

**REPUBLIC OF THE PHILIPPINES, PLAINTIFF AND APPELLANT, VS.
MARIA (MARUJA) P. VDA. DE YULO, ET AL., DEFENDANTS, LUIS F.
RIVILLA, DEFENDANT AND APPELLEE.**

G.R. No. L-19645. April 29, 1966

Ponente: DIZON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/33f32ea618e8/>

DIZON, J.:

The Republic of the Philippines appeals from an order of the Court of First Instance of Manila in Civil Case No. 49019 dismissing its complaint as against Luis F. Rivilla for lack of sufficient cause of action. Said complaint was filed to recover from Maria Vda. de Yulo, appellee Rivilla and Mariano Pacheco the sum of P16,357.03, with interest at 6% per annum, compounded quarterly, and attorney's fees equivalent to 10% of the total indebtedness and costs, alleging that on several occasions in 1943 "Maria P. Vda. de Yulo, for herself and through defendants Luis F. Rivilla and Mariano Pacheco", obtained several loans from the former Bank of Taiwan, Ltd. in the total amount of P7,372.94, all with interests at the rate of 6% per annum, compounded quarterly, as evidenced by seventeen promissory notes executed by them in favor of said bank; that as security therefor, Maria Po Vda, de Yulo executed in its favor a chattel mortgage on the standing crops growing on her hacienda "Maruja" located at the Municipality of Isabela, Negros Occidental.

By virtue of Vesting Order No. P-4, dated January 21, 1946, the Alien Property Custodian vested in the Government of the United States all the property and assets of the Bank of Taiwan, Ltd., which, in turn, were transferred to the Government of the Republic of the Philippines, pursuant to Transfer Agreement dated July 20, 1954, as supplemented by Transfer Agreement of June 15, 1957. Among the assets of the bank were the loans secured by the chattel mortgage mentioned heretofore.

Appellee filed a motion to dismiss the complaint on the ground of prescription of the action and insufficiency of its allegations to constitute a valid cause of action against him.

After due hearing on the motion, the Court issued the appealed order.

A perusal of the promissory notes attached to the complaint shows that appellee signed some of them merely as agent of Maria P. Vda. de Yulo. In fact, the complaint itself, (paragraph two thereof) alleges "that on several occasions in 1943, the defendant Maria P. Vda. de Yulo, for herself and through defendants Luis F. Rivilla and Mariano Pacheco, obtained several loans x x x." That it was solely Maria P. Vda. de Yulo who owed the loans is further corroborated by the fact that the chattel mortgage was signed only by her and was constituted on her exclusive property.

Premises considered, the order appealed from is affirmed, with costs.

Bengzon, C.J., Bautista Angelo, Concepcion, Reyes, J.B.L., Barrera, Regala, Makalintal, Bengzon, J.P., and Sanchez, JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.