

SEIJI SAISHO, FELISA SAISHO Y CELSO SAISHO, RECURRENTES, CONTRA OCMOY (BAGOBA), RECURRIDA.

G.R. No. 47242. September 27, 1941

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HORRILLEN, M.:

Este es un recurso de certiorari presentado por Seiji Saisho, Felisa Saisho y Celso Saisho en el que se pide que se revise y revoque la decision del Tribunal de Apelaciones, promulgada el dia 28 de noviembre de 1939, conrmando en todas sus partes la del Juzgado de Primera Instancia de Davao, dictada el 20 de enero de 1938, en la que se declaraba duena legitima y exclusiva del terreno cuestionado a la demandante Ocmoy (bagoba), la recurrida en este expediente, y ordenando, al propio tiempo, a los demandados, aqui recurrentes, que traspasen dicho terreno a aquella y paguen la suma de P560, importe de los productos de la plantacion de la demandante, mas P200, que es el canon percibido de Oisho, debiendo dichas sumas computarse desde el año 1931 hasta la entrega a su dueña del terreno en litigio. El Tribunal de Apelaciones confirmo la sentencia del Juzgado de Primera Instancia de Davao, sin modification ninguna tanto en las conclusiones de hecho como de derecho.

Avancena, Pres., Santos, Diaz, y Ozaeta, MM., estan con formes.

Moran, M., esta conforme con el resultado.

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