

LIST OF ORDERS, DECISIONS, WRITS OF EXECUTIONS, ENTRIES OF JUDGMENT AND SHERIFF RETURNS ISSUED BY THE SUPREME ORDER OF THE ROYAL CROWN OF ENGLAND, SPANISH ROYAL ORDER, COURT OF FIRST INSTANCE, REGIONAL TRIAL COURT, AND COURT OF APPEALS FROM 1572 UNTIL 2003 PERTAINING CIVIL CASE LRC 571, 997-P AND 3957-P AND CA. G.R. SP. 70014 IN CHRONOLOGICAL SEQUENCE

TABLE OF CONTENTS

REFERENCE NO.	PARTICULARS	DATE
1.	Royal Decree of 1572, confirmed by Supreme Court 1583.	1572
2.	Supreme Order of the Royal Crown of England on Land Registration Case 571 Decreed that Prince Lacan Acuña Tagean Tallano is the owner of Philippine Archipelago Covered by OCT 01-4.	01-17-1764
3.	Spanish Royal order of 1864 where OCT 01-4 is registered anew in the name of Prince Julian Macleod Tallano.	1864
4.	LRC Case No. 997-P challenging TCTs No. T 408 & 498. (Please see note below)	
5.	Decision with Compromise Agreement issued by Judge Enrique A. Agana of CFI 28 Pasay City.	02-04-1972
6.	Entry of Judgment of LRC /CC 3957-P	09-14-1972
7.	Clarificatory Order issued by Judge Enrique A. Agana	03-21-1974
8.	Writ of Execution, Demolition and Possession issued by Judge Enrique A. Agana.	09-10-1974
9.	Decision by Judge Enrique A. Agana.	11-04-1975
10.	Clarificatory of Decision by Judge Agana.	01-19-1976
11.	Sheriff Return by Atty. Jose E. Ortiz Jr.	05-04-1979
12.	Order of 3 rd Alias Writ of Execution Possession and Demolition with Dismissal to Motion for Relief of the	05-28-1989

National Government by Judge Sofronio G. Sayo

13.	Partial Compliance with Sheriff Certificate of Return By Atty. Jose E. Ortiz Jr.	10-09-1989
14.	Order of Court Alias Writ of Execution by Judge. Sayo.	03-03-1995
15.	Court Order by Judge Ernesto A. Reyes RTC Branch 111 Pasay City.	07-07-1997
16.	Court Order by Judge Ernesto A. Reyes.	02-02-1998
17.	Court Order by Judge Ernesto A. Reyes.	07-11-2001
18.	Court Order by Judge Ernesto A. Reyes	10-08-2001
19.	Court Order by Judge Ernesto A. Reyes	12-12-2001
20.	Court Order by Judge Ernesto A. Reyes	12-19-2001
21.	CA G.R. SP. NO. 70014 Motion for Annulment of Judgment by Solicitor General.	04-09-2002
22.	Comment and/or Opposition to the Petition with Motion to Dismiss by Atty. Manuel G. Natividad Jr., Counsel of Julian M. Tallano.	05-20-2002
23.	Writ of Preliminary Injunction by Court of Appeals.	06-25-2002
24.	Ultimate Rejoinder with Motion to Resolve and Dismiss by legal Counsels of Julian M. Tallano.	11-20-2002
25.	CA G.R. SP. NO. 70014 Resolution by Court of Appeals	02-20-2003

NOTE: Case # 997-P "can no longer be found, having been consolidated into Case 3957-P". That is unfortunate since it seems the apparent duplicity of the Solicitor General's attempt to capture 01-4 by sending notices of hearings to places Tallano and Acop would not be, declaring them to be dead with no heirs, and reverting 01-4 to the government, began with and was structured around that case.

***** END OF TABLE OF CONTENTS *****

LIST OF ORDERS, DECISIONS, WRITS OF EXECUTION, ENTRIES OF JUDGMENT AND SHERIFF RETURNS ISSUED BY THE SUPREME ORDER OF THE ROYAL CROWN OF ENGLAND, SPANISH ROYAL ORDER, COURT OF FIRST INSTANCE, REGIONAL TRIAL COURT, AND COURT OF APPEALS FROM 1572 UNTIL 2003 PERTAINING CIVIL CASE LRC 571, 997-P, 3957-P AND CA. G.R. SP. 70014 IN CHRONOLOGICAL SEQUENCE.

