

CARMEN M. PASCUAL, ET AL., PLAINTIFFS-APPELLANTS, VS. RAMON MENESES, ET AL., DEFENDANTS-APPELLANTS, FRANCISCO DE LOS REYES, ET AL., INTERVENORS.*G. R. No. 18838. May 25, 1967*

Ponente: CONCEPCION, C.J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-18838/>**CONCEPCION, C.J.:**

This is an action to establish title to and recover certain real properties, as well as for the partition and an accounting of the fruits and/or income thereof.

The parties are the descendants of Celedonio Meneses and his wife, Ana Asuncion. The couple had four (4) children, namely, Alejandro, Anacleto, Fernando and Cirila, all of whom, with the exception of Alejandro, who pre-deceased his mother, survived their parents. All of them are now deceased. To avoid unnecessary repetition, the parties herein will hereafter be referred to by their Christian names only, except when the surname of the person concerned is not Meneses.

The plaintiffs are the surviving grandchildren[1] and great grandchildren of Alejandro,[2] the surviving grandchildren of Fernando[3] and the surviving children[4] and grandchildren[5] of Cirila. The principal defendants are the surviving children of Anacleto[6] his daughter-in-law, Leoncia Geronimo, widow of his deceased son, Benito, and their children,[7] as well as Carlos - sometimes referred to as Carlos Jacinto - an illegitimate child of Venancio, another deceased son of Anacleto - all of whom shall hereinafter be referred to as the main defendants. There are other descendants of Celedonio Meneses and Ana Asuncion,[8] who, having, allegedly, the same interest as plaintiffs herein, did not join them as actors in this case, and, hence, were included as party defendants. They are hereinafter referred to as the reluctant defendants.

It appears that, upon Celedonio's death, his widow, Ana Asuncion, married Domingo de los Reyes, by whom she had two (2) children, namely, Valentin and Maria, both surnamed de los Reyes. Maria de los Reyes died without issue. The surviving descendants of Valentin de los Reyes[9] are intervenors in this case.

Plaintiffs['] theory is this: Celedonio Meneses and Ana Asuncion had, during their lifetime, five (5) immovable properties, located in the barrio of Bambang, municipality of Bulacan, province of Bulacan, and more particularly described in Paragraph 10 of the Fourth Amended Complaint, hereinafter referred to merely as amended complaint. They allegedly had, also, several pieces of jewelry and other personal properties described in said Paragraph 10, although no evidence thereon has been introduced and plaintiffs do not press their claim thereto. Upon the death of Celedonio Meneses and Ana Asuncion, before the turn of the century, said immovable properties passed, pro indiviso, to their children by operation of law. Instead of dividing the estate among themselves, said children entrusted the administration thereof to Anacleto,[10] who invested the income of said properties in the purchase of ten (10) parcels of land described in Paragraph 12(a) of the amended complaint. Upon Anacleto's death, the management of all of the aforementioned properties passed to his children, more specifically his eldest son, Ramon. The latter, in turn, used the income derived from said two (2) sets of properties

in the purchase of fifty (50) parcels of land and a "camarin" described in Paragraph 13(a) of said amended complaint.

The foregoing three (3) sets of properties constituted an undivided "Komunidad ng mga Meneses" (Community of the Meneses), which existed uninterruptedly up to 1949, when the main defendants claimed exclusive title to all of said properties. Despite repeated demands of the plaintiffs, the main defendants failed and refused, since 1949, to account for the income thereof and to deliver plaintiffs' share therein. Hence, the latter commenced the present action and pray that they, and the reluctant defendants, be declared co-owners pro indiviso of three-fourths (3/4) of the properties in dispute; that the same be partitioned and the corresponding shares turned over to the plaintiffs; and that the main defendants be sentenced, also, to deliver to the plaintiffs their share in the income of said properties, since 1949, as well as to pay attorney's fees and the costs.

