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Luciano P.R. Santiago

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## Texts and Documents

### The Last Will of Padre Mariano Gomes

LUCIANO P. R. SANTIAGO

Of the martyred triumvirate Gomes, Burgos, and Zamora, historians usually cite Burgos as the only one who has an extant testament. Understandably, Zamora was not in a condition to execute a will for he had lost his mind in the upheaval. But according to Regidor who tried to piece together the stray events of 1872, Gomes too had written his last will.<sup>1</sup> Spanish historian Montero y Vidal even went so far as to claim that Gomes bequeathed a "200,000 peso estate to a natural son whom he had fathered before he became a priest."<sup>2</sup>

Furthermore, Gomes' nephew, Marcelino quoted two clauses from his last will in his brief biography of the priest on the fiftieth anniversary of his martyrdom in 1922. These were the sixth and seventh clauses in which he made cash provisions for the church and the poor parishioners of Bacoor, respectively. This indicates that Marcelino possessed the original or at least a copy of Gomes' last will. But this was the first and the last partial glimpse we have of the contents of this rare document. In 1972, we celebrated the centenary of the triumvirate's martyrdom without additional data regarding Gomes' last will.

By serendipity, however, I found the probate records including the court's copy of the Last Will and Testament of Padre Gomes at the National Archives while pursuing an utterly different subject

The author wishes to express his gratitude to Fr. John N. Schumacher, S.J., for calling his attention to Marcelino Gomez' article and for his critical evaluation of this paper.

1. Antonio Ma. Regidor, "A los Martires de la Patria: Burgos, Gomez y Zamora," *Filipinas Ante Europa* (Madrid) 28 Feb. 1900, pp. 67-78.

2. Jose Montero y Vidal, *Historia General de Filipinas* (Madrid: M. Tello, 1894), 3:584ff.

matter.<sup>3</sup> There it was, crying out for recognition from that lugubrious heap of bundles called *testamentos*. One can only pause to pay respects to this venerable manuscript with frayed edges, which has defied time, natural calamities, wars and human indifference to present us the last act – interspersed with poignant flashbacks – in the twists and turns of a man's existence.

### HISTORICAL SITUATION

According to Regidor who was imprisoned with Gomes at Fort Santiago, the latter had made the following declaration at the outset of his incarceration: "If I can only choose my own death I would prefer execution; then I would know the exact moment when I shall meet my creator and prepare myself for the occasion."<sup>4</sup> His wish was ironically fulfilled when the Council of War sentenced him to die less than a month after his arrest. A man of God, he was now past the biblical age of three score and ten.<sup>5</sup> Clearly, it was the paradoxical consolation of his tragic end to know when the "inevitable hour" would strike in the evening of his life.

Charged with sedition together with a group of prominent Filipinos, he had been arrested on 21 January 1872, the night after the mutiny at the Cavite Arsenal. A minor incident seems to have mushroomed overnight into a major uprising. In double quick time, the Council of War had tried them behind closed doors. (To this day the Spanish government has declined to release the records of their trial, claiming that they could not be found). By the night of 15 February, it had handed down its inexorable sentence: Padres Gomes, Burgos, and Zamora were to be executed by the garrote on 17 February. Events had moved too fast for Gomes and his friends. But at least, with perfect courtesy, they were informed on the morning of 16 February of the manner and time of their execution. From Fort Santiago, they were transferred to the Engineers' Barracks at the Luneta – a euphemism for death row.

3. The National Archives, "Diligencias instituidas para la apertura del testamento del finado Don Mariano Gomes Cura que fue del Pueblo de Bacoor en Provincia de Cavite." Quiapo, 17 Febrero 1892. *Testamentos*, no. 105, Legajo no. 2 (now bundle no. 85).

4. Regidor, "A los Martires," p. 69.

5. E.A. Manuel, "Mariano Gomes" *Dictionary of Philippine Biography* (Quezon City: Filipiniana, 1955), 1:195-99.

N<sup>o</sup> 105  
Luzon 17 Febrero 1872.