CENON MARCOS, AUTHOR--E J EKKER, COLLABORATOR

1. **1572, Royal Decree of 1572** issued by the Royal Audiencia, confirmed by the newly established Supreme Court approximately May 5, 1583. "Respecting ownership of the Royal family to the entire archipelago with exemption that the Island of Mindanao be reverted back to the Noble King's cousins; the three (3) Sultans of Mindanao led by Sultan Sinsuat, Sultan Hadji Kiram Misuari, and Sultan Sirongga ... that should be inherited only by their relative Moslem families."
- 2 **January 17, 1764 Pursuant to Decree of 01-4 Protocol**, by virtue of Supreme Order of the Royal Crown of England and in accordance with the Royal Audiencia de Manila in a Land Registration Case No. 571 of said court, having been duly and regularly heard in accordance with the provision of the land laws as adopted in the Torrens System, it was decreed that Prince Lacan Acuña Tagean Tallano, married to Princes Rowena Ma. Elizabeth Overbeck Macleod of Austria, is the owner in fee simple of Hacienda Filipina or the Philippine Archipelago.
3. **1864**, By virtue of the **Spanish Royal Order of 1864** OCT 01-4 had been registered anew in the name of Prince Julian Macleod Tallano, the Tagean descendant and only son of Rajah Soliman and Princess Tarhata Kahar.

Some cases are missing that should be included and, if they can be located they will be included later as the research continues. For instance, in the formal TRANSFER CERTIFICATE OF TITLE (TCT) No. 498 dated November 4, 1932 appears the following portion of a footnote: "This land covered by Torrens Title TCT No. T-498 transferred from OCT No. T-01-4 had been a subject of Court Proceedings for the re-registration on the year 1903 as was ended on the year 1904, in the Sala of the Supreme Court, in compliance to Land Registration Act 496 and the same had been placed and adjusted into another Court Proceedings also in compliance of Cadastral Act 2259 which was ended on the year 1915 favorably to the original owner, late Prince Julian McLeod Tallano." The footnote was added, signed and certified September 7, 1964 by José D. Santos, Register of Deeds, Municipality of Pasig.

The footnote appended to TRANSFER CERTIFICATE OF TITLE (TCT) No. 408 dated June 7, 1932 states: "This Land covered by Torrens Title TCT No. T-408 had been a subject of Court Proceedings for the re-registration on the year 1903 as was ended on the year 1904, in the Sala of the Supreme Court, in compliance to Land Registration Act 496 and the same had

been placed and adjusted into another Court Proceedings also in compliance of Cadastral Act 2259." The footnote was added, signed and certified November 4, 1972 by Oscar T. Eusebio, Register of Deeds, Rizal Province. The two TCTs were divided into Parcels, 4 for 408 and 6 for 498. The official surveys were done in 1909 and 1910 and accepted in 1911. Some readers will not recall that the Philippines were US "territories" from 1900 to 1946, yet the private ownership of all lands was recognized by the US as evidenced by their leasing lands from Tallano as early as 1904 for Camp John Hay at Baguio, some 5,000 hectares (a hectare is approximately 2.2 acres) for \$20,000 per year.

4. **DATE NEEDED***LRC Case No. 997-P** was filed by other claimants of the property (covered by 408 and 498 on the basis of "Spanish Land Grant"). Wilson P. Orfinada then filed **LRC Civil Case 3957-P DATE NEEDED***** [thus initiating one of the biggest attempted land-scams ever]. On June 7, 1962 the two cases were consolidated into **LRC Civil Case 3957-P** on motion of the Republic of the Philippines to avoid conflict of hearing dates of the two cases.

LRC CIVIL CASE NO. 3957-P

5. **February 4, 1972 DECISION WITH COMPROMISE AGREEMENT** issued by late Judge Enrique A. Agana of CFI Branch 28 Pasay City. In as much that the Solicitor General did not file an appeal by April 4, 1972, the Decision with Compromise Agreement become final and executory and it was entered into the Book of Judgement on the 14th day of June 1972 as confirmed by:

6. **September 14, 1972 Entry of Judgment** issued by Atty. Jose E. Ortiz, Jr. Clerk of Court.

The **DECISION WITH COMPROMISE AGREEMENT** deserves special mention because it is the defining document, the formal expression of an **AGREEMENT** reached between the government and the acknowledged owners of all of the land (both above and below the waters of the Archipelago) as agreed to and enforceable by the Judiciary. The Agreement was reached in 1964 during the Presidency of Diosdado Macapagal and was confirmed and memorialized by Judge Agana during the Presidency of Ferdinand E. Marcos. It has been declared enforceable by Judges during every Presidency since and still certain elements of Philippine society conspire with government employees, many of whom are in the Justice system, to issue false land titles. The creation of many very large family fortunes that were litigants in the case has been facilitated by such practices. The caption of Case No. 3957-P was styled:

LRC/CIVIL CASE NO. 3957-P for Quieting of Titles/Reconveyance of Real Properties with Reconstitution of OCT No. T-01-4, TCT No. T-408/TCT No. 498 in accordance with Rep. Act No. 26 in the name of Prince Lacan Tagean Tallano, Don Gregorio Madrigal Acop and Don Esteban Benitez Tallano.

