

JOSE COJUANGCO, PETITIONER AND APPELLEE, VS. MANUEL RODRIGUEZ ET AL., RESPONDENTS AND APPELLANTS.*G.R. No. 5359. February 23, 1910*

Ponente: MORELAND, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-5359/>**MORELAND, J.:**

The petitioner in this case asks for the registration of two parcels of land under the Torrens system, as follows:

One parcel having an area of 243 hectares, 35 ares, and 32 centares, and the other an area of 3 hectares, 30 ares, and 85 centares, both parcels being situated in the barrio of Canan, municipality of Paniqui, Province of Tarlac.

The registration of these lands was opposed by three different oppositors. Manuel Rodriguez and the other heirs of Antonio Rodriguez, deceased, claimed in opposition to the petition herein that they were the owners of 43 quinones, 6 loanes, and 40 square brazas of the first parcel above mentioned by virtue of the fact that the said Antonio Rodriguez, deceased, had purchased said land from Emigdio Navarro and Alfonso Torres on the 23d day of October, 1894. Ponciano Diemsen claimed to be the owner of 2 hectares, 9 ares, and 60 centares of the said first parcel above described by virtue of a purchase from Juan Valdez. Arcadio Pagua, as administrator of the estates of Antonio de Roxas and Rafaela Pagua, claimed that 3 hectares of the first parcel belonged to the heirs of said Antonio de Roxas, deceased. It appears that the lands mentioned in the petition contain something over 80 hectares more, than the total of all the lands described in the documents of title introduced in evidence by the petitioner. The court below, after a careful consideration of the evidence relating to the quantity of land owned by the petitioner, arrived at the conclusion that the petitioner had included in the lands described in his petition, and also in the plan filed by him therewith, several parcels of land not described in his muniments of title and that the proofs did not justify him in claiming this excess. The court below accordingly dismissed the petition as to that portion of the lands described therein in excess of the amount of land described in the documents of title. From this portion of the decision of the court below the petitioner did not appeal.

The main question in this case arises from the opposition of Manuel Rodriguez and others with reference to that portion of the first parcel of land above-mentioned obtained by the petitioner by purchase from Emigdio Navarro. As before stated, the oppositors found their objection to the registration of the land in question in the claim that Emigdio Navarro had sold said land to the father of the oppositors, Antonio Rodriguez, on the 23d day of October, 1894. It appears, however, from Exhibit U, introduced in evidence by the petitioner, that the said Antonio Rodriguez, as civil governor of the Province of Tarlac, on the 12th day of November, 1894, transferred said land to said Emigdio Navarro, which said transfer was the last step necessary to complete the purchase of said land by said Navarro at a public sale which took place in 1889. It appears clearly established from the proofs that from the time of said transfer, namely, November 12, 1894, said Navarro continuously possessed the land thus obtained down to the time when he sold it to the petitioner in this case. At the time of the sale to the petitioner the said Navarro was not only in possession of said land but also in possession of Exhibit U and of the old documents of title, Exhibits V, W, and X, relating to the land in question. There is no proof in the case tending to show that the petitioner herein had any knowledge whatever of any claim laid to said lands on the part of the

oppositors or had any knowledge that Rodriguez claimed to have been the purchaser of said lands, The court below well says:

"That it does not appear anywhere in the case that the petitioner knew of the pretensions to said lands on the part of said oppositors or that the petitioner did not buy the lands of Navarro in good faith. Good faith is always presumed (article 34 of the Civil Code), and after leaving Emigdio Navarro in possession of the said land and the document Exhibit U for a period of twelve years prior to the sale to the petitioner, the oppositors may not now maintain as against the petitioner the pretended acquisition of the title to said lands by their father from Navarro a month before the execution of Exhibit U. The opposition of Manuel Rodriguez and others is overruled."

After a careful examination of the record and the proofs, we find ourselves fully in accord with the conclusions of the court below. Even conceding that said Emigdio Navarro was the real owner of the lands in question on the 23d day of October, 1894, and that on that date he executed and delivered a private document of sale to the said Manuel Rodriguez of the lands in question, it is, nevertheless, a fact that in the year 1906 he executed and delivered a public document of sale of the same land to the petitioner, Jose Cojuangco, who took said land in good faith and without knowledge of said private document and while said land was in the possession of his vendor. Article 1473 of the Civil Code reads as follows:

"Art. 1473. If the same thing should have been sold to different vendees, the ownership shall be transferred to the person who may have first taken possession thereof in good faith, if it should be personal property.

"Should it be real property, it shall belong to the person acquiring it who first recorded it in the registry.

"Should there be no entry, the property shall belong to the person who first took possession of it in good faith, and, in the absence thereof, to the person who presents the oldest title, provided there is good faith."

It is undisputed that neither document was registered and that the petitioner in this case first took possession of the land in question in good faith.

The judgment of the court below is hereby affirmed, with costs against the appellants. So ordered.

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

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.