

**\*\*Title:\*\*** In Re Will of Dolores Coronel: Lorenzo Pecson vs. Agustin Coronel et al.

**\*\*Facts:\*\*** Dolores Coronel executed a will on July 1, 1918, favoring her nephew Lorenzo Pecson, thereby disinheriting other blood relatives. The will, prepared under the supervision of Attorney Vicente J. Francisco, named Pecson both as the sole beneficiary and the executor without the requirement of a bond, with a substitute executor being Victor Pecson in case of Lorenzo's incapacity. After Coronel's death, Lorenzo Pecson filed for the probate of the will. Opposition was raised by various relatives of Coronel, who contested the will's validity on grounds that it did not accurately reflect the deceased's true intentions and failed to comply with the formal requirements stipulated in section 618 of the Code of Civil Procedure, as amended by Act No. 2645. The Court of First Instance of Pampanga admitted the will to probate, leading to an appeal to the Supreme Court by the opposing relatives.

**\*\*Issues:\*\*** The Supreme Court was tasked with determining: (1) whether the document truly reflected Dolores Coronel's last will, especially given the complete disinheritance of her blood relatives, and (2) whether the attestation clause complied with the mandated legal formalities, specifically if it sufficiently indicated that the witnesses signed the will in the presence of each other and of the testatrix.

**\*\*Court's Decision:\*\*** The Supreme Court upheld the lower court's decision, affirming the will's probate. The Court found no compelling evidence that Coronel's intention deviated from what was expressed in her will. It reasoned that the liberty to dispose of one's property through a will, even in the absence of forced heirs, is a sacred right preserved under the Civil Code. Regarding the attestation clause, despite its phrasing not perfectly mirroring the statute's requirements, the Court interpreted "in the presence of others" as meaning "in the presence of the other witnesses," thereby satisfying the legal mandate for mutual witnessing. The Court underscored that minor clerical or grammatical inaccuracies should not obstruct the clear intent of a testator as discernible from the will's content.

**\*\*Doctrine:\*\*** The decision reinforces several legal doctrines:

1. Testator's Liberty: A person with no forced heirs can dispose of their property as they see fit.
2. Interpretative Leniency: Minor clerical or grammatical errors in a will's attestation clause should not invalidate the will if its intent is clear and the substantive requirements are met.

**\*\*Class Notes:\*\***

- Testate succession principles allow a testator considerable freedom in disposing of their

estate, subject to the strict compliance with formal requirements for wills.

- For a will to be valid, it is crucial that witnesses sign in the testator's presence and in the presence of each other, fostering transparency and mitigating the risk of fraud.
- Legal status of minor clerical or grammatical errors: Such errors in the attestation clause do not necessarily invalidate a will if the intention of the testator is clear and the essence of the legal requirements is respected.

**\*\*Historical Background:\*\*** The case "In Re Will of Dolores Coronel" emerged during a period when the Philippines' legal system underwent transitions from Spanish to American influences, including the adaptation of the Code of Civil Procedure. This historical context influenced legal standards for will execution and probate, reflecting a blend of civil law heritage and American procedural norms. The decision illustrates the Philippine judiciary's role in interpreting statutory requirements for wills, emphasizing the principle of effectuating the testator's intent within the bounds of legal formalities.