The principal defendants are: (1) Ramon, Enrica, Candelaria and Carlos, all surnamed Meneses; (2) Asuncion Meneses (sister of the first three and aunt of Carlos); and (3) Leoncia Geronimo - widow of Benito Meneses – and their children,[11] as heirs of said Benito Meneses.[12]

The first set of defendants denied most of the material allegations of the complaint and the amended complaints, including the existence of the Meneses community. They, moreover, averred, inter alia, that the fifty (50) parcels of land and one "camarin" mentioned in Paragraph 13(a) of the amended complaint were acquired by Trinidad Ramos after the death of her husband (Anacleto) and later adjudicated in Special Proceedings No. 270 of the Court of First Instance of Manila;[13] that the plaintiffs and the reluctant defendants have never owned or had any interest in said properties; that those described in Paragraph 12(a) of the amended complaint were, likewise, adjudicated in said Special Proceedings No. 270, as well as in Special Proceedings No. 1358 of the Court of First Instance of Bulacan;[14] and that, as regards the properties described in Paragraph 10 of said amended complaint: (a) they know nothing about parcel I(a) of said paragraph; (b) parcel I(b) belongs pro indiviso to Ramon and Candelaria, in the proportion of 1/3 and 2/3, respectively; (c) parcel I(c) belongs in its entirety to the heirs of Benito; and (d) parcels I(d) and I(e) are the exclusive property of Candelaria.

Upon the other hand, Asuncion Meneses admitted that the properties referred to in said Paragraph 10 originally belonged to Celedonio Meneses and Ana Asuncion, and later passed, by succession, to their children. She denied, however, that said properties had been held pro indiviso, in trust and for the benefit of all of the parties herein. She, likewise admitted that the management of said properties by Anacleto had been so profitable that, with the income derived therefrom, the ten (10) parcels of land described in Paragraph 12(a) of the amended complaint were purchased; but, again, she denied that any person other than Anacleto's heirs has any right or interest therein. She, further, admitted that, upon Anacleto's death, his eldest surviving son, Ramon, took over the administration of the aforementioned properties and that of the fifty (50) parcels of land and one "camarin" described in Paragraph 13(a) of the amended complaint.

Asuncion, moreover, set up a cross-claim against her brother and sisters, as well as co-defendants, Ramon, Enrica, and Candelaria, alleging that these three (3) had deprived and were still depriving her of her share in the properties in dispute. She prayed, therefore, that said co-defendants be ordered to convey and deliver to her the possession of her aforementioned share, as well as to account for the income thereof, and to pay damages.

By way of cross-claim against Leoncia Geronimo and her children, Asuncion alleged that they are indebted to her in the sum of P52,928, to guarantee the payment of which these cross-defendants had constituted in her favor a first mortgage and a second mortgage on the fishpond "Kay Gogue"[15] which might be adversely affected if plaintiffs' complaint should prosper, for which reason she set up a counter-claim for damages against said plaintiffs.

In answer to Asuncion's cross-claim, cross-defendants Ramon, Enrica and Candelaria alleged that Asuncion had already received her share in the estate of her father Anacleto, except a lot covered by Tax Declaration No. 4415, which she voluntarily left under the administration of their mother, Trinidad Ramos; that, in the above mentioned Special Proceedings No. 270, the estate of Trinidad Ramos, including the lot aforementioned, which was considered a part thereof, was adjudicated to the proper parties, among whom was Asuncion; and that said parties received the shares respectively adjudicated to them.

The third set of defendants, namely, Leoncia Geronimo and her children denied the main averments of the amended complaint and alleged that they had sold their interest in lot I(c) of Paragraph 10 of the amended complaint to Ramon, for which reason they refused to join the plaintiffs in the present case.

After the presentation of the evidence for both the plaintiffs and the defendants, Francisco de los Reyes - a descendant of Valentin de los Reyes, and son of Ana Asuncion by her second marriage to Domingo de los Reyes - intervened in this case, alleging that he is one of the co-owners of the properties in litigation and joined in the prayer made in plaintiffs' complaint. Soon later, the com-plaint in intervention was amended to include as intervenors other descendants of Ana Asuncion and Domingo de los Reyes.

The issues in this case are; (1) whether or not the three (3) sets of properties referred to in Paragraphs 10, 12(a) and 13(a) of the amended complaint, form part of a community of property, held by Anacleto, and, later by his son Ramon, in trust and for the benefit of all of the descendants of Celedonio Meneses and Ana Asuncion; and (2) whether Asuncion has already received her share in the estate of Anacleto Meneses and Trinidad Ramos.

