

THE TRUE STORY OF THE TALLANO (TALA) ESTATE

Fantastic! This is the normal reaction of those who are told one family has a title on the whole Philippine archipelago. It's not possible, many say. How was the title secured? Who secured the title? Why only now has the story surfaced and come to public attention? Why did it take so long for the owners to stake their claim on their property? Is this not a scam engineered by smart manipulators?

These and many other questions come to mind when presented with the story. But it is story with full factual support – titles, documents, court decisions, writs of execution, sheriff's return, annotations at the back of the titles, certifications of government officials and agencies attesting to the existence of the titles in their files and genuineness of the said titles. One document may be fabricated, especially because this is Philippines. But twenty-one (21) volumes of court documents certainly cannot be manufactured even by the smartest con artist on the face of this planet.

Yet, it is fantastic but it happens to be true. It is as fantastic as man's journey to the surface of the moon. In 1936, men laughed at Warner Von Braun for theorizing he could send a rocket to the moon. Everyone was saying it could only be true on the pages of comic magazines detailing the interstellar adventures of Flash Gordon and in novels like H.G. Well's War of the Worlds. But in 1956, Von Braun, with the help of NASA, sent a rocket with men to the surface of the moon making a trip back to Earth before unbelieving earthly inhabitants.

This is a story that will change the history of this country rewriting our textbooks, which give primacy to the tale that our country was discovered by foreigners. This country has been here long before the foreigners came to shores. The Tagean Tallano clans just happened to be royal families that ruled the land which we now call the Philippines.

How did it begun?

MAHARLIKA. Long before the Spaniards came to Philippines shores, the Philippine archipelago consisting of 7,169 islands with an area of 1,049,212,962 nautical square miles, including Guam and Hawaii was known as Maharlika. It was populated by Malays and ruled by the Tagean Tallano clans from the ninth to the fifteenth century. When the Spaniards started ruling the Philippines archipelago, they renamed it Hacienda Filipina.

Of the many kingdoms in Asia, Maharlika was one of them under King Luisong Tagean Tallano, the father of Raja Lapu-Lapu and Raja Soliman, the successors of King Marikudo of the Sri Vishayan Empire. Its principal products at that time were peanuts (**mani**) exported to Mexico and European countries and Herbal plants known as "**Nilad**" with some medicinal qualities which were exported to Mainland China. With the passage of time, the Chinese traders changed the name Maharlika to Maynilad or Maynila.

As in olden days, the kings and their families own their kingdoms and distribute portions to their subjects, especially to the members of the royal clans. This is exactly what happened to the Philippine archipelago, it was owned by the Tagean Tallano clans.

THE SPANIARDS. When the Spaniards came, full control of the islands remained with the descendants of King Luisong, specifically Raja Lapu-Lapu and his successors for Visayas and Mindanao and Raja Soliman and his successors for Luzon. Like conquerors of all kinds, the Spaniards started grabbing lands and distributed them to favored members of the conquering group, thereafter named **Haciendas**. Because of the land grabbing activities of the Spanish **conquistadores**, the descendants of King Luisong

brought these questionable activities of the conquering armies of Spain to the attention of the Spanish Queen leading to the setting aside of many royal land grants and the issuance of **titulo possessorio** to become **titulo de compra** embracing the whole Philippine archipelago in favor of the Tallano clans.

THE BRITISH. In 1762, the British Royal Armies came to Manila with the purpose of defeating the abusive Spanish armies. Finally, in 1764 the British won over the Spaniards. The British Royal Government then issued a Royal Decree, Protocol 01-4 based on the Laws of the West Indies, amending the property rights of King Philip of Spain over the Philippines and granting ownership of the Philippine archipelago to the Tagean Tallano clans. After the signing of the peace accord between the royal governments of Spain and Britain, the Queen of Spain recognized the property rights over the Philippine archipelago based on the Maura Law.

THE TREATY OF PARIS. With the defeat of the Spanish Armada to the forces of the United States of America in the Battle of Manila Bay, Spain and America concluded the end of the War by signing the **Treaty of Paris** where the Philippines was sold for \$20 Million U.S. Dollars. The winning bidder who paid the said amount in U.S. gold coins was DON ESTEBAN BENITEZ TALLANO, the predecessor in interest of PRINCE JULIAN MORDEN TALLANO. By virtue of the said payment, the **Oficina de Cabildo recognized and affirmed Royal Decree 01-4 Protocol and registered as TITULO DE COMPRA in favor of PRINCE LACAN ACUNA ULRIJAL BOLKIAH (TAGEAN) TALLANO.**

TORRENS TITLE. With the American administration in the Philippines, the ownership of the TALLANO CLANS was strengthened further by the passage of Act No. 496 which gave rise to the Torrens Title. Land registration proceedings based on the said law were undertaken which **affirmed the ownership and title of the Tallano Clans over the Philippine archipelago on October 3, 1904 as Original Certificate of Title (OCT) 01-4.** Furthermore, when Cadastral Act No. 2259 of 1913 was passed, again the cadastral court recognized the ownership and title of the TALLANO CLANS over the whole Philippine Archipelago, **still as OCT 01-4.**

A Torrens title is indefeasible which means it cannot be defeated by any claimant who has no title or whose title is issued later. It is also imprescriptible which means that it does not prescribe. Even if a person who has no title or a fake title occupies a land duly titled for a million years, the titled owner of the land concerned can drive away any occupant who has no title or a later title over the land.

