

****Title:**** Mercado v. Santos & Daza: The Case of Probated Will and Alleged Forgery

****Facts:****

The intricate journey of Atilano G. Mercado's legal ordeal began with a seemingly simple action—filing a petition for probate of his deceased wife, Ines Basa's will, in the Court of First Instance of Pampanga on May 28, 1931. The probate was smoothly granted on June 27, 1931, with no opposition and based solely on the testimony of an attesting witness. However, the tranquility was short-lived.

The commencement of a relentless legal assault was marked by the filing of a complaint against Mercado by intervenor Rosario Basa de Leon for falsification or forgery of the probated will in October 1932. This charge initiated a cycle of arrests, postings of substantial bonds, engagement of legal counsel, and eventual dismissals of the complaints—a cycle that repeated thrice, with each new complaint surfacing after the dismissal of the previous one.

Undeterred by the successive dismissals, the Provincial Fiscal of Pampanga, Iñigo S. Daza, resurrected the accusation by moving for a reinvestigation in May 1934. This move led to yet another arrest and bond posting by Mercado. Stretched over nearly a year, the reinvestigation culminated in the Court's decision to proceed to trial on the merits, despite Mercado's demurrer asserting the conclusive effect of the will's probate against allegations of forgery. Mercado's subsequent efforts to quash the criminal proceedings via petitions for certiorari and preliminary injunctions first saw temporary success but ultimately faltered when the Court of Appeals, despite a dissenting opinion, denied his petition and dissolved the injunction, thus prompting Mercado's appeal to the Supreme Court on certiorari.

****Issues:****

1. Whether the probate of a will by a competent court bars subsequent criminal prosecution for its alleged forgery.
2. Whether Mercado was denied the constitutional right to a speedy trial.

****Court's Decision:****

The Supreme Court decisively overturned the Court of Appeals' ruling, addressing each legal issue in depth.

1. ****Probate vs. Forgery Allegations****: The Court held that a will's probate by a competent court is conclusive regarding its due execution and bars any criminal prosecution for forgery. Drawing from sections 306 and 625 of the Code of Civil Procedure alongside

jurisprudence, the Court underscored the principle that judicial probate rulings bind all, including the state, thereby rendering any proof to contest the will's genuineness inadmissible.

2. **Right to a Speedy Trial**: Scrutinizing the protracted process marked by multiple arrests, bond postings, and legal maneuvers spanning several years, the Court concluded that Mercado was unjustly deprived of his constitutional right to a speedy trial. Notably, the Court criticized the use of the justice system as a tool for oppression and reiterated the inviolability of the right to a prompt resolution of criminal charges.

Doctrine:

The probate of a will by a court with jurisdiction is conclusive as to its execution, effectively barring subsequent criminal prosecution for forgery of the will. Furthermore, an accused individual's constitutional right to a speedy trial must be upheld, free from oppressive and vexatious delays.

Class Notes:

- **Conclusiveness of Probated Wills**: A probated will's execution cannot be contested in subsequent legal proceedings, except on grounds of fraud, which must be raised in a timely manner.
- **Right to a Speedy Trial**: The Constitution guarantees an accused's right to a prompt trial, safeguarding against arbitrary and capricious delays by either the prosecution or judicial processes.

Historical Background:

The Mercado v. Santos & Daza case epitomizes the Philippine legal system's rigorous adherence to procedural law and the sanctity of probate proceedings, as well as a staunch defense of constitutional rights. Occurring in the early 20th century, this case reflects the evolving legal standards and judicial perspectives in the Philippines, emphasizing the imperative of safeguarding individual rights amidst legal contests over wills and estates, and underlines the judiciary's role in protecting citizens from undue prosecutorial zealotry and procedural abuses.