

THE MUNICIPALITY OF LAOAG, PETITIONER AND APPELLANT, THE DIRECTOR OF LANDS ET AL., OBJECTORS AND APPELLEES.

G. R. No. 7922. August 27, 1915

Ponente: JOHNSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-7922/>

JOHNSON, J.:

On the 31st day of August, 1908, the plaintiff presented a petition in the Court of Land Registration for the purpose of obtaining the registration, under the torrens system, of three parcels of land, particularly described in paragraph 1 of the complaint. The registration of said parcels of land was opposed by the said defendants and appellees.

The plaintiff alleges that it had acquired said property by reason of its immemorial occupation of the same.

After hearing the evidence, the Honorable James A. Ostrand, auxiliary judge of the Court of Land Registration, in a carefully prepared opinion, reached the conclusion that the plaintiff was not entitled to have said parcels of land registered in its name. The dispositive part of said decision is as follows: "It has not been proved that the lands above mentioned were granted to the municipality, as patrimonial property, by the state, nor has it been shown that they were used for municipal purposes, properly speaking. Giving to the decision of the Supreme Court of these Islands in the case of the Municipality of Tacloban ". The Director of Lands (18 Phil. Rep., 201) the logical interpretation it requires, this court can pursue no other course than to sustain the adverse claim of the Director of Lands and deny the petition. (See also Valenton vs. Murciano, 3 Phil. Rep., 537.) The petition in this case is therefore denied. So ordered."

From that decision the plaintiff appealed to this court. The appeal, presents a question of fact only.

After an examination of the record brought to this court, we are convinced that the facts stated in the decision of the lower court are in accordance with a preponderance of the proof adduced during the trial of the cause. The facts in the present case are very analogous to the facts in the case of the Municipality of Tacloban vs. The Director of Lands (18 Phil. Rep., 201). In that case this court said:

"The mere fact that the municipality of Tacloban continued to charge and collect rents from the persons who built houses upon and occupied portions of the same land is not proof that said municipality was the proprietor, for, as it had erected thereon no building intended for the service of the pueblo—a circumstance which, had it existed, would have led to the presumption that, in obtaining permission to erect the building, it also obtained a grant, if only an implied one, of the land, from the Government in the name of the state—in order that the said municipality may be deemed to be the owner of the land in question, it must prove that an express grant of the said land, as one of the properties that form a part of its patrimony, was made to it by the Government."

(Municipality of Luzuriaga vs. The Director of Lands, 24 Phil. Rep., 193, 201.)

After a careful examination of the evidence brought to this court, we are of the opinion and so hold that the proof adduced by the petitioner (the municipality) is not sufficient to justify the conclusion that it is the owner in fee

simple of the land in question and therefore is not entitled to have the same registered under the torrens system. The judgment of the lower court is therefore hereby affirmed, with costs. So ordered.

Arellano, C. J., Torres, Carson, Trent, and Araullo, 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.