Title: Mora Adong v. Cheong Seng Gee

Facts:

The case revolves around the estate of Cheong Boo, a native of China who died intestate in Zamboanga, Philippine Islands, on August 5, 1919. Cheong Boo's estate, valued at nearly P100,000, became the subject of contention between two alleged families. On one hand, Cheong Seng Gee claimed to be the legitimate son of Cheong Boo from a marriage contracted with Tan Dit in China in 1895. On the other hand, Mora Adong alleged that she was lawfully married to Cheong Boo in 1896 according to Mohammedan rites in Basilan, Philippine Islands, with two surviving daughters from their union: Payang and Rosalia.

The claims were brought before the Court of First Instance of Zamboanga. The trial judge found that Cheong Seng Gee's Chinese marriage was not sufficiently established but recognized him as a natural child due to his admission to the Philippine Islands as the son of the deceased. Meanwhile, the marriage between Mora Adong and Cheong Boo was deemed to have been adequately proved but considered unlawful under Philippine law. Payang and Rosalia were also recognized as natural children.

Both parties appealed the judgment of the trial court. The Supreme Court affirmed that the Chinese marriage had not been adequately established for a lack of competent testimony on Chinese marriage laws, therefore recognising Cheong Seng Gee as a natural child. However, it found the Mohammedan marriage to be valid, thus entitling Mora Adong and her daughters to rights accruing to them under the law.

Issues:

1. Whether or not the Chinese marriage, mainly proven by an alleged matrimonial letter, is valid in the Philippines.
2. Whether or not marriages performed in the Philippines according to the rites of the Mohammedan religion are valid.

Court's Decision:

1. The Court ruled that the Chinese marriage was not validly proven as it lacked competent testimony on the laws of China concerning marriage in 1895 and there was not enough evidence to produce a moral conviction of the existence of the marriage.
2. The Court held in affirmative regarding the validity of the Mohammedan marriage, with reference to section IX of the Marriage Law (General Order No. 68), allowing the legalization of marriages previously solemnized with a belief in the authority of the

officiating person and that the marriage was lawful. It declared that marriages performed according to the rites of the Mohammedan religion are valid in the Philippines.

Doctrine:
– Comity principle: Marriages contracted outside the Philippines that are valid according to the laws of the country where they were contracted are valid in the Philippines.
– Curative provision of section IX of the Marriage Law (General Order No. 68): Marriages formerly solemnized in belief of the parties that they were lawful shall not be invalidated for lack of authority or due to any informality, irregularity, or omission.

Class Notes:
– Comity principle: All marriages contracted outside the Philippines are regarded as valid within the Philippines if they are valid according to the laws of the country where the marriage was contracted.
– Curative provision (Section IX, General Order No. 68): A solemnized marriage is not invalid due to lack of authority or formal defects if it was celebrated with the belief by either party in the authority of the solemnizer and that the marriage was lawful.

Historical Background:
The case reflects the intersection of diverse legal systems and cultural practices in the Philippines under American colonial rule. It demonstrates the American colonial policy of non-interference with local customs, particularly the free exercise of religious practices among the Moro population (Muslim inhabitants of the Philippines). The decision in Mora Adong v. Cheong Seng Gee is situated in a broader context of early 20th-century Philippine legal history, where the American colonial government aimed to integrate customary and religious practices with the western legal framework, recognizing the unique cultural landscape of the Philippines.