In connection with the first issue, plaintiffs-appellees maintain the affirmative view, which the lower court sustained. As regards the second issue, Asuncion took the negative side, and the trial court, likewise, adopted it. The dispositive part of its decision, therefore, provided:

"WHEREFORE, the defendant Ramon Meneses is hereby ordered to submit a project of partition in accordance with the foregoing plan within thirty (30) days from the date this decision shall have become final.

"In the meantime, the defendants Ramon Meneses, Asuncion Meneses, Enrica Meneses, Candelaria Meneses, Leoncia G. Vda. de Meneses, Ramon, Emiliano, Felix, Teodora, Cirila, Benedicta, Rita, Teresita and Carlos, all surnamed Meneses, are hereby ordered jointly to submit to this court an accounting of the fruits and/or income of the properties described in paragraphs 10, 12(a) and 13(a) of the fourth Amended Complaint, except the parcel of land covered by land Tax Declaration No. 5701, since 1949 until the delivery of the shares of heirs, the same to be included in the new project of partition, with costs against the defendants."

Hence, this appeal by defendants Ramon, Enrica, Candelaria and Carlos Meneses. The case is before us, upon the ground that the property involved therein is worth over P1,000,000.00.

Regarding the alleged existence of a Meneses community, the evidence for plaintiffs herein consisted of oral testimony and several communications of Ramon Meneses.

It appears that, early in 1955, Maria was borrowing P875 from Tinong Meneses and Delfin Carreon, who were seemingly reluctant to deliver any sum of money to her, until a deed of mortgage, as security thereof, on a property[16] of the "Komunidad ng mga Meneses" (Community of the Meneses), shall have been executed. On January 27, 1955, Ramon wrote to Tinong Meneses and Delfin Carreon the letter Exhibit D[17] urging them to meanwhile entrust P300.00 to Maria, assuring the addressees that he (Ramon would answer, if necessary, for the payment of said debt. On the back of the corresponding deed of mortgage, Ramon, likewise, signed a memorandum in Tagalog,[18] dated September 13, 1955, stating that he authorized the mortgage of so much of the aforementioned property as represented Hermenegildo's[19] share therein by inheritance.

On February 22, 1956, Ramon wrote to Enrica the letter Exhibit F,[20] stating that the same was due to the residential lot in which Maria had her house; that Alfredo wanted to buy their interest in said lot, representing one-fourth (1/4) thereof, the proceeds of which should be divided among Enrica, Ramon, Asuncion, Benito and Candelaria; that he (Ramon) was agreeable to the sale, under the terms indicated in the letter, and to signing the corresponding deed; and that the same could already be prepared.

Plaintiffs lay special emphasis upon the phrase "Komunidad ng mg Meneses," in Exhibit D, as establishing that the sixty-five (65) parcels of land described in the amended complaint constituted an undivided community of property, belonging to the descendants of Celedonio Meneses and Ana Asuncion. It should be noted, however, that said communication refers only to the residential lot in which Maria Meneses had her house. Maria is a daughter of Fernando, one of the four (4) children of said spouses. It is obvious, however, that the co-ownership over this single lot does not establish condominium over the sixty-five (65) other properties in litigation.

As regards plaintiffs' testimonial evidence in support of the theory that the properties enumerated in Paragraph 10 of the amended complaint were held by Anacleto for his benefit and that of the other children of Celedonio Meneses and Ana Asuncion, by virtue of an express trust established by said children, as alleged co-owners thereof pro indiviso; that the lands described in Paragraph 12(a) of the amended complaint and acquired with the income derived from the former estate of Celedonio Meneses and Ana Asuncion, were, likewise, covered by said express trust and formed part of the Meneses community; that said express trust and community were maintained when, upon Anacleto's death, the administration of the properties covered by said Paragraphs 10 and 12(a) passed to his son, Ramon; that the fifty (50) lots and one (1) "camarin" described in Paragraph 13(a) of the amended complaint were thereafter purchased by Ramon with funds derived from the income of said two (2) sets of properties; and that, accordingly, said fifty (50) lots and one (1) "camarin" are, similarly, encompassed by the aforementioned express trust and form part of the Meneses community, suffice it to note that, "no express trust concerning an immovable or any interest therein may be proved by parol evidence" (Article 1443 of the Civil Code of the Philippines).

Upon the other hand, there is sufficient evidence that the estate of Celedonio Meneses and Ana Asuncion had already been partitioned among and delivered to their heirs.

