

SANTOS v. ROMAN CATHOLIC CHURCH.

212 U. S. Syllabus.

The effect of the proof wherever made was not to confer title, but simply to establish it, as already conferred by the decree, if not by earlier law. The royal decree of February 13, 1894, declaring forfeited titles that were capable of adjustment under the decree of 1880, for which adjustment had not been sought should not be, construed as a confiscation, but as the withdrawal of a privilege. As a matter of fact, the applicant never was disturbed. This same decree is quoted by the Court of Land

Registration for another recognition, of the common law prescription of thirty years as still running against alienable crown

land.

It will be perceived that the rights of the applicant under the Spanish law present a problem not without difficulties for courts of a different legal tradition. We have deemed it proper on

that account to notice the possible effect of the change of sovereignty and the act of Congress establishing the fundamental

principles now to be observed. Upon a consideration of the whole case we are of opinion that law and justice require that the applicant should be granted what he seeks, and should not be deprived of what, by the practice and belief of those among

whom he lived, was his property, through a refined interpretation of an almost forgotten law of Spain.

Judgment reversed.

SANTOS v. HOLY ROMAN CATHOLIC AND APOSTOLIC CHURCH, PARISH OF TAMBOBONG.

ERROR TO THE SUPREME COURT OF THE PHILIPPINE ISLANDS.

No. 73. Submitted January 13, 1909.-Decided February 23, 1909.

A finding by the Supreme Court of the Philippine Islands that the parties sued as defendants do not constitute a judicial entity such as a *colradia*, is not open to reexamination in this court.

Where the reasons of the Supreme Court of the Philippine Islands for refusing to grant a new trial on ground of newly discovered evidence

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