

Title:

****Casas vs. Riosa Estate: Validity of Wills and the Impact of Subsequent Legal Amendments in the Philippines****

Facts:

Jose Riosa, who died on April 17, 1917, left a will executed in January 1908. The will disposed of an estate valued at over P35,000 and was executed following the provisions of Section 618 of the Code of Civil Procedure then in force. This law required the will to be written, signed by the testator, and attested and subscribed by three credible witnesses in the presence of the testator and each other. However, the will did not comply with Act No. 2645, which amended Section 618 by adding additional formalities for the signing and attestation of wills, effective from July 1, 1916, after the will was made but before Riosa's death.

Marcelino Casas applied for the probate of Riosa's will, but the lower court disallowed it based on non-compliance with the new requirements set by Act No. 2645. The case was brought to the Supreme Court on appeal to resolve whether the law at the time of the will's execution or the law at the testator's death should control the will's validity.

Issues:

1. Whether the validity of the execution of a will should be determined by the law in effect at the time of its execution or the law in effect at the time of the testator's death.
2. The applicability of Act No. 2645's additional formalities to wills executed before its enactment.

Court's Decision:

The Supreme Court, in deciding this case, adopted the rule that the validity of the execution of a will must be gauged by the statutes in force at the time of its execution. The Court argued that retrospective laws generally work injustice and should not apply to past acts like the execution of a will, which, although ambulatory until the testator's death, is a completed act respecting the formalities required at the time. Hence, the Court found the will of Jose Riosa valid despite it not meeting the requirements introduced by Act No. 2645, as these requirements were enacted after the will's execution. Accordingly, the Supreme Court reversed the lower court's decision and directed that the will be admitted to probate.

Doctrine:

The validity of a will's execution is determined by the legal requirements in force at the time

of the will's execution, not the requirements that may be in place at the time of the testator's death.

Class Notes:

- **Will Formalities**: Important to understand the specific formalities required for a will's execution, such as signature by the testator and attestation by credible witnesses, as these formalities may vary over time with legislative changes.
- **Retroactive Application of Laws**: Generally, laws are presumed to have a prospective, not retrospective, effect unless explicitly stated or implied. This is crucial in testamentary matters where a testator's dispositions are fixed at the time of the will's execution.
- **Statutory Construction Principle**: In case of doubt, statutes are construed as having only prospective operation. This principle is pivotal in safeguarding the intentions of a testator as expressed under the law existing at the time of a will's execution.

Historical Background:

This case situates within the broader legal context of the early 20th-century Philippine jurisprudence, a period marked by the transition from Spanish to American legal influences. The shift and amendments in statutory laws concerning wills and testamentary successions reflect this transitional period, highlighting the evolving legal landscape and the Supreme Court's role in interpreting and applying these changes in a manner that respects both legislative intent and established legal principles.