

**\*\*Title:** Yao Kee, et al. v. Aida Sy-Gonzales, et al.\*\*

**\*\*Facts:\*\***

Sy Kiat, a Chinese national, died on January 17, 1977, in Caloocan City, Philippines, leaving behind real and personal properties worth about P300,000. Following his death, Aida Sy-Gonzales, Manuel Sy, Teresita Sy-Bernabe, and Rodolfo Sy (children of Sy Kiat with Asuncion Gillego) filed for letters of administration in the Court of First Instance of Rizal, claiming Sy Kiat died intestate and rejecting Yao Kee's marriage to Sy Kiat and the filiation of her children. Yao Kee and her children (Sze Sook Wah, Sze Lai Cho, and Sy Chun Yen) opposed, claiming Yao Kee married Sy Kiat on January 19, 1931, in China and her children were his legitimate offspring. The probate court favored Yao Kee, recognized her and her children as the legal family, and appointed Sze Sook Wah as administratrix. The Court of Appeals modified this decision, recognizing all as acknowledged natural children due to failure to prove the legality of Yao Kee's marriage under Chinese law.

**\*\*Procedural Posture:\*\***

1. Probate court recognized Yao Kee's marriage and appointed Sze Sook Wah as administratrix.
2. Court of Appeals modified the probate court's decision, declaring both Yao Kee's children and Asuncion Gillego's children as acknowledged natural children of Sy Kiat but questioned the legality of the marriage.
3. Both parties contested the Court of Appeals decision.
4. The Supreme Court denied initial petitions for review but upon reconsideration, gave due course to the instant petition filed by Yao Kee and her children.

**\*\*Issues:\*\***

1. Did the Court of Appeals err in declaring the marriage between Sy Kiat and Yao Kee not proven valid according to Chinese law?
2. Were Aida Sy-Gonzales, Manuel Sy, Teresita Sy-Bernabe, and Rodolfo Sy correctly declared as natural children of Sy Kiat with Asuncion Gillego?

**\*\*Court's Decision:\*\***

1. The Supreme Court upheld the Court of Appeals' ruling that Yao Kee and Sy Kiat's marriage was not proven valid under Chinese law. The Court emphasized that foreign laws must be proven as facts and judicial notice of Chinese customs was not taken, leading to the non-recognition of the marriage in Philippine jurisdiction.
2. It affirmed the status of Sy Kiat's children with Asuncion Gillego as acknowledged natural

children due to his acknowledgment and the lack of any legal impediment to their parents' union.

**\*\*Doctrine:\*\***

1. **\*\*Proof of Foreign Marriage:\*\*** Philippine courts require that foreign marriages must be proven in accordance with both the fact of marriage and validity under foreign law. This involves presenting competent evidence of foreign laws and customs (Art. 71, Civil Code; Rule 130, Section 45; Rule 132, Section 25).
2. **\*\*Acknowledgment of Natural Children:\*\*** Acknowledgment can be established through factual recognition by the parent, such as statements in court-recognized documents (Art. 276, Civil Code).

**\*\*Class Notes:\*\***

- **\*\*Foreign Law Application:\*\*** Philippine courts require foreign laws to be proven as facts.
- **\*\*Processual Presumption:\*\*** In the absence of proof, foreign law is presumed to be the same as Philippine law.
- **\*\*Natural Children:\*\*** Children acknowledged by the parent in an official capacity, such as court documents, are legally recognized.
- **\*\*Judicial Notice:\*\*** Philippine courts do not take judicial notice of foreign laws and customs unless specifically proven in each case.

**\*\*Historical Background:\*\***

The case reflects the complexities of managing estate claims involving foreign nationals and the evidential burden in Philippine courts regarding the validity of foreign marriages. It underscores procedural requirements for foreign law proof, emphasizing the implications on family and inheritance rights. This case is pivotal in illustrating the application of processual presumption and the criteria for acknowledging children in intestate succession cases.