

IN THE MATTER OF THE PETITION TO BE ADMITTED A CITIZEN OF THE PHILIPPINES CHUA PUN BAPTIZED AS LEONCIO SY PENG BEN, PETITIONER AND APPELLANT, VS. REPUBLIC OF THE PHILIPPINES, OP...

G.R. No. L-16825. December 22, 1961

Ponente: REYES, J.B.L., J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/08f18a69114d/>

REYES, J.B.L., J.:

Appeal from the decision of the Court of First Instance of Manila denying the petition of Chua Pun to be admitted to Philippine citizenship.

The pertinent part of the trial court's decision follows:

"Under Section 7 of Commonwealth Act 473, it is required that, in their supporting affidavit, the character witnesses must state, among other things, that they know the petitioner to be a person of good repute and 'morally irreproachable'. In his testimony, character witness Felicisimo Trinidad testified that the conduct and reputation of the petitioner as a resident of the country is 'very good', while the other character witness, Constanca Aranda, testified, when asked about the character and reputation of the petitioner that the latter is a 'law-abiding citizen.'

It is to be noted that during the hearing, none of the character witnesses testified that the petitioner is 'morally irreproachable' much less did any one of them testify on specific facts to show that the petitioner is 'morally irreproachable'. It may be stated that it is not sufficient that the character witnesses should state in their affidavit that the petitioner is 'morally irreproachable.' Neither is it sufficient for them simply to affirm on the witness stand the truth of the contents of their affidavit. Considering that the law requires that in the affidavit of witnesses the latter must assert that the petitioner is personally known to them to be 'morally irreproachable;', it follows, as an inevitable corollary, that such assertion or statement must be established on the witness stand by the testimony of the affiants themselves. In short, it is necessary that there be proof, through the testimony of two credible witnesses whose affidavits are attached to the petition, that they personally know the petitioner to be morally irreproachable, (*Ong vs. Republic*, 55 Off. Gaz. 3290).

It is not sufficient to establish that the conduct [conduct] and reputation of the petitioner in the community is 'very good' and that the said petitioner is a 'law-abiding citizen'. The law requires moral character of the highest order on the part of the petitioner. In short, it is essential that the character witnesses must establish, through their testimony in court, that the petitioner is 'morally irreproachable'. This, the witnesses of the petitioner in the present petition have failed to do. Hence, the court is of the opinion that the second ground relied upon by the Government in its opposition is Well-taken."

A review of the record convinces us that this appeal is untenable. Apart from allegations in their affidavit to that effect, petitioner's witnesses should prove at the trial that the applicant is morally irreproachable (*Ong vs. Republic*, 103 Phil., 964; 55 Off. Gaz., [18] 3290; *Dy Shui Sheng vs. Republic*, 107 Phil., 718; 58 Off. Gaz., [14] 2904 not merely that he is a "very good" or a "law-abiding" person. As found by the trial court, however, not only

have the applicant's witnesses failed to state categorically that applicant is morally irreproachable, but they failed to establish specific facts and events from which to infer that irreproachability. Moreover, since the law requires proper and irreproachable conduct. during the entire period of his residence in the Philippines (Section 2, par. 3, Com. Act 473), the evidence falls far short when only two witnesses are presented who came to know applicant only in 1945 and 1946 respectively (see *Di Tian vs. Republic*, 103 Phil., 363 Off. Gaz. 420) and who were, therefore, in no position to testify as to applicant's conduct from the time he arrived in the Philippines on October 2, 1924. Needless to say, it takes much more than the uncorroborated assertions of applicant himself to establish this vital fact. Even within the span of time that the two witnesses allegedly have known the applicant, it is not convincingly shown that the nature of their association with the applicant was such as to "keep them reasonably posted on his qualifications (cf. *Deetuanka vs. Republic*, 109 Phil., 940; 61 Off. Gaz., [5] 537). As a customer who merely takes his merienda in the applicant's soda fountain, the witness Felicísimo Trinidad has not shown himself to be sufficiently familiar with the personal circumstances and background of the applicant to vouch for his character; and the fact that Trinidad, being in charge of rental collections for Rocés Hermanos, may have had contact with their tenants (one of whom is the applicant) did not, of itself, qualify him to testify about appellant's character¹ and conduct.

Without casting aspersions on the personal integrity of appellant's witnesses, We have noted that the record has not proven them to be the "credible persons" referred to in the Naturalization law.

"Within the purview of the Naturalization Law, a 'credible' person is, to our mind, not only individual who has not been previously convicted of a crime; who is not a police character and has no police record; who has not perjured in the past; or whose 'affidavit' or testimony is not incredible. What must be 'credible' is not the declaration made, but the person making it. This implies that such person must have a goodstanding in the community; that he is known to be honest and upright; that he is reputed to be trustworthy and reliable; and that his word may be taken on its face value, as a good warranty of the worthiness of the petitioner, * * *" (*Ong vs. Republic supra*; *Dy Shui Sheng vs. Republic supra*, *Sy Ang Hok vs. Republic*, 111 Phil., 473; 58 Off. Gaz., [34] 5629.

The applicant-appellant quotes American authorities on the sufficiency of proof as to "good moral character". These authorities are not pertinent, since our law requires "morally irreproachable character" which is, as correctly observed by the trial court, a much higher standard.

Wherefore, the judgment under appeal denying naturalization is affirmed, with costs against petitioner-appellant.

Bengzon, C.J., Padilla, Bautista Angelo, Labrador, Concepcion, Barrera, Paredes, Dizon, and De Leon, 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.