~~Legajo 105~~

Legajo 102

Diligencia instruida  
para la apertura del  
testamento del finado  
Don Maximiano Gomez  
Obispo que fue del  
Pueblo de Baco en la  
Provincia de Cavite

Legajo 102

St. Carlos

Don Maximiano

San Juan

Don Lorenzo

Title page of Fr. Gomes' last will and testament

## THE CHAPEL-CELL

That Gomes had made peace with his Creator, there is no question; a reading of his last will evinces this fact directly and between the lines.<sup>6</sup> The task at hand, rather, was to make provisions for those he would leave behind. As Curate of Bacoor, one of the most prosperous parishes of Cavite and scion of a propertied family of Sta. Cruz, Manila, he had built a modest estate which he now set about to bequeath to close relatives and friends. Locked in his chapel-cell at the barracks, he worked on his will the whole morning up to early afternoon of Friday, 16 February.

His confessor and namesake, Fray Jose Gomez, provincial secretary of the Recollects, assisted in drafting this document and affixed his signature as the sole witness. Gomes called his chaplain "my friend" in the document and even asked him to help oversee the fulfillment of its terms after his death.

In the meantime, the authorities were informed of Gomes' last endeavor and a series of punctilious procedures unrolled to validate the will, as chronicled in detail in the court records. Mariano de la Cortina, governor of the Province of Manila and Judge of the Court of First Instance of Quiapo District, assigned a notary public, Francisco Rafael Abellana of Tondo, to authenticate it. The latter arrived at the barracks in the early afternoon. The security was very tight and he was made to wait "several hours" before one of the guards escorted him into the chapel-cell.

At 5 P.M. in the presence of his seven guards (all young Spanish soldiers fresh from the "peninsula" except one who was an "indio" like the testator), Gomes presented his will to the notary in a closed and wax-sealed envelope and asked him to submit it to the appropriate court. Without much ado, he, Abellana and the seven witnesses signed the envelope describing the brief transaction in writing. Gomes must have been exhausted since his signature appears faint and blurred.

His mournful mission over, Abellana headed back for the gate. But before he could leave, he had to report to the Chief of the Chapel Guards, Eustacio Gijon, who was also a member of the Council of War which had just sentenced Gomes. In the name of the council, Gijon kept the envelope after inspecting it and reserved

6. The following data is drawn from *Testamentos* cited in note three.

the right to keep it until the judicial proceedings. This was the first hitch in the trials and tribulations of Padre Gomes' last will, echoing his own misfortunes.

#### MARTIAL DRUMS AND CHURCH BELLS

Saturday 17 February 1872 began as a day of drums. After receiving Holy Communion, Padre Gomes went up the scaffold unflinchingly in the early morning at Bagumbayan. To the very end he was "all of a piece." His serenity was all the more remarkable in contrast to the stricken stare of Zamora and the heart-rending protestations of Burgos who were both half his age. "I know very well that no leaf on a tree may stir save at the will of the Creator; since he asks that I die in this place, His Holy Will be done."<sup>7</sup> Gomes' last words echo his last will.

He and his colleagues made the supreme sacrifice as priests in good standing, for the Archbishop of Manila had refused the Governor-General's demand to defrock them. In all conscience, the Archbishop conducted the tolling of church bells during the executions; and the bells triumphed over the drums.

#### TRIAL AND TRIBULATIONS OF THE WILL

With the medical certification of Gomes' death by strangulation, the vicissitudes of his last will resumed.<sup>8</sup> A meticulous lawyer, Abellana had promptly informed Judge Cortina of his experience at the barracks. Meanwhile, Gijon had transmitted the sealed envelope to Manuel Boscasa, public prosecutor of the Council of War. Boscasa then wrote Cortina on 19 February justifying his possession of it by claiming jurisdiction over Gomes' case since he was tried and sentenced by the Council. However, he assured Cortina that he would present it in court at the appointed time so that it could be opened in his presence, because it might yet contain "incriminating information against some person." Predictably, Cortina concurred with him.