The last names of some of the litigants in the case are: Orfinada, Rodriguez, Cardona, Padilla, Aguilar, Santiago, de los Santos, Esteban, Condrado, San Pedro, Gregorio, Marcelo, Oritgas, Aquino, Soriano, Javier, Cardoso, Jacinto, and Cruz. Many of these same names are found in the "Society" sections of the local newspapers each week.

It will be useful to quote, verbatim, the first half of Judge Agana's opening paragraph:

With the blessings of our Supreme Being with His judicial enhancement over the victim of injustices and greatest land grabbing scandals, the Republic of the Philippines failed to deviate from entering with heirs of Price Julian Macleod Tallano for a Separate Decision with Compromise Agreement. But to settle once and for all the issue of ownership over the land under OCT No. T-01-4 together with reconstitution of lost owner and the duplicate copies of its original WAS A Motion filed by the Republic of the Philippines and, including the return of precious metals and stones consisting of 617,000 metric tons of gold and 500,000 pieces of 10 karat diamonds to the Royal family is another Motion filed by the herein intervenor that needs to be resolved under the same Sala (court) that originally (was) under old case 997-P... consolidated into LRC/ Civil Case No. 3957-P.

On page 120 of the same document the numbers are changed a bit, presumably because additional information came to light. Paragraph 9. says:

Ordering the National Government, Office of the President of the Philippines and his staffs, the National Treasurer and his staffs, the Solicitor General and his staffs and the Governor of the Central Bank to relocate the remaining inventory balance of 400,000 metric tons of gold nuggets own by the Royal Family, the Taguean-Tallano family, and, when relocated, return the same to the vaults of the Central Bank for the interest of the Filipino people to serve as U.S. dollar reserves required by the IMF and the World banks, while that 5% of that 1% of the required royalty fee which was unpaid starting in the year 1969 to the present and to its succeeding years until the precious metals has been withdrawn based on the prevailing market price should be paid directly to the authorized Heir, Prince Julian Morden Tallano.

The gold price at year-end 1970 (the first year for which interest on the unpaid Royalty was due) was \$38.90 per ounce. If we multiply the number of ounces in a metric ton of gold (31,103) X 1% (.01) X 5% (.05) X 400,000 metric tons, we will have a "constant" of 6,220,800 to use. If we multiply the constant times the price in a given year we get the Royalty due for that year. In 1970 the number rounded to the nearest million dollars was \$242 M. That Royalty was not paid.

At that time the interest rate mentioned in some of the court documents was given at 7%. 242 million dollars at 7% to the end of 2002 (33 years) is 2,256 billion dollars. When all of the Royalties are added up they come to \$62,496B. When their earned interest is added the total is \$200.172B. The value of 400,000 metric tons of gold is more than 4 trillion dollars (more than 200 trillion pesos).

The DECISION takes 139 pages and cannot be reproduced in its entirety here so we will quote the last few paragraphs:

Let this Decision with Compromise Agreement be enforced enjoining all concern private persons and government authorities herein specified and everybody, natural or juridical person, to observe and address this Decision with Compromise Agreement observing the imprescriptibility period clause over its execution or issuance of its

required original and duplicate copies of OCT 01-4 including its TCT No. T-408 and TCT No. T-498 and including the withdrawal of the deposited gold bullion from any government body, within and/or outside the archipelago, either a member of United Nations or any League of Foreign Nations, Federation as long as within the bond and jurisdiction of the International Court of Justice (ICJ) to serve for the interest of the lawful beneficiaries of late Prince Julian Macleod Tallano and the whole Filipino people in general, otherwise, anyone who defies this Order shall be dealt accordingly with the fullest force of the law. [Emphasis by the Editor]

SO ORDERED. February 4, 1972, ENRIQUE A. AGANA, Presiding Judge

This Decision with Compromise Agreement was met with a storm of protest and a flurry of lawsuits from those people who had thought they were legitimately buying their property as well as those who had conspired with public officials to create fraudulent titles in order to "sell" the property to unsuspecting buyers. On December 28, 1973 Acop-Tallano (through the Court Appointed Administrator, Julian Morden Tallano) filed a "COMPLAINT-IN-INTERVENTION asking the court (Judge Agana) for a "Clarificatory Order", part of which reads as follows:

7. March 21, 1974 Clarificatory Order

WHEREFORE, judgment is hereby rendered in favor of Julian M. Tallano, et. al., ordering the Provincial Assessor of Rizal, Batangas, Laguna, Cavite, and Bulacan, including those assigned assessors in the area where the land is located to accept payment of realty tax of the embracing real property from the heirs-intervenor, Mr. Julian M. Tallano for a maximum period of five (5) years by offsetting the amount of damages P2 billion pesos from the government in as much as the government, through its Hon. Solicitor General had entered into a judgment with compromise agreement which was adjudicated on February 4, 1972 in a separate proceeding where the issue of ownership over the land covered by Land Title OCT No. T-01-4 including the government petitions for judicial reconstitution of said Torrens Land Title OCT No. T-01-4 had been resolved.

