CHARLES H. FERRIER, PLAINTIFF AND APPELLEE, VS. WM. VAN BUSKIRK, DEFENDANT AND APPELLANT.

G.R. 4351. February 29, 1908

Ponente: WILLARD, J.

Read online (full-text search, related cases, audio case brief): https://batas.org/library/g-r-4351/

WILLARD, J.:

PROMISSORY NOTE; PLEADING AND PRACTICE.—From the Court of First Instance of Manila. The plaintiff sued upon certain promissory notes; the defendant alleged payment. Plaintiff1, without amending his complaint, introduced evidence to show that part of the money paid was for services rendered and was not applied upon the notes. The failure to amend was held to constitute a denial of the defendant's allegation as to the application of the payments and that the evidence was properly admitted. Judgment for plaintiff affirmed.

Per Willard, J.

For appellant: Kincaid & Hurd.
For appellee: Hartigan, Rohde & Gutierrez.

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.