Boscasa further disclosed that he had intercepted the last letter written by Padre Gomes addressed to his chaplain, Fray Gomez,

7. Regidor, "A los Martires," p. 68.

8. Details drawn from the will proceedings, note three.

*Fr. Gomes*  
*Notario Publico*

*Notario Publico*

*17 de Mayo de 1800*

Participo yo el infrascripto Notario Publico adito al Juzgado del Distrito de Condo que de orden del Sr. Alcalde mayor del dicho Condo, me constituí en el lugar de las horas de las once de la tarde del día de hoy (y estando en el cuartel de la Comata y estando en una de las puertas Don Mariano Gomez de los Angeles Cura Torero del pueblo de Bawor p. villa de Caxite, por mi conocido, me he entregado el presente paquete, diciendo que contiene su última voluntad, para hacer lo mismo cuando conenga al Señor juez competente, el cual paquete va cerrado y lacrado, a que en su vista haga cumplir lo que se encarga en todas sus cláusulas. Y para efecto, con quienes firmo hoy diez y seis de Mayo de mil ochocientos setenta y dos, siendo testigos presentes Don Felix Robayal, Don Ramon Branda, Don Mariano Gonzalez, Don Enrique V. Nave, Don Vicente Moreno, Don Esteban Ordoñez y Victorino Obispo todos mayores de edad que tambien firman por ante mi como testigos de fe = los notarios = y ostendo = no vale =

*17 de Mayo de 1800*

*Felix Robayal*  
*Ramon Branda*  
*Victorino Obispo*

Envelope (with upper and lower flaps) that contained Fr. Gomes' last will, signed by him (left), the notary, and seven witnesses

indicating that he had given a copy of his testament among other papers to a certain Sinforoso. (Fray Gomez did not participate in the legal proceedings.) He advised Cortina to trace this copy so that it could also be examined in court in his presence.

The cooperative Cortina immediately dispatched an order to his counterpart in Cavite to search for this second document at the residence of Gomes at Bacoor. Although the communication arrived by courier on the night of 20 February, the equally efficient Governor of Cavite proceeded at once to Bacoor to personally scrutinize the priest's papers by torch and candlelight. His party surprised Gomes' grieving household, consisting of his assistant and now acting curate, Padre Cornelio Ignacio, two nephews, Modesto de la Torre and Isidro Trias, and a distant relative, Sinforoso de Cuenca, to whom Gomes had allegedly entrusted his final papers. They combed the rectory but could not find any pertinent records. When they asked the four men to produce more documents, the latter ruefully told them that two or three days after Gomes' arrest an armed troop invoking a warrant from the Governor-General had already ransacked the house and confiscated the main bulk of Gomes' papers. Nevertheless, the officials seized the remaining irrelevant manuscripts and sent them to Manila just to prove that they had made the search, but in vain. Cortina, of course, sent these back to them.

Disappointed, Cortina and Boscasa decided to proceed with the opening of the will as previously scheduled. On 22 February at 11 A.M., the seven guards and Abellana started taking turns at the witness stand to confirm their signatures on the sealed envelope which still appeared intact. Then Cortina ceremoniously broke the three wax seals and opened the envelope before the eyes of Boscasa. Cortina first read the testament privately and then handed it to the clerk to read aloud before those present. Afterwards, Cortina declared it a public document and returned the original to Abellana for his official files.

Boscasa was probably disappointed again for he could not find any incriminating or subversive materials in it. Perhaps he was actually relieved that Gomes was not a vindictive man, for the latter did not in any way expose the Council's travesty of justice. The next day, he wrote Cortina to prevent the heirs of Gomes from coming to his office to claim the priest's personal papers men-

tioned in the will. This would have rendered half of the will extremely difficult if not impossible to follow, yet Cortina still approved it.

Neither did any official bother to inform Gomes' relatives or friends of the existence of the testament. Within the week, however, his family got word of the closed will. On 28 February, his nephews, Padre Manuel Trias, coadjutor of San Francisco de Malabon (now General Trias), and Modesto de la Torre presented themselves at the Quiapo court to petition for its opening. They were informed that it had already been probated and they were referred to Abellana for a certified copy of the original.

### THE WILL

Padre Gomes' last will and testament is simply what it should be: a spiritual as well as a secular document. As described in the court records, he filled six pages (or both sides of three sheets) of the official papers stamped for the fiscal year 1872 to 1873. It consists of eighteen clauses and contains nuggets of personal and familiar information which fill many gaps in his biography. A man of relentless candor and humility, he draws a self-portrait showing "all those roughnesses, pimples, warts." Clearly, he would rather be despised for what he was than be admired for what he was not. Unlike the scholarly Burgos, he never wrote, let alone published, any important work except official correspondence.<sup>9</sup> His last testament is, without doubt, the most profound document of his life.

