposition to the reopening. Ground: They are tree farm lessees upon agreements executed by the Bureau of Forestry in their favor for 15,395.65 square meters on March 16, 1959, for 12,108 square meters on July 24, 1959, and for 14,771 square meters on July 17, 1959, respectively.

On May 5, 1962, the City of Baguio likewise opposed reopening.

On May 8, 1962, upon Lutes' opposition, the cadastral court denied private petitioners' right to intervene in the case because of a final declaratory relief judgment dated March 9, 1962 in Yaranon vs. Castrillo [Civil Case 946, Court of First Instance of Baguio]] which declared that such tree farm leases were null and void.

On May 18, 1962, private petitioners moved to reconsider. They averred that said declaratory relief judgment did not bind them, for they were not parties to that action.

On September 14, 1962, the cadastral court reversed its own ruling of May 8, 1962, allowed petitioners to cross-examine the witnesses of respondent Lutes,

On October 16, 1962, Lutes replied to and moved to dismiss private petitioners' opposition to his reopening petition. On October 25, 1962, private petitioners' rejoinder was filed.

On August 5, 1963, the cadastral court dismissed private petitioners' opposition to the reopening. A motion to reconsider was rejected by the court on November 5, 1963.

On January 6, 1964, it was the turn of the City of Baguio to lodge a motion to dismiss the petition to reopen. This motion was adopted as its own by the Reforestation Administration. They maintained the position that the declaratory judgment in Civil Case 946 was not binding on those not parties thereto. Respondent Lutes opposed on February 24, 1964. On April 6, 1964, private petitioners reiterated their motion to dismiss on jurisdictional grounds.

On September 17, 1964, the court denied for lack of merit the City's motion as well as the April 6, 1964 motion to dismiss made by private petitioners.

On November 13, 1964, all the petitioners went to the Court of Appeals on certiorari, prohibition, and mandamus with pre-liminary injunction.[1] They there questioned the cadastral court's jurisdiction over the petition to reopen and the latter's order of August 5, 1963 dismissing private petitioners' opposition. The appellate court issued a writ of preliminary injunction upon a P500-bond.

Then came the judgment of the Court of Appeals of [September 30, 1965. The court held that petitioners were not bound by the declaratory judgment heretofore stated. Nevertheless, the appellate court ruled that as lessees, private petitioners had no right to oppose the reopening of the cadastral case. Petitioners moved to reconsider. It was thwarted on May 6, 1966.

Petitioners now seek redress from this Court. On July 6, 1966, respondents moved to dismiss the petition before us. On August 5, 1966, petitioners opposed. On August 12, 1966, we gave due course.

1. Do private petitioners have personality to appear in the reopening proceedings?

First, to the controlling statute, Republic Act 931, effective June 20, 1953.

The title of the Act reads -

"AN ACT TO AUTHORIZE THE FILING IN THE PROPER COURT, UNDER CERTAIN CONDITIONS, OF CERTAIN CLAIMS OF TITLE TO PARCELS OF LAND THAT HAVE BEEN DECLARED PUBLIC LAND, BY VIRTUE OF JUDICIAL DECISIONS RENDERED WITHIN THE FORTY YEARS NEXT PRECEDING THE APPROVAL OF THIS ACT."

Section 1 thereof provides -

"SECTION 1. All persons claiming title to parcels of land that have been the object of cadastral proceedings, who at the time of the survey were in actual possession of the same, but for some justifiable reason had been unable to file their claim in the proper court during the time limit established by law, in case such parcels of land on account of their failure to file such claims, have been, or are about to be declared land of the public domain, by virtue of judicial proceedings instituted within the forty years next preceding the approval of this Act, are hereby granted the right within five years[2] after the date on which this Act shall take effect, to petition for a reopening of the judicial proceedings under the provisions of Act Numbered Twenty-two hundred and fifty-nine, as amended, only with respect to such of said parcels of land as have not been alienated, reserved, leased granted, or otherwise provisionally or permanently disposed of by the Government,

and the competent Court of First instance, upon receiving such petition, shall notify the Government, through the Solicitor General, and if after hearing the parties, said court shall find that all conditions herein established have been complied with, and that all taxes, interests and penalties thereof have been paid from the time when land tax should have been collected until the day when the motion is presented, it shall order said judicial proceedings reopened as if no action has been taken on such parcels." [3]