That all Land Titles that were issued by the LRC and/or Register of Deeds of the place where the land is located, except, that OCT No. T-01-4 over the Archipelago and except that TCT No. T-408 and TCT No. 498 in the Province of Bulacan, Greater Manila Area, Province of Rizal, Province of Laguna, Province of Batangas and Province of Cavite, and such fraudulent Title particularly those numbers ranging from OCT No. T-01-4 to OCT No. 4085 to OCT No. 10,000 [probably a typographical error since the number is OCT No. 100,000 in all of the other cases], based on the recommendation of Hon. Commissioner Antonio Noblejas to this Honorable Court dated January 3, 1964 firmly pleaded by Hon. Solicitor General Hugo Gutierrez, are hereby declared null and void, no force and effect, from beginning, ordering the Hon. Register of Deeds to cancel the same if ever on file in the records of the Register of Deeds of the towns and provinces where the land is situated.

Ordering the concern Register of Deeds of the Town, City and the Province where the Land is located to record above declared void Owner Certificate of Titles including

those Transfer Certificate of Titles that were issued but non derivative from legitimate OCT No. T-01-4, which are also declared null and void Land Titles, and inform the general public about the mentioned fraudulent Land Titles to prevent the people to be adversely affected by these illegal public documents.

There are more detailed orders (6 pages) following but the above is sufficient for our purposes here. Judge Enrique A. Agana signed the Order March 21, 1974. In the face of dozens of challenges in the courts during every presidential administration since the issuance of this order, the courts have consistently upheld it. Whether one likes the idea of a single person controlling most of land in an entire nation of some 80 million people, or doesn't like it, that is the law in the Philippines. It does not have to be a "bad" situation as will be illustrated in the SUMMARY of this paper.

A further comment will be helpful since we could not reproduce the entire DECISION. The Government waived its right over the public and "Friar" lands in exchange for what amounts to the "free use" of all of those lands occupied by public buildings, public schools, hospitals, courts, municipal and city buildings, police and military training camps and similar land necessary for the public use. We say "free use" because any time the land was no longer needed for the purpose provided, it was to revert to the ownership of the "Tallano Clan" and could not be converted by government to commercial use and sold for the benefit of the government. Some of the most classic examples of government abuse of this provision are Clark Airforce Base, Subic Naval Bay, Camp John Hay, and Ft. Wm McKinley (renamed Ft. Bonifacio) wherein the government has either leased, sold or continued to use the properties.

To place in perspective the impact of these court orders and decisions going back at least 430 years, almost all of the estimated 22,000,000 titles to land are fraudulent and were authorized to be issued by persons who knew they were fraudulent. There are three legitimate titles, OCT No. 01-4 and its derivatives TCT Nos. 408 and 498, as compared with at least 100,000 OCTs and TCTs that are fraudulent, numbers which were certified by former Commissioner Atty. Antonio Noblejas of the Land Registration Commission.

8. September 10, 1974, Writ of Execution, Demolition and Possession issued by late Judge Enrique A. Agana.

The Judge, acting on the motion of Julian M. Tallano, ordered "...the elements of the Integrated National Police, the Philippine Constabulary, the officials of Local and Barangay Government Units in the areas including the Metropolitan Command in the Greater Manila Area to coordinate with Branch Deputy Sheriff Atty. Herminio Ubana and his Deputized Sheriffs and law enforcement authority to take over all the properties herein mentioned and demolish any structures which were the subject matter of the above entitled case, LRC/Civil Case No. 3957-P, for and in favor of the said Intervenors, Julian M. Tallano, et. al."

Judge Agana also appointed Attorney Epitacio Sobejana as a "Private Sheriff" to "act in the absence of Sheriff Atty. Ubana if ever..." to "execute this order in a wider scope of area of responsibility...". Then:

"And finally, to recover all properties found nationwide covered by Land Title OCT No. T-01-4 and be turned over to the herein Judicial Administrator (Tallano)."

With the reminder that Case No. 3957-P was filed in 1962 during the Diosdado Macapagal Administration, and was then "joined" by the Solicitor General, we will copy part of the introduction:

"Laying the factual basis for granting the Motion was that the findings of this Court emanated in a LRC/Civil Case No. 3957-P that first judgment was pronounced and had been issued on February 4, 1972 in favor of Mr. Benito Tallano, who exposed the grand designed Motion for Reconstitution over a Land Title OCT 01-4 embracing the archipelago filed by the Honorable Solicitor General. That on that Motion, the Hon. Solicitor General should have a burden of proof to controvert the surviving oppositor, Benito Tallano, who is not the legitimate heirs of the late Prince Julian McLeod Tallano. That said late Prince have no surviving heirs at all so the subject land necessarily be reverted to the Government of the Republic of the Philippines. But, obviously, none of those above that the Hon. Solicitor General had succeeded to prove his own allegations by rebuttal evidences not even single evidence.

