

CELSO DAYRIT, PLAINTIFF AND APPELLEE, VS. GIL GONZALEZ, DEFENDANT AND APPELLANT.

G.R. No. 2787. December 11, 1906

Ponente: TRACEY, J.

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TRACEY, J.:

This is an action originally brought in the court of the justice of the peace and tried in the Court of First Instance. A carabao stolen from the plaintiff passed, through documents of title, into the possession of the defendant, who in good faith claimed ownership. The evidence as to the identity of the beast and to the priority of possession fully sustains the judgment of the lower court, which is affirmed.

The appellant has filed documents tending to show that the carabao is dead. These documents form no part of the proofs before us and the consequence of the loss of the property is to be left for adjustment hereafter. After expiration of twenty days let judgment be entered in accordance herewith and ten days thereafter the record remanded to the court below for proper action. So ordered.

Arellano, C. J., Torres, Mapa, Carson, and Willard, JJ., concur.

Johnson, J., did not sit in this case.

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