We concede that in *Leyva vs. Jandoc*, G.R. No. L-16965, February 28, 1962, a land registration case where oppositors were "foreshore lessees of public land", a principle was hammered out that although Section 34, Land Registration Act, [4] "apparently authorizes any person claiming any kind of interest to file an opposition to an application for registration, x x x nevertheless x x x the opposition must be based on a right of dominion or some other real right independent of, and not at all subordinate to, the rights of the Government." [5] The opposition, according to the *Leyva* decision, "must necessarily be predicated upon the property in question being part of the public domain." *Leyva* thus pronounced that "it is incumbent upon the duly authorized representatives of the Government to represent its interests as well as private claims intrinsically dependent upon it."

But the *Leyva* case concerned an ordinary land registration proceeding under the provisions of the Land Registration Act. Normally and logically, lessees cannot there present issues of ownership. The case at bar, however, stands on a different footing. It involves a special statute, R.A. 931, which allows a petition for reopening on lands "about to be declared" or already "declared land of the public domain" by virtue of judicial proceedings. Such right, however, is made to cover limited cases, i.e., "only with respect to such of said parcels of land as have not been alienated, reserved, leased, granted, or otherwise provisionally or permanently disposed of by the Government." [6] The lessee's right is thus impliedly recognized by R.A. 931. This statutory phrase steers the present case clear from the impact of the precept forged by *Leyva*. So it is, that if the land subject of a petition to reopen has already been leased by the government, that petition can no longer prosper.

This was the holding in *Director of Lands vs. Benitez*, G.R. No. L-21368, March 31, 1966. The reopening petition there filed was opposed by the Director of Lands in behalf of 62 lessees of public land holding revocable permits issued by the government. We struck down the petition in that case because the public land, subject-matter of the suit, had already been leased by the government to private persons.

Of course, the *Benitez* ruling came about not by representations of the lessees alone, but through the Director of Lands. But we may well scale the heights of injustice or abet violations of R.A. 931 if we entertain the view that only the Director of Lands [7] can here properly oppose the reopening petition. Suppose the lands office fails to do so? Will legitimate lessees be left at the mercy of government officials? Should the cadastral court close its eyes to the fact a lease that may be proved by the lessees themselves, and which is enough to bar the reopening petition? R.A. 931 could not have intended that this situation should happen. The point is that, with the fact of lease, no question of ownership need be inquired into pursuant to R.A. 931. From this standpoint, lessees have sufficient legal interest in the proceedings.

The right of private petitioners to oppose a reopening petition here becomes the more patent when we take stock of their averment that they have introduced improvements on the land affected. It would seem to us that lessees, insofar as R.A. 931 is concerned, come within the purview of those who, according to the Rules of Court, [8] may intervene in an action. For, they are persons who have "legal interest in the matter in litigation, or in the success of either of the parties." [9] In the event herein private petitioners are able to show that they are legitimate lessees, then their lease will continue. And this because it is sufficient that it be proven that the land is leased to withdraw it from the operation of Republic Act 931 and place it beyond the reach of a petition for reopening. [10]

In line with the Court of Appeals' conclusion, not disputed by respondent *Lutes* herein, the cadastral court should have ruled on the validity of private petitioners' tree farm leases - on the merits. Because there is need for *Lutes'*

right to reopen and petitioners' right to continue as lessees to be threshed out in that court.

We, accordingly, hold that private petitioners, who aver that they are lessees, have the necessary personality to inter-vene in and oppose respondent Lutes' petition for reopening.

2. Petitioners next contend that the reopening petition below, filed under R.A. 931, should have been published in accordance with the Cadastral Act.

To resolve this contention, we need but refer to a very recent decision of this Court in *De Castro vs. Marcos*, supra involving exactly the same set of facts bearing upon the question. We there held, after a discussion of law and jurisprudence, that: "In sum, the subject matter of the petition for reopening - a parcel of land claimed by respondent Akia - was already embraced in the cadastral proceedings filed by the Director of Lands. Con-sequently, the Baguio cadastral court already acquired jurisdiction over the said property. The petition, therefore, need not be pub-lished." We find no reason to break away from such conclusion.

Respondent Lutes attached to the record a certified true copy of the November 13, 1922 decision in the Baguio Townsite Reservation case to show, amongst others, that the land here involved was part of that case. Petitioners do not take issue with respondent Lutes on this point of fact.