Indeed, there is documentary evidence to the effect that Anacleto had inherited a parcel of land, with an area of 5.0904 hectares, from his father Celedonio. Anacleto's possessory title thereon, Exhibit 3, reads:

"HISTORIA DE LA FINCA - Don Anacleto Meneses y Asuncion, Casado mayor de edad, natural y vecino de esta Cabaesera, acudio al Juzgado de primera instancia de esta provincia el dia primero de Septiembre de mil ocho cientos noventa y cuatro, solicitando acreditar la posesion en que se halla de esta finca desde hace diez años por haberla adquirido por herencia de su finado causante Don Celedonio Meneses, sin que mediara en la referida adquisicion titulo escrito. Admitida la informacion ofrecida fueron citados los dueños de los predios colindantes que nada expusieron en contra del derecho de Don Anacleto Meneses, y declararon como testigos Don Julian Rosales y Don Valentin Gonzales vecinos y propietarios de esta Cabaesera, quienes manifestaron les constaba de ciencia propia que el mencionado Don Anacleto Meneses posee esta finca por el concepto que queda expresado."

Certainly, Anacleto could not have held, during the lifetime of his mother, Trinidad Ramos, the land covered by this document, exclusively and for ten (10) years, prior to September 1, 1894, when he applied for said title, had there been no previous partition of Celedonio's estate. Subsequently, or on September 25, 1905, Anacleto purchased from Julian, Saturnino and Antera, all surnamed Lazaro y Meneses, by virtue of Exhibit 1, an adjoining fishpond of over 7 hectares, which, together with the lot of over 5 hectares, inherited from Celedonio, constituted what is now known as the fishpond "Kay Galas." In fact, in the agreement, Exhibit 2, entered into in

1915, for the partition of the estate of Anacleto Meneses, the first parcel of land was adjudicated to his daughter Asuncion. What is more, in 1943, in the agreement for the partition of the estate of her mother (Trinidad Ramos), said two (2) lots — now forming the fishpond "Kay Galas"[21] - readjudicated to Ramon, Enrica and Candelaria, who caused the property, in May, 1952, to be placed under the Torrens Act, pursuant to which OCT No. 411 was issued, in their names, in undivided equal shares.[22]

But, it is urged, why is it that there is no evidence that the other children of Celedonio and Ana have received their shares? It should be noted, however, that the burden of proof is upon the plaintiffs to establish their claim that said other children had not received their respective shares. Then, too, proof of the partition and delivery of the share of one (1) child of said spouses, raises the presumption that the other children must have, similarly, received their own shares. Indeed, otherwise, why is it that, for over fifty (50) years, said other children have not complained? In fact, even after the commencement of this suit, on March 8, 1956, some heirs of Fernando and Cirila,[23] the supposedly preterited children, did not join herein plaintiffs-appellees, in their bid to recover their alleged shares in the litigated properties, the income of which is said to amount to P500,000 yearly.

Again, Ana Asuncion left a nuncupative will, executed on February 21, 1895, before a notary public and four (4) attesting witnesses. In said document, Ana described herself, not as co-owner or co-possessor, but as the owner and possessor of the immovable properties therein described, and instituted as her universal heirs, to succeed, in equal shares, to said properties, her children by two marriage (Anacleto, Cirila & Fernando Meneses and Valentin de los Reyes), as well as the children of her son, Alejandro Meneses, who had predeceased her.

In this connection, we note that the fishpond referred to in Ana's will is the same property now known as "Kay Gogue," and described in subdivision I(c) of Paragraph 10 of the amended complaint, and that the "solar" mentioned in said will corresponds to the property described in subdivisions (d) and (e) of Paragraph 10 of said complaint. In any event, Ana's will establishes the fact that her estate had been partitioned among her heirs.

