

IN THE MATTER OF THE PETITION OF QUE CHOC GUI, TO BE ADMITTED AS CITIZEN OF THE PHILIPPINES. QUE CHOC GUI, PETITIONER AND APPELLEE, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR AN...

G.R. No. L-16184. September 30, 1961

Ponente: CONCEPCION, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/a038eefa45c9/>

CONCEPCION, J.:

Appeal by the Government from a decision of the Court of First Instance of Manila granting the application of petitioner Que Choc Gui for naturalization as citizen of the Philippines.

Petitioner has resided continuously in the Philippines since March 4, 1937, when he was born therein of Chinese parents. He completed his primary and secondary education in the Quiapo Anglo-Chinese School and the Far Eastern University, respectively. The Government assails, however, the sufficiency of the evidence to establish some of his qualifications and the absence of disqualifications for naturalization. Upon examination of the record, we are fully satisfied that the appeal is well taken.

In *Ong vs. Republic* (103 Phil., 964; 55 Off. Gaz., 3290, 3294), we said:

"Needless to say, the legal provision requiring that the sworn statements of at least two (2) credible persons be attached to the petition, necessarily implies that those two (2) persons must, also, confirm, on the witness stand, the contents of their aforementioned affidavits. Accordingly, in the absence of good reasons therefor—such as death or unexpected absence of the affiants—we have held that they must testify for the petitioner, and cannot be substituted by other witnesses (*Cu vs. Republic*, 89 Phil., 473; *Yu Chiong Tian vs. Republic*, 94 Phil., 742 *Awad vs. Republic* 97 Phil., 569; *Karam Singh vs. Republic*, 97 Phil., 622; 51 Off. Gaz., 5172; *Cabarles Cu vs. Republic*, 97 Phil., 746; 51 Off. Gaz., [11] 5625; *Raymundo Pe, et al. vs. Republic*, 99 Phil., 586; 52 Off. Gaz., 5855; *Lui vs. Republic*, 100 Phil., 258; 53 Off. Gaz., [2] 379; 53 Off. Gaz., 379; *Chan Pong vs. Republic*, 101 Phil., 1210; and *Dy Suat Hong vs. Republic*, 101 Phil., 639, 54 Off. Gaz. [7] 2168).

"Similarly, when the law ordains that certain specified statements be made in said affidavits, it follows, as an inevitable corollary, that those statements must be established, on the witness stand, by the testimony of the affiants themselves. In other words, petitioner must prove by the testimony of, at least, two (2) credible persons, whose affidavits are attached to the petition:

- That they are citizens of the Philippines;
- That they are 'credible persons'
- That they personally know the petitioner;
- That they personally know him to be a resident of the Philippines for the period of time required by law;
- That they personally know him to be a person of good repute;

- That they personally know him to be morally irreproachable;
- That he has, in their opinion, all the qualifications necessary to become a citizen of the Philippines; and
- That he 'is not in any way disqualified under the provisions' of the Naturalization Law."

In the case at bar, petitioner's character witnesses did not testify on, among other things, whether or not he believes in the principles underlying our Constitution or has evinced a sincere desire to embrace the customs, traditions and ideals of the Filipinos (Com. Act No. 473, Sec. 2, subdivision [3] and Sec. 4[f]. Moreover, aside from identifying his affidavit in support of petitioner's application, one of said witnesses, namely, Eriberto Angeles, said nothing about petitioner's qualifications. As to his disqualifications, Angeles admitted that all he could say is that petitioner had not committed any crime. Indeed, neither Angeles, nor the other character witness, Adela Purugganan, knew the petitioner sufficiently to vouchsafe for his qualifications and lack of any disqualification. Apart from being acquainted with petitioner's father because she had been a clerk in the records division of the Bureau of Immigration, Miss Purugganan used to meet petitioner when the former went shopping to the Quinta Market or in the grocery store of petitioner's father in Quezon Boulevard. Upon the other hand, Angeles was merely in charge of a restaurant in Quiapo.

Again, in said case of *Ong vs. Republic*, we held:

"* * * Within the purview of the Naturalization Law, a 'credible' person is, to our mind, not only an 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 good standing 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. Thus, in *Cu vs. Republic*, G. R. No. L-3018 (decided on July 18, 1951), we declared that said affiants 'are in a way insurers of the character of the candidate concerned.' Indeed, by their affidavits, they do not merely make the statements herein contained. They also vouch for the applicant, attest to the merits of the petition and sort of underwrite the same."

Neither Angeles nor Purugganan meets these conditions.

Lastly, petitioner's only income is a monthly salary of P150 he claims to receive as salesman in the aforementioned store since June 1, 1958. We have repeatedly declared that such income, allegedly derived from employment in a business enterprise of petitioner's father, is insufficient to establish compliance with the statutory requirement of lucrative occupation or calling (*Sy Ang Hoc vs. Republic*, 111 Phil., 489; 58 Off. Gaz. (34) 5629; *Richard Velasco vs. Republic*, 108 Phil., 234; 58 Off. Gaz. (11) 2154; *Tan vs. Republic* 111 Phil., 321; *Zacarias vs. Republic* 112 Phil., 131; 59 Off. Gaz. (36) 6038).

Wherefore, the decision appealed from is reversed, and petitioner's application hereby dismissed, with cost against the petitioner. It is so ordered.

Bengzon, C. J., Labrador, Reyes, J. B. L., Paredes, and De Leon, JJ., concur.

Bautista Angelo and Barrera, JJ., on leave.

Dizon and Padilla, JJ., took no part.

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.