LOTHAR F. ENGEL ET AL., PLAINTIFFS AND APPELLEES, VS. MARIANO VELASCO & CO., DEFENDANT AND APPELLANT.

G.R. Nos. 21651-21653. December 29, 1924

Ponente: STREET, J.

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STREET, J.:

1. Contracts; Telegraphic Message as Medium of Communication; Confirmatory Letter.—Under the second paragraph of article 51 of the Code of Commerce, as the same stood prior to its repeal by Act No. 3089, telegraphic correspondence could not serve as a basis of obligation between contracting parties who had not admitted this medium in a written contract, nevertheless where telegraphic communications are followed by letters expressly referring to the telegrams and confirming the same, such telegrams become admissible as part of the correspondence between the parties.

Avanceña and Villamor, JJ., concur.

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