Although the adjudications made in said will were pro indiviso, other evidence on record show that the heirs have already received their respective shares. Thus, for instance, on November 22, 1900, the widow and children of Alejandro sold, by virtue of Exhibit 7, their one-fifth (1/5) share in the fishpond "Kay Gogue" to Anacleto Meneses and Trinidad Ramos, who, by virtue of Exhibits 8 and 9, both dated March 9, 1901, likewise, purchased the one-fifth (1/5) shares of Cirila Meneses (with the concurrence of her husband Faustino Pascual) and Valentin de los Reyes (with the concurrence of his wife, Sabina Martinez) in the same fishpond. Still later, the fourth-fifth of the same property, was acquired by Anacleto's widow, Trinidad Ramos and their children, by virtue of the public document Exhibit 6, executed by Fernando Meneses on March 7, 1912. Thus, the shares of Alejandro, Fernando and Cirila Meneses, and that of the descendants of Ana Asuncion and Domingo de los Reyes, have passed to Anacleto Meneses and his descendants, who thereby became the exclusive owners of the fishpond "Kay Gogue."

We hold therefore that, except insofar as the property described in subdivision I(d) of Paragraph 10 of the amended complaint, the theory to the effect that the immovable properties in litigations are community property or had been held in a status of condominium pro indiviso, is untenable.

The second issue, arising from the cross-claim of Asuncion against her brother and sisters (Ramon, Enrica and Candelaria), is whether or not the estate of Anacleto Meneses and Trinidad Ramos had been partitioned and distributed among their heirs. Asuncion maintains that, although a partition had been made on paper, there had been no delivery of the shares belonging to her.

This pretense cannot be sustained, for, upon the death of Anacleto's widow (Trinidad Ramos), their children (Ramon, Enrica, Asuncion, Candelaria, Benito and Venancio), executed a project of partition, dated March 15,

1915 (Exhibit 2) which was submitted to and approved by the Court of First Instance of Bulacan, in Special Proceedings No. 1358 thereof, in which several properties were adjudicated to Asuncion.[24]

It is true that - except as regards Benito Meneses, who was paid all his shares, and the personal properties, which were evidently delivered to the respective heirs - the foregoing partition was not actually carried out, as regards the immovable properties involved therein, because the same remained in the possession of Trinidad Ramos. However, the latter died sometime in 1943 and her will was filed for probate with the Court of First Instance of Manila (Special Proceedings No. 270). Although Asuncion objected thereto, she subsequently withdrew her opposition, in view of the agreement of partition (Exhibit 4), subsequently entered into, which was submitted to and approved by the court in said Special Proceedings, on December 29, 1943. On May 5, 1947, a motion (Appendix 10, pp. 809-818, Record on Appeal) to amend said agreement was filed, and, after due notice and hearing, the motion was granted on May 20, 1947 (see p. 212, Record of Exhibits). The agreement of partition, as amended, adjudicated to Asuncion Meneses the following:

“(a) Three (3) parcels of land with improvements comprising the so-called 'Tanguib fishpond' with a total assessed value of P13,810. (Items [a], [b], and [c], p. 16, Exhibit '4')

“(b) Thirteen (13) parcels of land with a total assessed value of P2,600. (Items [d], [e], [f], [g], [h], [i], [j], [k], [l], [n], [o], [p], and [q], pp. 16-17, Exh. '4')

“(c) One-Tenth (1/10) undivided interest in a house, (Item [m], p. 16), for which, under par. VIII, p. 19, of Exh '4', she would be reimbursed by Candelaria the amount of P500.

“(d) P15,000 to be paid to her by Ramon, Enrica and Candelaria within 8 months from the approval of said partition agreement. (Par. IX, p. 19, Exh. '4').”

As a consequence, so much of the estate of Anacleto Meneses as his children had left under the administration of his widow and their mother, Trinidad Ramos, was partitioned anew. Thus, whereas, the first partition agreement, Exhibit 2, adjudicated the fishpond "Kay Gogue" to Trinidad Ramos and Venancio and Candelaria Meneses in specified proportions, the subsequent agreement (Appendix 10) adjudicated the property, in its entirety, to the heirs of Benito Meneses.[25] Then too, Exhibit 2 adjudicated the fishpond "Kay Galas" as follows: 7.1038 hectares to Trinidad Ramos, and 5.0904 hectares to Asuncion Meneses. However, Appendix 10 adjudicated the fishpond to Ramon, Enrica, and Candelaria Meneses, at one-third (1/3) pro indiviso each.[26] Upon the other hand, Asuncion was given the fishpond "Tanguib" in lieu of her share of 5.0904 hectares in "Kay Galas." In other words, the agreement Exhibit 4 and Appendix 10 novated the provisions of the previous agreement of partition, Exhibit 2.

