

**JUANA URBANO ET AL., PLAINTIFFS AND APPELLANTS, VS. PEDRO RAMIREZ, JUDICIAL ADMINISTRATOR OF THE ESTATE OF VICTORINO BUHAY, DECEASED, DEFENDANT AND APPELLEE.**

*G.R. No. 4788. March 03, 1910*

Ponente: MAPA, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-4788/>

---

**MAPA, J.:**

The appellants herein presented a claim for 2,890.59 pesos to the committee of appraisal of the estate of Victorino Buhay, which they allege was due by the deceased to their principal, Telesforo Chuidian, together with interest thereon at the rate of 10 per cent per annum from the 9th of February, 1898, when the debt was contracted, and 180.66 pesos in addition thereto on account of a certain commission agreed to in favor of the creditor, Chuidian. Subsequently the last-named amount was remitted, whereby their claim was reduced to the two items first mentioned.

The court below ordered the administrator of the estate to pay the sums claimed. The said order is as follows:

"While the court was in full session this administrator admitted the contract which the plaintiff claims had been entered into with the deceased while living. Upon examination of said contract it was shown that Buhay owed the heirs of Chuidian the sum of 2,890.59 pesos and also the sum of 2,910.55 pesos for interest up to the 6th of March, 1908, with interest thenceforth on the principal amount at the rate of 10 per cent per annum until payment is made.

"Said contract was made in Mexican currency and it should be converted into Philippine currency at the official ratio established by the Government of the Philippine Islands on this date.

"This claim with respect to the amount already referred to is hereby approved, and the administrator is hereby ordered to pay the said sum immediately."

The plaintiffs excepted to the above order solely in so far as it ordered the conversion of Mexican into Philippine currency at the official ratio which, according to said order, ruled at the time when the order was issued.

The fact established by the trial court that the debt had been contracted in Mexican currency is neither denied nor discussed in the brief of the appellants, nor is the propriety of converting the obligation into Philippine currency discussed. The only objection made by them is to the conversion at the official ratio mentioned in the order appealed from, maintaining that it should be done at par. And they allege as a reason and basis for their pretension that the administrator of Buhay's estate made no objection to the admittance of the debt, as it appears in the account marked as Exhibit A (p. 11 of the bill of exceptions), when the matter was brought before the commissioners for appraisal, the amounts being stated therein in figures with the proper sign for Philippine currency. In support of said allegation they insert in their brief a copy of the record of the appearance before the commissioners for appraisal which, among other things, literally reads "that the administrator admits the document presented by the other party acknowledging at the same time the credit therein stated for P2,890.59 3/8." The document herein referred to is the account marked as Exhibit A which has just been mentioned.

The record of appearance before the commissioners for appraisal has not been submitted to this court, nor was it made a part of the bill of exceptions which we have before us, for which reason we can not take it into account in rendering a decision in this matter. This court can not base its decisions on evidence which is not before it, it being of course the duty of the appellants to take all the necessary steps to have the same submitted to this court in those cases in which it is desired, and the law grants, a review of the evidence.

As to the rest, if the said document or record of appearance were to be considered, it would be seen that there is nothing therein to support the pretension of the appellants, inasmuch as the figures which represent the amounts are not indicated with the proper sign of the Philippine currency. The Philippine peso is represented by means of this sign: "P" (Executive Order No. 66, August 3, 1903), and that used in the above-cited record is this other: "P;" this last sign is certainly in use to signify pesos, but pesos in general, not particularly Philippine pesos.

The same must be said with respect to the account, Exhibit A, and it should further be noted that therein the signs "\$" and "P" are used indiscriminately, which fact shows that the parties did not attach much importance nor pay much attention to the question of signs, apparently considering it as a matter of small consequence. It is well known that the sign "\$" indicates money of the United States, as recognized in Executive Order No. QQ, above cited. It is true, that in the copy of said Exhibit A, which appears at page 11 of the printed bill of exceptions, there appears the sign "P," but this is evidently an error in copying or on the part of the printer, because, in the original (p. 12), the said sign does not appear, but shows the letter "P." Therefore, the allegation of the appellants, which the appellee has denied in his brief, that the latter had agreed to pay the debt in Philippine currency on the basis of one Philippine peso for one Mexican peso, at par, is unfounded.

The order appealed from directs a conversion of the Mexican currency into Philippine currency at the official rate established by the Government and in force on the date of said order (March 6, 1908). The order is erroneous and should be revoked. Section 7 of the Act of Congress of March 2, 1903, provides as follows:

"That the Mexican silver dollar now in use in the Philippine Islands and the silver coins heretofore issued by the Spanish Government for use in said Islands shall be receivable for public dues at a rate to be fixed from time to time by the proclamation of the Civil Governor of said Islands until such date, not earlier than the first day of January, nineteen hundred and four, as may be fixed by public proclamation of said Civil Governor, when such coins shall cease to be so receivable."

By virtue of this provision, Executive Order No. 1, dated January 1, 1904, was issued providing that "The Insular Treasurer and each provincial treasurer in the Philippine Islands shall \* \* \* exchange on demand Philippine currency for said Spanish-Filipino currency at such rates as the Insular Government may, from time to time, determine."

Such was the purpose in fixing said rates: that it might serve as a basis or official standard in exchanging at the treasuries the so-called local currency for Philippine currency during the period while the said local currency should be received in payment of dues, it being the duty of the Insular Government to fix the date when it should cease to be so receivable. And the said date was fixed by the Government by Executive Order No. 8 of March 11, 1907, providing that "from the 1st day of July, 1907, the Insular Treasurer and all provincial treasurers shall cease to redeem the silver coins \* \* \*" (Spanish-Filipino, Mexican, etc.).

The redemption of the local currency having been thus prohibited, the reason for the official ratio between said currency and the Philippine currency ceased; consequently no official rate of exchange whatever existed on the 6th of March, 1908, when the order appealed from was rendered, for the reason that it had been abolished. As no such ratio existed at the time, it can hardly serve as a basis, even though it be supplementary, for the conversion of Mexican into Philippine currency; the order above alluded to can not therefore be sustained with reference to this

point.

In order that the true equivalent of the two above-mentioned classes of currency may be established, the contending parties should be given an opportunity to present evidence in connection with the matter in the manner provided by section S of Act No. 1045 of the Philippine Commission, inasmuch as the debt was contracted in Mexican currency, and the payment must be ordered in Philippine currency, precisely in accordance with said Act.

The order appealed from is hereby set aside in so far as it directs that the amount claimed be converted into Philippine currency at the official ratio said to be ruling on the 6th of March, 1908; a new trial shall be held for the sole purpose of permitting the parties to present evidence as to the actual value of the Mexican money as compared with Philippine currency, which shall serve as a basis for the reduction of the said debt to Philippine currency as must be ordered in the judgment to be rendered. Without special finding as to costs. So ordered.

Arellano, C. J., Torres, Johnson, and Carson, 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.