"Rather, they were trapped their grand design preserving for the interest of the influential few, when, the oppositor Benito Tallano, father of the intervenor, Mr. Julian M. Tallano, in compliance to the Order of the Court had successfully presented the vital witnesses in the persons of Ex-President and President of the Constitutional Convention, Hon. Diosdado Macapagal, and Honorable Chief Justice Roberto Concepcion, Ex-Senator Benigno Aquino, Assemblyman Lorenzo Tanada. That the Tallanos' defense that they are still physically living and in existence becomes indispensable to the dispositions of the aforecited vital witnesses."

A bit farther on we find two very interesting paragraphs:

"And the greatest information of all that divulged for public interest but should be observed with highest secrecy of the subject matter was the disposition of former Secretary of Justice Salvador Marino before Atty. Epitacio Sobejana (remember the "Private Sheriff"?) that there are group of Real Estate Developers-Investors responsible to disenfranchise the credibility of Land Title OCT No. T-01-4. The disposition reads as follows:

"That there are group of developers who have vested interest responsible to discourage and oppose the authenticity of OCT No. T-01-4, the Land Title of the whole archipelago..."

In a country wherein a lot of its "justice" seems to be "for sale", those with money to pay bribes to obtain fake land titles, and to delay and/or win cases when challenges are brought, grab the land to develop and sell to get more money to pay more bribes to get more land. An honest Judge can become the laughing stock of his peers and find himself ostracized in his own "club". Two of the Judges in this case, 3957-P, have stood tall and surely deserve a place among the greatest of Philippine heroes. They are Enrique A. Agana and Sofronio G. Sayo. Whether the current Judge on the case, Ernesto A. Reyes, can join them is not yet determinable, at least not from a journalist's position.

9. November 4, 1975, Court Decision rendered by late Judge Enrique A. Agana.

In this particular decision Judge Agana ruled favorably on the motion of the Principal Intervenor in the name of Anacleto Madrigal Acopiado praying for the issuance of Clarificatory Decision with an order for the Administrative reconstitution of the lost owner's and duplicate copies of TCT 408.

10. January 19, 1976, Clarificatory Decision issued by late Judge Enrique A, Agana.

The court ordered: "B) That the National Treasurer, the Central Bank of the Philippines and the Land Bank of the Philippines should undertake and release the disturbance compensation and compensatory damages amounting to P2 Billion in cash which are evidenced by Land Bank Bonds with interim Certificate Nos. 180, 180-1, 180-2, 180-3, 180-4 series of 1968 with earning interest of 7 per cent per annum in the amount of P400,000,000.00 each to be matured in August 14, 1978, the payment of P2 Billion pesos disturbance damages in favor of the intervenor to be taken from the assurance funds of the government which shall be secured by the Land Bank Bonds covering the interim certificate, said payment shall be due to the intervenor and not to the heirs of Don Mariano San Pedro y Esteban, the court has also ordered the intervenor to establish a Foundation in the name of Don Esteban Benitez Tallano and Don Gregorio Madrigal Acop to pursue the objectives of the landowner to preserve the estate for the interest of the Filipino people. [As of February 14, 2003 the amount due is calculated to be 40.705 billion pesos.]

"C) Commanding the NBI, INP, the Metrocom and the Philippine Constabulary and the succeeding Law Enforcement Authorities to Enforce this Orders and Arrest all occupants unlawful detainers either government or private persons or Corporation or their Associates, or employees which were declared violators of PD772..."

11. May 4, 1979, Sheriff Return signed by Atty. Jose E. Ortiz, Jr. Clerk of Court of RTC Branch 111, Pasay City dated. [A Sheriff Return is the Sheriff's report of what was accomplished pursuant to a Writ of Execution.]

In compliance with the Writ of Execution dated 09-10-74 the execution of recovering properties covered by TCT Nos. 408 and 498 had been implemented as witnessed by the Metrocom and Integrated National Police.

12. May 28, 1989, Order of Third Alias Writ of Execution, Possession and Demolition with Dismissal to Motion for Relief of the National Government issued by former Judge Sofronio G. Sayo. [From *BLACK'S LAW DICTIONARY*, Sixth Edition, 1991, Alias Writ of Execution is defined as, "One issued after first has been returned without having accomplished its purpose. A second writ of execution issued to enforce a judgment that was not fully satisfied by the sheriff acting under the first or original writ."]