That this agreement Exhibit 4, as amended, was, not merely perfected, but, also, consummated, is attested to by the fact that, on August 30, 1947, the parties thereto, including Asuncion, filed in Special Proceedings No. 270 a "statement of receipt" (Exhibit 18, p. 211, Record of Exhibits) acknowledging that "they have already received and are in actual possession of their respective shares in the above entitled estate in accordance with the project of partition approved by this Honorable Court," and praying, accordingly, "that the above entitled proceedings be closed." From 1947 to 1956, or for over nine (9) years, Asuncion had not contested the aforementioned "statement of receipt" and it is difficult to believe that she would have waited that long had she really been deprived of her rightful share in the estate of her parents, as she would have us believe. What is more, the record shows that she had secured torrens titles to the properties thus adjudicated to her, pursuant to Exhibit 4, as amended,[27] and even mortgaged said properties to the RFC. Similarly, the other cross-defendants were, on the strength of Exhibit 4, as amended, able to secure certificates of title to the properties thereby adjudicated to them. In fact, Asuncion accepted a mortgage in her favor on the fishpond "Ka Gogue," to secure a loan of P52,928 she had granted to the

heirs of Benito Meneses, and thereafter purchased said fishpond for P121,625.00. It is thus obvious that her cross-claim has no merit whatsoever.

WHEREFORE, the aforementioned cross-claim of Asuncion Meneses is hereby dismissed and defendants-appellants are absolved from the Fourth Amended Complaint, except with respect to the property described in subdivision I(d) of Paragraph 10 of the Fourth Amended Complaint, as regards which the decision appealed from is affirmed, without special pronouncement as to costs.

SO ORDERED.

Reyes, J.B.L., Dizon, Regala, Makalintal, Bengzon, J.P., Zaldivar, Sanchez, and Castro, JJ., concur.

[1] Mercedes, Amada, Encarnacion and Tomas, all surnamed Pascual; Marcial, Proceso, Santos, Pablo and Rosa, all surnamed Aldana; Juanito, Matea, Amada, Ricardo, Pedro, Leonardo, Fortunata, Asuncion, Carmen and Feliciano, all surnamed Meneses.

[2] Carmencita or Carmelita, Felisa, Maria Concepcion, Lourdes, Lydia and Benito, all surnamed Sanchez; Ramon, Norberto, Purita, Esther, Nelda, Regina, Rufino Jr., Charito, Vengi and Teresita, all surnamed Nolasco.

[3] Alfredo Ramos and Edita, Teresita, Senando (or Fernando) and Pilar, all surnamed Meneses.

[4] Carmen, Esperanza, Tomas, Amada, Encarnacion, Venancio and Maria, all surnamed Pascual.

[5] Pedro P. Cruz, and Artemio, Rosario, Meliton, Teodorica (Cleotilde), Paciencia and Melencio, all surnamed Pascual.

[6] Ramon Sr., Enrica, Asuncion, Candelaria, all surnamed Meneses.

[7] Ramon, Emiliano, Felix, Teodora, Cirila, Benedicta, Teresita and Rita, all surnamed Meneses.

[8] Maria, Artemio, Rosario, Meliton, Teodorica, Paciencia, Melencio, all surnamed Pascual.

[9] Francisco, Maria Concepcion, Aurora, Armando, Aleli, Rolando, Eliseo, Tranquilino, Maria and Graciano, all surnamed de los Reyes; Maria Patrocinio, Romeo, Fernando and Mariano, all surnamed Balaon; Maria Liwayway and Federico, all surnamed Capule; and Soledad, Telesforo, Arturo and Amanda, all surnamed Victorino.

[10] Their eldest surviving brother, Alejandro having died meanwhile.

[11] *supra*.

[12] Ramon, Emiliano, Felix, Teodora, Cirila, Benedicta, Teresita and Rita, all surnamed Meneses.

[13] Entitled, "In re Testate Estate of Trinidad Ramos, Deceased."

[14] Entitled, "In re Intestate Estate of Anacleto Meneses, Deceased."

[15] The property described in subdivision I(c) of Paragraph of the amended complaint.

[16] Seemingly the land covered by tax declaration No. 5701, is the land described in subdivision I(d) of paragraph 10 of the amended complaint.