We here reiterate our ruling in *De Castro*, supra, that the power of the cadastral court below over petitions to reopen, as in this case, is not jurisdictionally tainted by want of publication.

3. A question of transcendental importance is this: Does the cadastral court have power to reopen the cadastral proceed-ings upon the application of respondent Lutes?

The facts are: The cadastral, proceedings sought to be reopened, were instituted on April 12, 1912. Final decision was rendered on November 13, 1922. Lutes filed the petition to reopen on July 25, 1961.

It will be noted that the title of R.A. 931, heretofore trans-cribed, authorizes "the filing in the proper court, under certain conditions, of certain claims of title to parcels of land that have been declared public land, by virtue of judicial decisions rendered within the forty years next preceding the approval of this Act." The body of the statute, however, in its Section 1, speaks of par-cels of land that "have been, or are about to be declared land of the public domain, by virtue of judicial proceedings instituted within the forty years next preceding the approval of this Act." There thus appears to be a seeming inconsistency between title and body.

It must be stressed at this point that R.A. 931 is not under siege on constitutional grounds. No charge has been made here or in the courts below that the statute offends the constitutional injunction that the subject of legislation must be expressed in the title thereof. Well-entrenched in constitutional law is the precept that constitutional questions will not be entertained by courts unless they are "specifically raised, insisted upon and adequately argued." [11] At any rate, it cannot be seriously disputed that the subject of R.A. 931 is expressed in its title.

This narrows our problem down to one of legal herme-neutics.

Many are the principles evolved in the interpretation of laws. It is thus not difficult to stray away from the true path of construction, unless we constantly bear in mind the goal we seek. The office of statutory interpretation, let us not for a moment forget, is to determine legislative intent. In the words of a well-known authority, "[t]he true object of all interpretation is to ascertain the meaning and will of the law-making body, to the end that it may be enforced." [12] In varying language, "the purpose of all rules or maxims" in interpretation "is to discover the true intention of the law." [13] They "are only valuable when they subserve this purpose." [14] in fact, "the spirit or intention of a statute prevails over the letter thereof," [15] A statute "should be construed according to its spirit and reason, disregarding as far as necessary, the letter of the law." [16] By this, we do not "correct the act of the

Legislature, but rather x x x carry out and give due course to" its true intent.[17]

It should be certain by now that when engaged in the task of construing an obscure expression in the law[18] or where exact or literal rendering of the words would not carry out the legislative intent,[19] the title thereof may be resorted to in the ascertainment of congressional will. Reason therefor is that the title of the law may properly be regarded as an index of or clue or guide to legislative intention.[20] This is especially true in this jurisdiction. For the reason that by specific constitutional precept, "[n]o bill which may be enacted into law shall embrace more than one subject which shall be expressed in the title of the bill." [21] In such case, courts are compelled by the Constitution to consider both the body and the title in order to arrive at the legislative intention." [22]

With the foregoing guideposts on hand, let us go back to the situation that confronts us. We take another look at the title of R.A. 931, viz: "AN ACT TO AUTHORIZE THE FILING IN THE PROPER COURT, UNDER CERTAIN CONDITIONS, OF CERTAIN CLAIMS OF TITLE TO PARCELS OF LAND THAT HAVE BEEN DECLARED PUBLIC LAND, BY VIRTUE OF JUDICIAL DECISIONS RENDERED WITHIN THE FORTY YEARS NEXT PRECEDING THE APPROVAL OF THIS ACT." Readily to be noted is that the title is not merely composed of catchwords.[23] It expresses in language clear the very substance of the law itself. From this, it is easy to see that Congress intended to give some effect to the title of R.A. 931.

To be carefully noted is that the same imperfection in the language of R.A. 931 aforesaid - from which surfaces a seeming inconsistency between the title and the body - attended Commonwealth Act 276, the present statute's predecessor. That prior law used the very same language in the body thereof and in its title. We attach meaning to this circumstance. Had the legislature meant to shake off any legal effects that the title 'of the statute might have, it had a chance to do so in the reenactment of the law. Congress could have altered with great facility the wording of the title of R.A. 931. The fact is that it did not.

