

**PELAGIO COSTELO ET AL., PLAINTIFFS AND APPELLEES, VS.
CARMELINO MALAZARTE, DEFENDANT AND APPELLANT.**

G. R. No. 40487. August 07, 1934

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V. ALBERT, CLERK, SUPREME COURT, P.I.

This court having regularly acquired jurisdiction for the trial of the above-entitled cause submitted by both parties for decision, after consideration thereof by the Court upon the record, its decision and order for the judgment having been filed on the _____ 21st _____ day of _____ July _____, A. D. nineteen hundred and _____ thirty-four _____;

By virtue thereof it is hereby adjudged and decreed that the order of the Court of the First Instance of _____ Maasin (Leyte) _____, dated the _____ 6th _____ day of _____ March _____, nineteen hundred and _____ thirty-three _____, and from which the above-entitled appeal was taken, be, and the same is hereby, affirmed with the modification that it is understood that before proceeding to adjudicate to the members the assets and properties of the joint account association, the defendant must be reimbursed in the sum of P1,138.93, for which reimbursement the properties of the association will be sold if deemed necessary, without special pronouncement as to costs.

It is further ordered that _____ xx _____ xx _____ xx _____ xx _____ recover from _____ xx _____ xx _____ xx _____ the sum of P__xx__, as costs.

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