His complete name is Mariano Gomes de los Angeles. He was born in Sta. Cruz, Manila and is now "72 and a half years old."<sup>10</sup> This gives credence to the date of his birth given by his nephew Marcelino as 2 August 1799 (the feast of Sta. Maria de los Angeles).<sup>11</sup> It is important to note that he does not indicate his racial classification which was then obligatory and ubiquitous in legal papers. He seems to be purposely implying that he does not recognize such categories within the human race.

9. Carlos Quirino, "Checklist of Documents of Gomburza from the Archdiocesan Archives of Manila," *Philippine Studies* 21 (1973): 19-84.

10. Data from will proceedings, note three.

11: Marcelino Gomez, "P. Mariano Gomez," *The Independent*, 4 Feb. 1922, pp. 15-22. Reprinted in *Readings on Burgos, Gomez and Zamora* (Manila: Burgos-Gomez-Zamora Centennial Commission, 1971), 4:99-119.

The first clause is at once the most confident and lyrical as well as the most touching. Death for him is the great adventure. He prays "that when God would be pleased to take me from this world, I commend my soul to Him so that through His infinite mercy and the powerful intercession of the Blessed Virgin Mother, my Holy Guardian Angel, Lord St. Joseph and other Saints to whom I have special devotion, my soul would be transported to heaven to bask in the Divine Presence. If the authorities permit it, I would like my remains to be buried in the cemetery of my parish . . . ."

Actually, as early as 30 January, the ecclesiastical Governor had written him in prison rather coldbloodedly "that for the better service of the Church, you live separately from your parish and establish your residence elsewhere in that province or wherever you deem best."<sup>12</sup> It was like discarding a faithful employee who had been with the establishment for forty-eight years because he had been presumed guilty of trumped-up charges. Two more years and he would have celebrated his golden jubilee both as a priest and Pastor of Bacoor. Instead he was dismissed and sentenced to a barbaric end. Neither was he an ordinary servant of the Church, for he had also been Vicar Forane of Cavite for twenty-eight years.<sup>13</sup>

The authorities, however, turned a deaf ear to his last wish. Under the personal supervision of Boscasa, his remains together with those of Burgos and Zamora were dumped in an unmarked common grave at the Paco Cemetery.<sup>14</sup> To his dying day, Boscasa never revealed the site and neither has it ever been traced.

#### THE REVELATION

The most stunning exposition of his personal life – reminiscent of the Confessions of St. Augustine – comes in the second clause. Without mincing words, he states that he has an acknowledged natural son whom he now declares his universal heir. This son is no other than Modesto de la Torre, the "nephew" who stood helplessly by while a search party plundered Gomes' papers for the second

12. Quirino, "Checklist," pp. 22-23.

13. Manuel, "Mariano Gomez," p. 197, and the will proceedings.

14. Regidor, "A los Martires," p. 69.

time in one month. When he was a young man of about nineteen, Gomes "knew" an unmarried woman by whom he fathered this child. The child was baptized at Sta. Cruz Church in Manila with the name Modesto de los Santos, but he later adopted the surname of his godfather. He is now a resident of Bacoor and married to Francisca Facundo by whom he has six children.

Gomes' biographers had long wondered why after earning the degree of Bachelor of Canon Law at the age of eighteen going on nineteen, he apparently interrupted his priestly studies at the University of Sto. Tomas and shifted to law. However, two years later, he returned to his original plans and took up Sacred Theology which he finished in 1823.<sup>15</sup> A romantic interlude must have led to a private struggle (a dark night of the soul?) from which he emerged more determined than ever to pursue his vocation.

The fact that the Spanish historian, Montero y Vidal, knew he had a natural son shows that Gomes' life was an open book precisely as he must have wished it to be. Yet one wonders if this personal revelation is the reason why his last will had been "lost" or misplaced for so long. Perhaps it was just our past lack of diligence in historical research, or a combination of both.

