

TRANQUILINA ALCALA AND SEGUNDO ALVIEDO, PLAINTIFFS AND APPELLANTS, VS. PEDRO HERNANDEZ AND POTENCIANA PACLEB, DEFENDANTS AND APPELLEES.

G.R. No. 9336. December 23, 1915

Ponente: ARELLANO, C.J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-9336/>

ARELLANO, C.J.:

Tranquilina Alcala, assisted by her husband Segundo Alviedo, states in her complaint that a piece of land (called Nalbo and specified in no other manner) situated in the municipality of Luna, Province of La Union, capable of producing a crop of ten uyones of rice, had been in the possession of Pedro Hernandez and Potenciana Pacleb since 1894, and that subsequently, on March 29, 1909, she sold it to them for the sum of P700. On August 11, 1911, the plaintiff brought proceedings to recover the value of the fruits collected from the land during the fifteen years which elapsed between 1894 and 1909.

Defendants acknowledged that they knew what land the complaint referred to and they also called it the Nalbo land; but they asked that its sale to them by the plaintiff be avoided for the reason that the land did not belong to the latter, as defendants had mistakenly believed it did; and they prayed that plaintiff be ordered to return to them the P700 they had paid for the land.

Plaintiff, by her complaint, seeks to obtain as the fruits of said land during the fifteen years that defendants had been in its possession, 120 uyones of rice, or, in default thereof, P3,600, besides P1,000 for losses and damages.

The Court of First Instance of La Union, which tried the case, dismissed it, with the costs against the plaintiff Alcala. The latter appealed. On appeal the appellant set up as an assignment of error that the lower court held that she had waived all claim against the defendants, not only with respect to the land but also with respect to its products.

We find the grounds of the judgment appealed from to be entirely in accord with the law.

Tranquilina Alcala executed two instruments in behalf of Potenciana Pacleb, in accordance with which the purchase price was paid in two installments, one instrument being executed for each installment (Exhibits B and C). In the first instrument the vendor's husband stated: "* * * and by reason of all the foregoing, my said wife waives absolutely all the right she may have to the ownership of the same." In the second instrument the same vendor, Tranquilina Alcala, says: "Finally, I hereby record that, as I have already received the total sum of P700, to my entire satisfaction, I absolutely will not raise any question whatsoever with reference to the property referred to in this instrument."

And from this last instrument, which is the final deed of sale, the following statement made by the plaintiff Alcala should be here transcribed: "I sell and convey it for the sum of P700 to Potenciana Pacleb * * * as we had previously agreed to do between ourselves and Leoncio Pacleb, now deceased, who, since the year 1872, was in possession of that part of the land, and after the execution of a formal contract before a notary public on March

19, 1907 (Exhibit B)f in behalf of the aforementioned purchaser and her said husband Pedro Hernandez, who also, since the year 1894, were in possession of the part referred to; this part of said property is included in the plan which said purchaser has in her possession—that is, of the eastern and southern part shown on this same plan." (Exhibit C.)

Besides the preponderance of proof found by the trial judge in his examination of the testimony presented by both parties, there is the tenor of the two deeds of sale executed by the plaintiff Alcala in which she recognizes the possession of Leoncio Pacleb since the year 1872 and that of Potenciana Pacleb since 1894; this possession in the best of good faith is superior to even the legal presumption that exists in favor of these possessors Leoncio and Potenciana.

"The fruits collected in good faith by a possessor during the time the possession is not legally interrupted become his own." (Civ. Code, art. 451.)

In the present case, the possession was at no time legally interrupted since 1872, as recognized by the plaintiff Alcala.

The complaint is absolutely unfounded.

The judgment appealed from is affirmed, in the sense that the defendants are absolved from the complaint, with the costs of both instances against the plaintiff. So ordered.

Torres, Johnson, Carson, Moreland, Trent, and Araullo, JJ., concur.

Judgment affirmed.

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.