[17] "Ako'y sumulat sa inyo sa dahilang sapag sasanla ng lupa na inyong tinitirikan na pagaari na komunidad ng mga Meneses na isinasanla muna sa iyo at kay Delfin na inyong paghahatian. Yamang ang aming gagawing kasunduan ay hindi pa naidadaos mangyaring pagkalooban ninyong ng Tatlong (P300.00) piso at kung maiayos na ay ako ang mangangatawan sa iyong pag-bibigyan ng pera. Huag kang mag-alala na mawala ang iyong

kuwarta. Tangi sa hawak mo ang lupa, ako ay nanagot na magbayad sa inyo kung ano man ang darating na sagabal sa pagkatira ninyo. Ito na lamang at umaasa ako na pagkatanggap mo ng sulat ko ay inyong bibigyan ng pera at lilibrohan kayo ng recibo sa pagkatanggap sa inyo at itong sulat na ito ay ilakip mo sa pagareng ibibigay sa inyo”

[18] “Pinahihintulutan ang pagsasanla ng parte ng isang catauan sa Bacuran ng lupang manamanahan na nasa Bambang, Bulacan ng eredero ng Hermenegildo Meneses ngayon 13 de Sbre 1955. Lumagda ako sa ibaba nito.”

[19] One of the deceased children of Alejandro Meneses.

[20] "Ako'y sumulat sa iyo at dahilan sa bakuran na kinatitirikan ng bahay nila Maria. Yamang tayo ay may kinalaman sa lupang iyan ay gusto nila Alfredo ay bilhin na nila ang ganang atin; na tayo namang nagmamayari diyan sa lupang iyan sa ikapat na bahagi ang natotoka para sa atin ay sa ikapat. Tayo namang magpaparte, Enrica, Ramon, Asuncion, Benito at Candelaria. Yamang si Carling ay hindi nababanggit na siya ay kaari alinsunod sa ginawang testamento ni Antonio Masaquel. Sa ganang akin, kumporme akong mabili sa halagang kung gano ang kabayaran ng kila Tomas na isang tiyan at gayundin naman isang tiyan kala Cardo. Hindi ko na binanggit ang ganang kala Alfredo. Alinsunod ako na pumirma sa alin mang kasunduan kung kumporme ang ating mga kapatid. Gawin na ang eskritura at ako ay pipirma. Kumusta at alam mo na."

[21] Parcel I(b) of Paragraph 10 of the amended complaint.

[22] Appendix 16, pp. 852-856, Record on Appeal.

[23] Artemio, Rosario, Meliton, Teodorica, Paciencia and Melencio, all surnamed Pascual, and Pedro P. Cruz, grandchildren of Cirila Meneses, as well as Maria Meneses, daughter of Fernando Meneses.

[24] 1. – Un par pendientes de oro con tres brillantitos y un rubi cada medio par, forma lagrimas, señalado en el inventario con el No.1 y valorado en setenta pesos 70.00

2. – Un anillo de oro con cinco brillantitos, señalado en el inventario con el No. 6 y valorado en setenta pesos 70.00

3. – Una gargantilla de oro de las tres que aparece señalada en el inventario con el No. 7 y valorada en treintay tres pesos y treinta y tres centimos 33.33

4. – Una caraballa de siete años de edad, sin marca, señalada en el inventario con el No. 12 y valorado en sesenta pesos 60.00

5. – Un aparador de narra con espejo, señalada en el inventario con el No.14 y valorado en sesenta pesos 60.00

6. – Una maquina de cocer Singer, usada, señalada en el inventario con el No.22 y valorada en diez pesos. 10.00

7. – Una finca rustica, consistente en una parcela de terreno destinado a pesquerra o vivero de peces, ubicado en el sitio de Pulla, barrio de Bambang, Municipio de Bulacan, provincia de Bulacan, mide una extension superficial de cinco hectareas, nueve areas y cuatro centiareas y linda al Norte con terreno de Higino Meneses; al Este con Juan Lazaro; al Sur con Gil Pascual y Domingo Rodriguez y al Oeste con dicho Rodriguez Petra Naguit, señalada en el inventario con el No. 38 y valorada en dos mil pesos 2,000.00

[25] Whose interest was later acquired by Ramon.

[26] Enrica's share was later purchased by Candelaria.

[27] Except those she had admittedly exchanged with other property of Enrica.

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.