It has been observed that "in modern practice the title is adopted by the Legislature, more thoroughly read than the act itself, and in many states is the subject of constitutional regulation." [24] The constitutional injunction that the subject of the statute must be expressed in the title of the bill, breathes the spirit of command because "the Constitution does not exact of Congress the obligation to read during its deliberations the entire text of the bill." [25] Reliance, therefore, may be placed on the title of a bill, which, while not an enacting part, no doubt "is in some sort a part of the act, although only a formal part." [26] These considerations are all the more valid here because R. A. 931 was passed without benefit of congressional debate in the House from which it originated as House Bill 1410, [27] and in the Senate. [28]

The title now under scrutiny possesses the strength of clarity and positiveness. It recites that it authorizes court proceedings of claims to parcels of land declared public land "by virtue of judicial decisions rendered within the forty years next preceding the approval of this Act." That title is written "in capital letters" - by Congress itself; such kind of a title then "is not to be classed with words or titles used by compilers of statutes" because "it is the legislature speaking." [29] Accordingly, it is not hard to come to a deduction that the phrase last quoted from R.A. 931 - "by virtue of judicial decisions rendered" - was but inadvertently omitted from the body. Parting from this premise, there is, at bottom, no contradiction between title and body. In line with the views herein stated, the title belongs to that type of titles which should be regarded as part of the rules or provisions expressed in the body. [30] At the very least, the words "by virtue of judicial decisions rendered" in the title of the law stand in equal importance to the phrase in Section 1 thereof, "by virtue of judicial proceedings instituted."

Given the fact then that there are two phrases to consider, the choice of construction we must give to the statute does not need much reflection. We lean towards a liberal view. And this, because of the principle long accepted that remedial legislation should receive the blessings of liberal construction. [31] And, there should be no

quibbling as to the fact that R.A. 931 is a piece of remedial legislation. In essence, it provides a mode of relief to landowners who, before the Act, had no legal means of perfecting their titles. This is plainly evident from the explanatory note thereof, which reads:

"This bill is intended to give an opportunity to any person or claimant who has any interest in any parcel of land which has been declared as public land in cadastral proceeding for failure of said person or claimant to present his claim within the time prescribed by law.

There are many meritorious cases wherein claimants to certain parcels of land have not had the opportunity to answer or appear at the hearing of cases affecting their claims in the corresponding cadastral proceedings for lack of sufficient notice or for other reasons and circumstances which are beyond their control. Under C.A. No. 276, said persons or claimants have no more legal remedy as the effectivity of said Act expired in 1940.

This measure seeks to remedy the lack of any existing law within which said persons or claimants with meritorious claims or interests in parcels of land may seek justice and protection. This bill proposes to give said persons or claimants their day in court. Approval of this bill is earnestly requested.

In fine, we say that lingual imperfections in the drafting of a statute should never be permitted to hamstring judicial search ' for legislative intent, which can otherwise be discovered. Legal technicalities should not abort the beneficent effects intended by legislation.

The sum of all the foregoing is that, as we now view Republic Act 931, claims of title that may be filed thereunder embrace those parcels of land that have been declared public land "by virtue of judicial decisions rendered within the forty years next preceding the approval of this Act." Therefore, by that statute, the July 25, 1961 petition of respondent Belong Lutes to reopen Civil Reservation Case No. 1, GLRO Record No. 211 of the cadastral court of Baguio, the decision on which was rendered on November 13, 1922, comes within the 40-year period.

For the reasons given, the petition for certiorari is hereby granted; the cadastral court's orders of August 5, 1963, November 5, 1963 and. September 17, 1964 are hereby declared null and void; and the cadastral court is hereby directed to admit petitioners, oppositions and proceed accord-ingly.

No costs.

SO ORDERED.

Concepcion, C.J., Castro and Capistrano, JJ., did not take part.

Reyes, Dizon, Makalintal, Zaldivar, Fernando, Teehankee, and Barredo, JJ., concur.

[1] City of Baguio, et al., Petitioners, versus Hon. Pio R. Marcos, et al., Respondents, CA-G.R. No. 34909-R

[2] Extended until December 31, 1968 by Republic Act 2061, effective June 13, 1958.

[3] Emphasis supplied.

[4] The text of Section 34, Act No. 496, as amended, reads: "Any person claiming an interest, whether named in the notice or not, may appear and file an answer on or before the return day, or within such further time as may be allowed by the court. The answer shall state all the objections to the application, and shall set forth the interest claimed by the party filing the same and apply for the remedy desired and shall be signed and sworn to by him or by some person in his behalf."

