

****Title: Madridejo vs. De Leon, 55 Phil. 1 (1930)****

****Facts:****

Eulogio de Leon and Flaviana Perez, a married couple, had one son, Domingo de Leon. Eulogio died in 1915. Following his death, Flaviana lived with a bachelor, Pedro Madridejo. On June 1, 1917, a child named Melecio Madridejo was registered as the son of Pedro Madridejo and Flaviana Perez. Nevertheless, when Melecio was christened on June 17, 1917, he was recorded as Melecio Perez, leaving out the father's name.

Flaviana Perez and Pedro Madridejo were married in articulo mortis (at the point of death) by the parish priest of Siniloan on July 8, 1920, and Flaviana died the following day. Domingo de Leon passed away on May 2, 1928, leaving Melecio and Pedro.

Melecio Madridejo, assisted by his guardian ad litem, filed a case in the Court of First Instance of Laguna demanding ownership and possession of property inherited through Domingo de Leon. The trial court ruled in favor of Melecio. However, the defendants appealed to the Supreme Court.

****Issues:****

1. Whether the marriage between Pedro Madridejo and Flaviana Perez is valid despite the non-forwarding of the marriage certificate to the municipal secretary.
2. Whether the subsequent marriage of Pedro and Flaviana legitimated their natural child, Melecio.
3. Whether Melecio Madridejo should have been decreed ownership and possession of the property via the acknowledgment of his parents.

****Court's Decision:****

The Supreme Court ruled as follows:

1. ****Validity of the Marriage:****

- The failure of the parish priest to send the marriage certificate to the municipal secretary did not invalidate the marriage. Essential requisites for validity were presumed met, as this procedural lapse was not one of the essential requisites for a valid marriage. Thus, the first assignment of error claimed by the appellants was dismissed.

2. ****Legitimation of the Child:****

- For a child to be legitimated through a subsequent marriage, Article 121 of the Civil Code requires acknowledgment by the parents before or after the marriage.

- Melecio was not voluntarily acknowledged by either parent according to any public document, as required by law. The birth registry did not meet legal standards for voluntary acknowledgment because it lacked proper execution or signature by Pedro Madrideo.
- Compulsory acknowledgment was not pursued through judicial action against the father, Pedro, or the heirs of Flaviana before her death.
- Consequently, without acknowledgment either voluntary or compulsory, the marriage did not serve to legitimate Melecio. Therefore, the second assignment of error was upheld.

3. **Ownership and Possession of Property:**

- Since Melecio had not been legitimated, he lacked standing to claim inheritance from his uterine brother, Domingo de Leon.
- The Court reversed the lower court's decision, dismissed the complaint, and absolved the defendants. Melecio retained the theoretical right to establish his status as a natural child through future legal action. The third assignment of error was also upheld.

Doctrine:

- **Legitimacy through Subsequent Marriage (Civil Code Article 121):** Legitimation requires acknowledgment of the child by the parents before or after marriage.
- **Acknowledgment (Civil Code Articles 131 and 135-136):** Acknowledgment can be voluntary or compulsory. Voluntary acknowledgment must be formalized in the birth record, will, or other public documents, while compulsory acknowledgment may be pursued through judicial action in specified circumstances.

Class Notes:

- **Legitimation Requirements:** Legitimation by subsequent marriage needs acknowledgment by parents (Art. 121 Civil Code).
- **Voluntary Acknowledgment:** Must be done in birth records, a will, or a public document (Art. 131).
- **Compulsory Acknowledgment:** Needs a judicial action to compel acknowledgment if conditions are met (Art. 135 for fathers, Art. 136 for mothers).
- **Validity of Marriages:** Procedural lapses regarding documentation not provided to civil authorities do not inherently invalidate the marriage if essential requisites are present.

Historical Background:

- **Civil Code Legacy:** Reflects Spanish colonial legal influence, governing familial relationships and inheritance.
- **In articulo mortis Marriage:** Custom in Catholic regions, formalizing the union at the

brink of death for religious and social reasons.

- ****Evolution of Registry Practices:**** Transition from Church to civil authority in recording vital statistics indicative of broader secularization trends.