In the Philippines, there is no titled issued earlier than OCT 01-4.

DOCUMENTS ATTESTING TO THE EXISTENCE AND GENUINENESS OF THE TITLES OF THE TALLANO CLANS OVER THE PHILIPPINE ARCHIPELAGO. The following are the official documents duly certified attesting to and confirming the genuineness and validity of the TALLANO ownership and title over the lands embracing the Republic of the Philippines:

Registration of Decree 01-4 protocol by virtue of the Supreme Order of the Royal Crown of England was done through Case No. 571 of the Royal Audiencia decreeing that PRINCE LACAN ACUNA TALLANO TAGEAN is the owner in fee simple of certain lands known as HACIENDA FILIPINA on January 17, 1764 at 10:45 in the morning, by authority of King George III of the Royal Crown of England, signed by GOVERNOR GENERAL DOWNSSONE DRAKE, British Governor, Philippine Islands.

Among the revealing annotations denoted as “Memorandum of Encumbrances Affecting the Property Described in this Certificate” are the following:

“ENTRY NO.	KIND	EXECUTED IN FAVOR OF	CONDITIONS	DATE OF INSTRUMENT/ INSCRIPTION	DATE OF CANCELLATION
EDC 000-S 1565	Deed of Occupation	Forcible occupation by Miguel De Legazpi renamed to Philip II of Spain	The whole Maharlika islands Drafted Document of OCT-01-4 by Father Andres Urdaneta	12-7-1565 12-12-1565	Partially cancelled by the Royal Order of the King of Spain in favor of King Luisong Tagean as symbol of friendship on January 5, 1566

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EDC 004
S-1608

Annotation: King Philip, in respecting Christianism and Humanitarian Policy of the Royal Crown of Spain, issued a Royal Decree Stopping abuses of the Spanish Authorities in the islands of Hacienda Filipina and ordering to revert land ownership to the Heir of King Luisong Tagean and objected the unjust levies to the inhabitants.

Date of Inscription: October 25, 1608
(SGD) RODRIGO DE VIVERO
Governor General
Royal Crown of Spain

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EDC 003
S-10-25

Annotation: The Spanish Government Officials and the residents of the Philippine Islands are compelled to take the oath of allegiance to King George III of the Royal Government of England with Order from the King the absolute cancellation of OCT NO. 01-4 in the name of King Philip II of Spain, the same Land Title should be issued anew to and in the name of Prince Lacan Acuna Tallano (Tagean).

Date of Inscription: October 25, 1762

(SGD) SIMON DE ANDA Y SALAZAR
Governor General of the
Royal Crown of Spain

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BRA 022
S-1762

Annotation: British Royal Squadron led by British Governor Downssone Drake, through this Land Title, they registered their strong words and proclamation over the repossession of the Isla Filipinas (HACIENDA FILIPINAS) through the Royal

Order of their King in this OCT 01-4 reverted the subject land to the real owner, Prince Lacan Acuna Tallano (Tagean), the cousin of the British Lord Alfred Dent. The Stronger force of the British squadron supported by heavy artilleries demand for the immediate surrender of the Spanish Government in as much as they occupied the church of Malate, Ermita, San Juan de Bagumbayan, Santiago and strategic Spanish Military Camp.

Date of Inscription: September 23, 1762

(Sgd) ARCHBISHOP MANUEL ROJO DE RIO
Governor General of the
Royal Crown of Spain

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EDC 029
S-10-16
1762

Annotation: Registered on this Land Title OCT 01-4, the fall of Manila, Cavite, Laguna and Province of Morong to the British Forces that caused the Spanish Government Indemnified the troops for P 4,000,000.00 the same year The subject land and its ownership, by the order of the Royal King of England, had reverted of Prince Lacan Acuna Tagean Tallano, the cousin of the British Lord, Alfred Dent.

Date of Inscription: October 6, 1672
(Sgd) SIMON DE ANDA Y SALAZAR
Governor General

RAM- 031
S-10-25
1764

Annotation: British Royal Crown ordered the cancellation of Titulo OCT 01-4 in the name of King Philip II and ordered registered a new OCT to the original landowner's heir, Prince Lacan Acuna Tallano, in lieu of the previous one, on January 9 1764, and implement the order of Justice of Real Audiencia de Manila, Simon de Anda affirmed the land (HACIENDA FILIPINA) ownership in favor of the heir of King Luisong Tagean, Prince Lacan Acuna Tagean (Tallano), who won the case embodied in R.A.M. 571 on January 22, 1761 in accord with the Perace Treaty between the Royal Crown of England and Spanish Government on October 23, 1764, as Implemented by the British Governor to the Philippines, Downssone Drake.