[5] See also: Aduan vs. Alba, G.R. No. L-17046, April 25, 1961.

[6] Emphasis supplied.

[7] On the Director of Lands is primarily lodged the power of executive control, administration, management, distribution and disposition of public lands. *Director of Lands vs. Lim*, 91 Phil. 912; *Mari vs. Sec-retary*, 92 Phil. 410, 414; *Kiamko vs. Maceren*, 92 Phil. 1057, 1060; *Lubugan vs. Castrillo*, 101 Phil. 1229, 1230; *Municipality of San Carlos vs. Morfe*, G.R. No. L-17990, July 24, 1962; *Jarnisola vs. Balles-teros*, G.R. No. L-17466, September 18, 1965; *Ganitano vs. Secretary*, G.R. No. L-21167, March 31, 1966.

[8] Rule 143, Rules of Court, provides: "These rules shall not apply to land registration, cadastral and election cases, naturalization and insolvency proceedings, and other cases not herein provided for, except by analogy or in a suppletory character and whenever practicable and convenient." Emphasis supplied.

[9] Section 2, Rule 12, Rules of Court.

[10] See: *De Castro vs. Marcos*, G.R. No. L-26093, January 27, 1969.

[11] I Tañada and Carreon, *Political Law of the Philippines*, 1961 ed., p. 412, citing *Santiago vs. Far Eastern*, 73 Phil. 438 and *Phil. Ass'n. of Coll. & Univ. vs. Secretary of Education*, 51 O.G. 6230.

[12] Black, *Construction and Interpretation of the Laws*, 2nd ed., p. 11.

[13] 82 C.J.S., p. 526.

[14] *Sedalia vs. Smith*, 104 S. W. 15, 19.

[15] *Tañada vs. Cuenco*, G.R. No. L-10520, February 28, 1957, citing 82 C.J.S., p. 613.

[16] *Lopez & Sons, Inc. vs. Court of Tax Appeals*, 100 Phil. 850, 855.

[17] *Id.*

[18] 82 C.J.S., p. 731. See: *Commissioner of Customs vs. Relunia*, G.R. No. L-11860, May 29, 1959.

[19] *Bell vs. New York*, 11 N.E. 495, 497, citing *Smith vs. People*, 47 N.Y. 330; *People vs. Davenport*, 91 N.Y. 574.

[20] 82 C.J.S., p. 734. See: *Pruitt vs. Sebastian County Cole and Mining Co.*, 222 S.W. 2d. 50, 57, citing *Reynolds vs. Holland*, 35 Ark. 56.

[21] Section 21(1), Article VI, Constitution; emphasis supplied.

[22] 37 A.L.R., p. 952, citing *Joyce vs. Woods*, 78 Ky. 386. See also p. 937, referring to *O'Connor vs. Nova Scotia Teleph. Co.*, 22 Can. S.C. 276, reversing 23 N.S. 509.

[23] Cf. *People vs. Yabut*, 58 Phil. 499, 504, which in substance held that "mere catchwords" cannot control the body of the statute, which is otherwise unambiguous.

[24] *Sedalia vs. Smith*, *supra*, at pp. 19-20.

[25] *Lidasan vs. Commission on Elections*, L-28089, October 25, 1967.

[26] *Sedalia vs. Smith*, *supra*, at p. 20.

[27] See: *Congressional Record (House of Representatives)*, vol. II, Second Congress, Second Regular Session, pp. 1921-1922.

[28] See: *Congressional Record (Senate)*, vol. IV, Second Congress, Fourth Session, pp. 1108-1109.

[29] *Berger vs. Jackson*, 23 So. 2d. 265, 267.

[30] See: *People vs. Lamphier*, 172 N.Y.S. 247, 248-249; *Newman vs. Newman*, 91 N.Y.S. 2d. 330, 331.

[31] *Manila Railroad Co. vs. Attorney General*, 20 Phil. 523, 530; *Rodrigo vs. Cantor* (unreported), L-4398, May 28, 1952, 91 Phil. 918; *Maniego vs. Castelo*, 101 Phil. 293, 296, citing *Sibulo vs. Altar*, 83 Phil. 513.

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