The motion for reconsideration of the government took 13 years, a means of dilatory tactics to defeat the motion of the intervenor to file the motion for issuance of third alias writ of execution wherein the Solgen failed to file its motion within the time frame to prove their allegation, hence the government lost the case and their motion for relief had been denied, and the motion of the intervenor was granted, the private sheriff had been

appointed by the court and had been ordered to repossess all subject lands covered by OCT 01-4 and TCT Nos. 408 and 498.

- 13. October 9, 1989, Partial Compliance with Sheriff Certificate of Return** signed by Atty. Jose E. Ortiz, Jr.

In compliance with said court order the sheriff had implemented the writ and as a result land areas enumerated in the sheriff return located in greater Manila and its suburbs, including some areas in the provinces of Rizal, Bulacan, Laguna, Cavite, Tarlac, and Baguio City, about 15,000 hectares more or less had been recovered and turned over and reconveyed to Julian M. Tallano.

- 14. March 3, 1995, Order of 4th Alias Writ of Execution** signed by former Judge Sofronio G. Sayo.

The 4th order of writ of execution was granted by the court in favor of the intervenor Julian M. Tallano. Because the government was again employing dilatory tactics, it was penalized by the court by being assessed damages amounting to P500 million cash against the national government and its National Treasury office and the intervenor is also entitled to another P500 million damages against the government in shares of stocks of the government controlled corporations. Again the Register of Deeds of the provinces of Bulacan and Rizal were ordered to reconstitute TCT Nos. 498 and 408 respectively.

- 15. July 7, 1997, Court Order** signed by Judge Ernesto A. Reyes.

In the petition for reconstitution the court copy of the decision dated November 4, 1975 was destroyed when the city hall of Pasay was gutted by fire January 18, 1992. It was established that a copy of said decision had been received by Solicitor Dominador Cariaso, hence the court ordered and declared that said decision was reconstituted.

- 16. February 2, 1998, Court Order** signed by Judge Ernesto A. Reyes.

The intervenor represented by the counsel of Anacleto Acopiado filed a motion for the issuance of a court order to register a portion of land covered by TCT 408. Said motion was denied for lack of merit for reason that unless said TCT 408 is reconstituted that shall be the time to segregate portion of its land area.

- 17. July 11, 2001, Court Order** signed by Judge Ernesto A. Reyes.

The cause of action of the court in connection with the verified petition of the intervenor Julian M. Tallano led to the reconstitution of documents pertaining to decision, Clarificatory order, writ of execution, sheriff return, letter of administration, entry of judgement and ordering the Register of Deeds of Rizal and Bulacan to reconstitute TCT Nos. 408 and 498.

- 18. October 8, 2001, Court Order** signed by Judge Ernesto A. Reyes.

In connection with the motion for reconsideration filed by the Solicitor General dated July 31, 2001, the court ruled that the DECISION WITH COMPROMISE AGREEMENT dated 02-04-72 becomes the law of the case and when the decision of the lower court had not

been appealed and allowed to become final, it becomes the law of the case and cannot be set aside by the Judge, hence Solicitor General's motion for reconsideration is denied.

19. December 12, 2001, Court Order of Judge Ernesto A. Reyes.

The manifestation and reply filed by the Register of Deeds of Rizal resisting the issuance of reconstituted copy of TCT No. 408 as contained in the final order dated July 11, 2001 was denied and the court ordered the Registrar to comply.

20. December 19, 2001, Court Order of Judge Ernesto A. Reyes.

The Motion for Reconsideration of the same Registrar defying the execution of final order was similarly denied, hence the reconstituted title of TCT No. 408 was issued on December 19, 2001.

YEAR 2002

21. April 9, 2002, CA G.R. SP. NO. 70014 Republic of the Philippines [via the Office of Solicitor General] vs. Regional Court of Pasay City, Branch 111 (now presided by the Honorable Judge Ernesto A. Reyes), Anacleto Acopiado, Anacleto Madrigal Acop, Julian M. Tallano, and the Register of Deeds of the Province of Rizal and Bulacan. CA (above) stands for Court of Appeals. In this crystal clear move to pervert the Justice System, the government filed what amounts to "a Motion to Annul" the 1972 Agana DECISION WITH COMPROMISE AGREEMENT. Such a case cannot qualify as an Appeal to be heard in a CA; it was filed there through subterfuge because the Supreme Court had already ruled in favor of Tallano in such a way that it could not reverse itself. The government has acted in a clearly duplicitous and criminal manner; since he could not put the government in jail, Judge Agana "fined" it two billion pesos (as of 1968), which it still has not paid.

22. May 20, 2002, Comment and or Opposition to the Petition with Motion to Dismiss filed by Atty. Manuel G. Natividad, Jr., Counsel of Julian M. Tallano.