Date of Inscription: January 7, 1764

(Sgd) GOVERNOR JOSE RAON
Proprietary Governor

RAM 006
S-1784

Annotation: Upon the recognition of the Roman Catholic Church Hierarchy in the P.I. over the lawful rights of King Luisong Tagean Tallano and his heir over HACIENDA FILIPINA, Bishop Salazar sent a message to the King of Spain containing the account of tyranny, oppression and

Entry PLA-061, S-6-1, 1903. Deed of Assignment made by Don Esteban Benitez Tallano in favor of the Sultanate of Sulu under Jamalul Kiram heirs, relatives of Don Esteban Benitez Tallano, the whole lands of the provinces of Sulu, Lanao, Cotabato, and Zamboanga to prevent the escalation of hostilities in the South.

There are many more interesting annotations at the back of OCT 01-4 like Entry CLRO-01123, S-1904 regarding the yearly rental paid by the US Government to Don Esteban Benitez Tallano in Baguio City for the site now known as Camp John Hay.

OCT NO. 01-4 was certified true, correct and genuine and existing at the Office of the Register of Deeds of Pasig, Rizal with the caveat that the original document was forwarded to the Office of the Register of Deeds of Manila in 1960 for jurisdictional purpose. The certification was issued by JOSE D. SANTOS, Register of Deeds of the Province of Rizal at Pasig on March 4, 1965.

DERIVATIVE TITLES AND CERTIFICATION OF GENUINENESS AND THEIR EXISTENCE IN OFFICIAL FILES: There are two Transfer Certificates of Title based on OCT 01-4 they are TCT NO. 498 issued in the name of DON ESTEBAN BENITEZ TALLANO on June 7, 1932 by Register of Deeds TEODORO GONZALEZ of the Province of Rizal and TCT NO. 408 issued in the name of DON GREGORIO MADRIGAL ACOP on June 7, 1932 by Register of Deeds of the Province of Rizal, TEODORO GONZALEZ.

Certification issued by LAND REGISTRATION COMMISSIONER ANTONIO NOBLEJAS of the Land Registration Commission on January 3, 1964 in reply to a request of Solicitor General Felix Makasiar certifying that OCT-01-4, TCT Nos. 408 and 498 are in their files and genuine Torrens Titles and all other titles issued after OCT 01-4 and not derived from it are fake and fraudulent.

Certification of Acting Register of Deeds VICTORIANO S. TORRENS of the Province of Rizal dated December 10, 1980 in response to a subpoena duces tecum issued by request of Solicitor General FELIX MAKASIAR in relation to LRC/Civil Case No. 3957-P, before Branch 28 of the Court of First of Pasay City (now RTC Branch 111) stating that OCT 01-4 and TCT Nos. 408 and 498 are in their files, genuine and issued in accordance with law and with probative value.

TAX DECLARATIONS AND TAX PAYMENTS: The Tallano heirs declared the properties indicated in their titles and paid taxes for them, namely: 1) Tax Declaration No. 00111212-69 for OCT 01-4 in the names of Prince (Lacan) Tagean (Tallano) Ul Rijal Bolkiah with Don Esteban Benitez Tallano as Administrator, 2) TD No. 002-4450-69 in the name of Don Esteban Benitez Tallano with Benito Agustin Tallano as administrator for TCT No. 498; and 3) TD No. 003 (illegible) in the name of DON GREGORIO MADRIGAL ACOP. **All real estate taxes were paid from 1948 up to 1969 when there was a request for a moratorium due to the pendency of the case.**

COURT DECISION AND ACTIONS: There are two cases to talk about – the escheat proceedings, meaning for the government to take back the lands under OCT NO. 01-4 because of the absence of heirs and LRC/Civil Case No. 3957-P. The Government represented by the Solicitor General and the Tallano heirs entered into a compromise agreement. Not being contrary to law, the same was embodied in a decision of Judge Enrique Agana of Branch 28 of the Court of First Instance of Pasay City dated February 4, 1972. The same became final and executory. It was partially executed as shown by a number of sheriffs' returns.

After a series of motions, Judge Agana rendered a clarificatory decision dated January 19, 1976. The same also became final and executory. On representation of the Solicitor General and some private parties affected by the decision, in 1991 a moratorium of the enforcement of the un-enforced portion of the decision was entered into by the parties to operate within a period of 15 years ending in January 2006.

In the meanwhile, the Pasay City Hall was burned including the records of this case. The Tallano filed for reconstitution. The Solicitor General and the other private parties were represented in the reconstitution case. The Regional Trial Court of Pasay City, Branch 111, decided in favor of the Tallano heirs. The decision also became final and executory because nobody appealed including the government.

Long after the decision became final and executory, the Government, surprisingly represented by the Office of the Solicitor General wants the partially executed decision declared null and void in a case filed before the Court of Appeals under CA-GR. No. 70014. This case is already submitted for final resolution before the said Court.

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