#### THE FAMILY

We also learn a great deal about his family of origin. His parents were Don Alejandro Francisco Gomes and Doña Martina Custodia (Custodia was her second name, not her surname, but de los Angeles might have been her surname.) He had one brother and three sisters and they had long ago divided the rather sizable estate of their widowed mother. In fact, Gomes' main property, situated in Sta. Cruz, Manila, was inherited from his mother. A sister, Maria Dolores, had named her son for him, but of all the nephews, this second, turned out to be an embezzler. On the other hand, he had two worthy nephews who were also priests: Padres Feliciano Gomes (who was arrested and imprisoned with him at Fort Santiago) and Manuel Trias. He appointed them together with Modesto as his executors. Needless to say, he considered priesthood the most sublime calling and made special provisions for any descendants of Modesto and his nephews and nieces who would take

15. Manuel, "Mariano Gomez," p. 196.

holy orders or the religious habit. Those descendants who became outstanding students in other fields also received monthly stipends. Family members who still owed him money were absolved of all their debts.

#### THE ESTATE

The ₧200,000 estimated value of his estate as gathered by Montero y Vidal was a disparaging exaggeration.<sup>16</sup> In spite of his long years of service in an affluent parish, the only real properties he acquired were a house for rent, thirteen saltbeds and another saltbed attached to the communal salterns. The latter might have been the gift of the townspeople since it was he who catalyzed the development of Bacoor's saltmaking industry.<sup>17</sup> He kept a great deal of cash at hand in the form of bags of coins as was customary at the time.

Another claim of Montero y Vidal proved to be false. He asserted that "In his (last will), Gomes enjoined his heirs to always obey the orders of the Spanish authorities and remain loyal to the [Spanish] Nation."<sup>18</sup> These words or their equivalent are nowhere to be found in the document. Gomes was neither defiant nor obsequious to the Spanish government in his last will.

#### HIS ORDERLINESS

His simple and methodical life as well as the clarity of his mind was reflected in the arrangement of his room in Bacoor which one can make out from the will. For orderliness, he used many drawers. In the middle of his room was a large round table with drawers. He had two "aparadors," one old and the other new, and both had a pair of drawers inside. He also had a bureau, a writing desk and at least two book cases. He smoked cigars and found their empty boxes quite useful in keeping his countless papers. He also liked raisins and likewise saved their containers for small receipts.

This austere interior facilitated the preparation of his testament when at death's door. He was able to specify which records or sack of coins could be found in which drawer in his room, as though he

16. Montero y Vidal, *Historia*, p. 585.

17. Manuel, "Mariano Gomez," p. 197.

18. Montero y Vidal, *Historia*, p. 585 footnote.

were still there and not in his death cell. Unfortunately, unknown to him because his family did not have the heart to tell him, his room had been pillaged by soldiers in search of incriminating evidence against him. As we have seen according to the court records, the plunder was even repeated after his death to ferret out an alleged duplicate of his will. The fact that it did not even occur to him that his room would be recklessly scanned by the authorities shows that he had nothing to hide.

Marcelino Gomez, on the other hand, claimed that the priest's heirs destroyed all his personal papers as soon as he was arrested, precisely for fear that something might be used against him.<sup>19</sup> This is contradicted by the present document.

#### THE CHURCH FUNDS

The first task he assigned his executors as soon as he died was to complete the account books of the parish of Bacoor and the ecclesiastical province of Cavite, of which he was the vicar, based on the various receipts, statements, notebooks and other pertinent papers that he had left in particular places in his room at the time of his arrest. If a deficit resulted, this was to be taken from his estate before carrying out any other terms of his will.

Before the Archbishop of Manila left for Rome to attend the First Vatican Council, Gomez had come to Manila to deposit the sanctorum funds in a bank in Manila. He had not actually received His Grace's permission to do this but he was afraid he might be held up by highway-men on the way back to Cavite. He now wished them to be properly accounted for, not as his own but as belonging to the vicariate of Cavite.

#### "MY PARISH"

Next to his family, the people of Bacoor came closest to his heart and they stirred in him exquisite compassion and generosity. He referred to the community fondly as "my parish"; he had known no other parish since he had become a priest. Indeed he was the Father of Bacoor. He left his only set of jewelry and about half of his cash savings to the local church and his parishioners,

19. Gomez, "P. Mariano Gomez," p. 99.

“particularly the poor.” (These are the sixth and the seventh clauses quoted by Marcelino Gomez in his article.)<sup>20</sup> Neither did he forget his loyal servants, past and present, whom he respectfully named one by one and to whom he assigned donations.

#### THE REQUIEM

Finally, he asked his son and two priest-nephews to arrange for the celebration of a hundred masses immediately after his death and regularly afterwards for the eternal repose of his soul.

20. *Ibid.*, p. 119.