In reply to the petition filed by the Solicitor General praying for the annulment of the judgment of RTC Branch 111, Pasay City for reason of extrinsic fraud and lack of jurisdiction as alleged by the Solicitor General, Atty. Natividad comments that there exist no such extrinsic fraud committed by the court, inasmuch that during the litigation of the case, the Solicitor General was actively participating during the court proceedings, and as to the jurisdiction in question, the Regional Court is the right court and not the Court of Appeals.

23 June 25, 2002, Writ of Preliminary Injunction issued by Justice Marina L. Buzon.

Virtually ignoring the Opposition filed by Atty. Natividad, the Court of Appeals issued a Writ of Preliminary Injunction, saying that "Its sole objective is to preserve the *status quo* until the merits of the case can be heard fully." Then it says, "WHEREFORE, let a writ of preliminary injunction issue enjoining respondents from enforcing the Orders dated July 7, 1997, July 11, 2001, and October 8, 2001 in Civil Case No. 3957-P and from conducting further proceedings in said case." [That could be a very long time. Meanwhile, every business day all across the archipelago hundreds of illegal land titles are being issued. To

truly "maintain the *status quo*", would not all land titling be required to cease "until the merits of the case can be heard fully"? Sauce for the Goose is sauce for the Gander.]

24. November 20, 2002, Ultimate Rejoinder with Motion to Resolve and Dismiss filed by the 9 lawyers of Julian M. Tallano represented by Atty. Olivia Velasco-Jacoba.

In reply to other petition for annulment of judgment and consolidated reply of the Solicitor General, the 9 lawyers representing Julian M. Tallano submitted their Ultimate rejoinder manifesting that the state is estopped by simple fact of its having entered into a Compromise Agreement with the Tallano Clans, and the decision became final and executory and the Court of Appeals has no jurisdiction because the power to nullify titles is not among its original powers and there is no extrinsic fraud because since the start and throughout all the proceedings, the state was ably represented by the Office of the Solicitor General.

26. February 20, 2003, Court of Appeals, CA G.R. SP. NO. 70014, RESOLUTION/ DECISION. Ordered by Associate Justice Marina L. Buzon, concurred in by Associate Justice Jose L. Sabio, Jr., and Acting Presiding Justice Cancio C. Garcia, this decision denies all of the six motions filed subsequent to the issuance of the Writ of Preliminary Injunction of June 25, 2002 and concludes with the following statement:

... "Consequently, there is a need to examine the records of Civil Case No. 3957 and a hearing held for said purpose to determine whether respondent court acquired jurisdiction over said case."

What ludicrous nonsense! Those three Justices should be immediately suspended and an in-depth investigation initiated to learn the real motivation behind such a farcical ruling which, if they are allowed to get away with it, can easily delay the case, and progress in the Republic of the Philippines, for another ten years.

SUMMARY

Above, at 4., we referred to "initiating one of the biggest attempted land-scams ever". In his DECISION WITH COMPROMISE AGREEMENT, Judge Agana identified the perpetrators and disclosed their plan for replacing the Tagean-Tallano Clan as the owner of OTC No. T-01-4 by the government under its principles of Public Domain since there were no surviving heirs of the Tallanos. When one reads the cases in their entirety, it becomes clear that the government, in the person of Solicitor General Felix Makasiar who served in the Administration of Diosdado Macapagal, made the necessary effort to prove beyond any shadow of doubt that OCT No. T-01-4 was the single "grandfather" land title to the entire archipelago and the TCTs No. T-408 and 498 were the only legitimate derivatives thereof, making all land titles not derived directly from those three fraudulent and of no value whatsoever.

Rather than attempt to paraphrase Judge Agana's words and lose some of his wonderful clarity, we will quote from his DECISION WITH COMPROMISE AGREEMENT, beginning on page 12:

Similarly, the moro-moro court proceedings in this Sala under LRC/Civil Case No. 997-P against Don Esteban Benitez Tallano and Prince Lacan Acuña Tagean Tallano,

the living heir of the Late Price Julian Macleod Tallano contemplated by some government officials in Malacanang in conspiracy of these developers who managed the validation of their fictitious Land Titles particularly this OCT 333 of Bonifacio Regalado its Decree No. 1141 has been found covering land in Florida Blanca, the OCT 735 of Don Mariano Severino Tuazon, and that OCT 632 own by Eulalio Ragua, that OCT 730 own by Piedad Estate, that OCT 614, OCT 333, OCT 291, and that OCT own by Patricia Tiongson and by the National Government, and all OCT its numbers from OCT No 2 to OCT No. 100,000 had been declared non-bankable due to their fraudulent characteristics, and null and void ab initio by my predecessor in the Court on July 14, 1964 by virtue of the Petition filed by the Republic of the Philippines in favor of its allege predecessor, late Prince Lacan (Tagean) Tallano under LRC Civil Case No. 997 which was consolidated to LRC Civil Case No. 3957-P for Separate Judgment Re: Reconstitution of OCT No. T-01-4 in the name of Prince Lacan Tagean Tallano with Annulment of OCT No. 1 up to OCT No. T 100,000 vs. Hermogenes Rodriquez from which the petitioner, Republic of the Philippines had acquired its interest and rights over the subject lands under the principle of Public Domain, alleging in that petition that late Julian Macleod Tallano and Prince Lacan Acuña Tagean Tallano have no surviving heirs whosoever, so therefore, under the law, said big track of lands, the Hacienda Filipina evidenced by OCT No. T-01-4 be reverted to the National Government. [Please be reminded that during this period, 1962-1964, the National Government was under the Administration of Diosdado Macapagal.]

