

Title: In Re: Estate of Jose V. Ramirez. Angela M. Butte vs. Esperanza Ramirez de Cortabitarte, et al.

Facts:

Jose V. Ramirez, a Filipino, died in Zurich, Switzerland on October 20, 1951. Shortly thereafter, petitioner Jose Eugenio Ramirez de la Cavada, brother of the deceased, sought the probate of what he claimed to be the last will and testament of the deceased, Exhibit C. The legitimacy of this will was contested by the legitimate children of the deceased—Esperanza, Elsa, Lily, and Horacio Ramirez—all arguing that Exhibit C did not fulfill the necessary conditions for validity and had not been executed with the required formalities.

Opposition to the probate was joined by movants and appellees who were creditors of the estate, represented by their attorney-in-fact, Jose Ma. Cavanna. Angela M. Butte, named in Exhibit C as heir to one-third of the estate, filed two separate appeals—G.R. No. L-6601, contesting the appointment of the Bank of the Philippine Islands as the regular administrator of the estate, and G.R. No. L-6602, contesting the denial of probate of the will—upon the grounds that she was denied due process and that the instrument had been executed as law requires.

Issues:

1. Whether Angela M. Butte has the right to intervene in this case as she was named in the unprobated will as an heir.
2. Whether the motions for reconsideration filed by Butte suspends the running of the reglementary period for perfecting an appeal when questioning the appointment of a regular administrator during the probate of a will.
3. Whether the appointment of a regular administrator pending the probate of a will contradicts Rule 81, Section 1 of the Rules of Court that mandates for a special administrator when there is a delay in granting letters testamentary or of administration due to appeal or other causes.
4. Whether the lower court erred in denying the probate of Exhibit C as the last will and testament of decedent Jose V. Ramirez.

Court's Decision:

The Supreme Court, in ruling on both appeals, recognized the rights of Angela M. Butte to be involved in the proceedings as a named heir in the unprobated will and determined that since the denial of probate had not yet become final, her interests were still validly at stake.

Additionally, the Supreme Court found that the motions for reconsideration did indeed suspend the running of the period to appeal.

The Court held that the appointment of a regular administrator while the probate of a will was being appealed contradicted the Rules of Court, which specify the need for a special administrator in such circumstances to take charge of the estate.

Most significantly, the Supreme Court reversed the lower court's decision on the second appeal (G.R. No. L-6602) and admitted Exhibit C to probate on the grounds that despite the attesting witnesses' testimony against the due execution of the will or failing to remember testifying, the Court, upon reviewing other evidence, concluded that the will had been executed in the manner required by law. The Supreme Court invoked Rule 77, Section 11, to refute the lower court's findings, which creates a presumption of regularity upon proof of the genuineness of signatures.

Doctrine:

When a will contains an attestation clause reciting an observance of all statutory requirements in its execution, a rebuttable presumption of the due execution of the will arises upon proof of the genuineness of the signatures of the testator and the witnesses. The will may still be admitted to probate unless that presumption is overcome by evidence showing a fatal irregularity. Requisite formalities must be proved by a preponderance of evidence before probate can be denied.

Historical Background:

The case illustrates a period in Philippine legal history when issues of probate, the rights of named heirs in testamentary dispositions, and the responsibilities of witnesses during the execution of wills were subject to rigorous scrutiny by the courts. The ruling reaffirms the respect for the last will of an individual (in this case, Jose V. Ramirez) and highlights the presumption of regularity accorded to a will that on its face appears to be properly executed, notwithstanding uncertain or adverse witness testimonies. It also shows the evolving jurisprudence on the special role of special administrators versus regular administrators in the interim period before a will is probated.