

TOMAS GUISON, PETITIONER AND APPELLANT, VS. MARIA CONCEPCION, RESPONDENT AND APPELLEE.

G.R. No. 2586. January 19, 1906

Ponente: WILLARD, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-2586/>

WILLARD, J.:

Jacoba Concepcion Salcedo made her will in Manila, on January 3, 1904. The last part of the will is as follows:

"Asi lo otorgo ante los tiestigos Señores Ambrosio Reyes, Mariano de Le6n y FeUix Polintan, de Manila, Islas Filipinas, y por no yo poder firmar, ftrma a mi ruego el mismo Feliciano Maglaqui, en mi presencia y de los mencionados testigos, quienes tambie"n suscriben, cada uno de ellos en presencia de los otros y la mia.

"(Firmado) FELICIANO MAGLAQUI.

"(Firmado) AMBROSIO REYES.

"(Firmado) MARIANO DE LEON.

"(Firmado) FELIX POLINTAN.

"Nosotros Ambrosio Reyes, Mariano de Leon y Felix Polintan, atestiguamos que Filiciano Maglaqui, a ruego de la Sra. Jacoba Concepci6n Salcedo y en presencia de la misma y la nuestra, firm6 el testamento que antecede; y que cada uno de nosotros lo firm6 en presencia de los otros y de dicha testadora.

"Manila, tres de Enero de mil novecientos cuatro.

"(Firmado) AMBROSIO REYES.

"(Firmado) MARIANO DE LEON.

"(Firmado) FELIX POLINTAN."

It will be seen that the witness Feliciano Maglaqui, instead of writing the name of the testatrix on the will, wrote his own. Probate of the will was refused in the court below on the ground that the name of the testatrix was not signed thereto, and the petitioner has appealed. The question presented has been decided adversely to the appellant in the following cases: Ex parte Pedro Arcenas et al.,[1] No. 1708, August 24, 1905 (4 Off. Gaz., 568); Ex parte Nemesio Belfin Santiago,[2] No. 2002, August 18, 1905 (4 Off. Gaz., 507.)

The judgment of the court below is affirmed, with the costs of this instance against the appellant, and after the expiration of twenty days judgment should be entered in accordance herewith and the case remanded to the court below for execution. So ordered.

Arellano, C. J., Mapa, Johnson, and Carson, JJ., concur.

[1] 4 Phil. Rep., 700.

[2] 4 Phil. Rep., 692.

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.