

LIBRADO MANAS ET AL., PLAINTIFFS AND APPELLEES, VS. MARIA RAFAEL, DEFENDANT AND APPELLANT.

G.R. No. 8689. March 30, 1914

Ponente: CARSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-8689/>

CARSON, J.:

Both plaintiffs and defendant claim title to the land in question by right of purchase from the original registered owner. The evidence fully sustains the trial judge in his findings: First, that Regino Bunduk, the original registered owner of this land, executed a deed of sale thereof in favor of one Pedro Manas, plaintiffs' predecessor in interest, on the 8th of August, 1893, and that a cautionary note (anotacion preventiva) of this instrument was entered in the land register on August 11, 1893; second, that this land was purchased by defendant's predecessor in interest at a judicial sale of the property of Regino Bunduk, the original registered owner, on May 2, 1892, and that his title thereto was duly registered on the 8th of September 1893; and, third, that the land in question had been in the undisturbed possession of defendant and her predecessors in interest from the date of this judicial sale in the year 1892 down to the date of the institution of this action, a period of between eighteen and nineteen years.

Upon these findings of fact, and in accord with the doctrine frequently announced by this court, the trial judge held that the title of plaintiffs must be held to prevail over that of the defendant under the provisions of article 1473 of the Civil Code, which are as follows:

"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."

The only question as to the correctness of this ruling by the trial judge which need be considered is the contention of defendant's counsel that the provisions of this article are not applicable, because the title of Pedro Manas, plaintiffs' predecessor in interest, was not duly registered, the evidence disclosing merely that a precautionary notice was entered on the land register on the 11th of August, 1893.

It appears however that the precautionary annotation in the land registry bearing date of August 11, 1893, expressly sets forth that the deed was not definitely and formally registered "for lack of the necessary indexes" (por falta de indices), and precautionary annotations of this kind were given the effect of definite, registries by the Royal Decree of June 15, 1897.

The judgment entered in the court below should be and is hereby affirmed, with the costs of this instance against the appellant.

Arellano, C. J., Moreland, 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.