

THE ROMAN CATHOLIC BISHOP OF NUEVA SEGOVIA, PETITIONER AND APPELLANT, VS. THE GOVERNMENT OF THE PHILIPPINE ISLANDS ET AL., OPPONENTS AND APPELLEES.

G.R. No. 7999. December 19, 1913

Ponente: MORELAND, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-7999/>

MORELAND, J.:

This is an appeal from a judgment of the Court of Land Registration denying the registration of the title to certain parcels of land prayed for by the petitioner.

The prayer is for the registration of the title to 51 parcels of land in various municipalities of the Province of Ilocos Norte. Titles to certain of the parcels were refused registration by the court and appeals were taken in these cases.

The questions presented on the appeal are very largely those of fact. We have carefully taken up one by one the parcels involved in this appeal and have examined the plan and the evidence, both documentary and oral, presented in reference thereto. In each one of them we find the decision of the court thoroughly sustained by the evidence. By this we do not mean to say that evidence to the contrary was not found in each case, but in none would we feel justified in holding that the decision of the court was against the fair preponderance of the evidence. Neither the petitioner nor the respondents presented paper titles. Their rights are founded upon possession merely.

The petitioner presented what it claims to be a title to a large part of the land involved in the litigation. We do not so consider it. It consists merely in a certificate executed by the Archbishop in which he asserts that the Church is the owner of the lands described therein. This certificate was registered in the registry of property. This certificate is merely a self-serving statement issued by the person in interest. It does not have the force or effect of an instrument issued by a Government official upon any proceeding relating to the ownership of lands known to the Spanish law in force at the time the certificate was made. It is not a title known as a *composicion con el estado* nor is it a title known as an *informacion posesoria*. We have been cited to no law which gives to the registration of such a certificate any force or effect as a title, particularly against persons who were in possession of the land or who had an interest therein at the time the certificate was made and registered. It appears in the evidence in this case that all of the respondents who are here as appellees, either by themselves or their predecessors in interest, were in possession of the parcels of land to which they make claim of ownership at the time this certificate was made and registered.

The only evidence of title being parol testimony relative to possession, we must, perforce, follow the judgment of the trial court as to the relative credibility of the witnesses who testified for the parties, there appearing nothing in the record indicating that the judge erred in that regard. The credibility of the witnesses having been disposed of, the only remaining question is the due appreciation of the probative force of the evidence adduced. As we have already said, a careful examination of the evidence relative to each parcel concerning which there is a contest does

not disclose grounds upon which we may consistently declare that the trial court in any particular instance resolved the questions involved against the fair preponderance of the evidence.

The appellant objects to the form of the decree registering title to the parcels of which the court found the petitioner the owner. The court decreed the registration of a number of parcels of land in favor of the Roman Catholic Bishop of Nueva Segovia "in trust for the use, purpose, behoof, and sole benefit of the Roman Catholic Apostolic Church in these Islands." The purpose of the court in framing the decree in this wise was evidently to comply with the provisions of section 157 of the Corporation Law (Act No. 1459) as it understood them. This section provides that, where a bishop or other prelate mentioned has filed the certificate required by section 154 and following sections of the Corporation Law, he "shall become a corporation sole, and all temporalities, estates, and properties of the religious denomination, society, or church, theretofore administered or managed by him as such bishop, chief priest, or presiding elder shall be held in trust by him as a corporation sole, for the use, purpose, behoof, and sole benefit of his religious denomination, society, or church, including hospitals, schools, colleges, orphan asylums, parsonages, and cemeteries thereof."

We are of the opinion that the contention of the appellant in which it claims that the decree should be modified by striking out that portion which provides that the registration shall be in trust for the use, purpose, behoof, and sole benefit of the Roman Catholic Apostolic Church in these Islands must be sustained. There is a large difference between registering title in the name of the Roman Catholic Bishop of Nueva Segovia in trust for the Roman Catholic Apostolic Church and in registering title in the name of the Roman Catholic Apostolic Church. In the one case the title would be in the Roman Catholic Bishop of Nueva Segovia, while in the other it would be in the Roman Catholic Church. In the one case the Church has only the beneficial use, in the other it has absolute ownership. In the one case the Roman Catholic Apostolic Church is a cestui que trust, in the other the owner. The form of the decree as made by the Court of Land Registration would result, if strictly construed, in defeating the purposes of the law which it sought to follow instead of carrying out its provisions. The proper way to proceed is to decree the registration of title in the name of the petitioner as in any other case. After the decree is entered, the Corporation Law, section 157, operates and declares that the title to the property is in the Roman Catholic Apostolic Church, where, in all these cases, it is found to be, and the Bishop of Nueva Segovia is administering it as the representative of that Church. Moreover, it has been the practice in the courts of the Islands to bring actions and proceedings in favor of the Roman Catholic Apostolic Church in the name of the archbishop or the bishop of the locality, it having been held by this court repeatedly, and it being generally understood, that any judgment rendered in such an action or proceeding is in favor of or against the Roman Catholic Apostolic Church and not in favor of or against the archbishop or the bishop individually or as a separate and independent corporation.

The decree of registration is hereby modified by striking out the phrase "in trust for the use, purpose, behoof, and sole benefit of the Roman Catholic Apostolic Church in these Islands," and, as so modified, is affirmed. No costs in this instance.

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