On the above proceedings, the constitutional rights of the heirs of the true owner had always been deprived, thanks to the sound-meritorious judicial procedures of our Judiciary then that asserted by then Solicitor General Felix Makasiar, now, the pillar of our Supreme Court who sent summons and subpoenas to the Tallano-Tagean heirs in Hawaii and the old residence of the Tallano-Tagean in Sitio Sauyo, Barangay Kuliat, Quezon City, the Decision in favor of the Republic of the Philippines under LRC/Civil Case No. 997-P consolidated with LRC/Civil Case No. 3957-P had been reverted in favor of Don Esteban Benitez Tallano by way of Opposition Paper with supported evidences adopted from government Position Paper and proof of ownership over the land and proof of heirship to the late Prince Julian Macleod Tallano and Prince Lacan Acuña Tagean Tallano and Intervention by Benito A. Tallano that had submitted during the Hearing prior to the release of Decision of July 14, 1964 which caused this case under LRC/Civil Case No. 3957-P as consolidated one railroad up to this proceedings.

On the part of the National Government represented by the Macapagal Administration they came to the stipulation for the issuance of the Decision with Compromise Agreement subject to the following terms and conditions, here to wit:

1. That the Republic of the Philippines thru its President, His Excellency Diosdado Macapagal waived its rights over the lands that are still found public lands or land that have Land Title including their rights in Crisostomo Estate in the City of Cabanatuan, yet, and if ever titled only those lands that have fraudulent Land Titles be re-conveyed to and in favor of the heirs of Prince Julian Macleod Tallano,

provide the Land Reform should be respected maintaining the land emancipated in favor of the farmer beneficiaries, otherwise, conversion of the land covered by Land Reform into a commercial purposes destroying the aims of land reform, automatically the ownership interest of the subject land should be reversed in favor of the heirs of the true owner, late Prince Julian Macleod Tallano; Don Esteban Benitez Tallano or their successor in interest;

2. That the government buying price of the subject land to the Tagean-Tallano Royal Family in case of expropriation by the government should be subject to the following quotations: [This was followed by several pages of land prices to be applied to different classes of land in all of the regions of the archipelago except those areas already ordered to be deeded to the three Sultans of Mindanao.]

From the quotations above it seems quite clear that the Macapagal Administration, including its Secretary of Justice Salvador Marino and its Solicitor General Felix Makasiar, used their "Position Papers" to prove the Tallano ownership of OCT No. T-01-4 and then had planned to usurp it by declaring that there were no heirs to the Tallano estate, thus taking it for the National Government via the principle of Public Domain. While it may not be politically correct to say so, governments (especially so-called democratic governments) are run by and for the benefit of a nation's oligarchs and the scheme uncovered by Judges Bautista and Agana was not at all atypical of most nations. The difference occurred because Judges Bautista and Agana were not corruptible and forced the Macapagal Administration to a compromise.

At the end of the 3rd paragraph above, 8., we said that "It does not have to be a "bad" situation". Judge Agana gave it much thought in the near 15 years he was responsible for the case and the solutions to almost all of the problems can be found in his Orders. For instance, he required that Prince Julian Morden Tallano set up a Foundation in the name of Don Esteban Benitez Tallano and Don Gregorio Madrigal Acop to manage the affairs of the Estate, including loaning money to provinces and municipalities and establishing and investing in businesses. Prices for government purchase of properties were established; a similar arrangement could be made so that developers could supply legitimate titles to those people to whom they sold, or leased, properties. Those problems can be solved by following the laws already existing.

With the aid of the Global Alliance Investment Association the government can make its appropriate payments to the Foundation which in turn can pay its real estate taxes, putting money in the hands of the municipalities and other beneficiaries of real estate taxes, allowing them to rapidly repair their local economies. Further, the gold held by the Central Bank for the benefit of the banking system was returnable at any time after the year 2000 began, and the Alliance can also assist in the distribution and use of that gold in all of the banking systems in Southeast Asia. Within all of this, Prince Tallano can be properly compensated for his 30 years of difficulties and the Foundation can be operated professionally with complete integrity.

No new legislation or litigation should be required to achieve the use of the abundance granted to this nation, once its people decide to work in harmony rather in competition with each other.