

**IN THE MATTER OF THE PETITION OF GAW CHING TO BE ADMITTED
A CITIZEN OF THE PHILIPPINES. GAW CHING, PETITIONER AND
APPELLEE, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR AND
APPELL...**

G.R. No. 19419. September 30, 1964

Ponente: CONCEPCION, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-19419/>

CONCEPCION, J.:

This is an appeal taken by the Government from a decision of the Court of First Instance of Manila granting the application of petitioner Gaw Ching for naturalization as citizen of the Philippines.

The Solicitor General maintains that said decision should be reversed because; (1) petitioner had not complied with the provisions of Section 7, of the Revised Naturalization Law; (2) petitioner's character witnesses failed to establish adequately his right to be naturalized; and (3) petitioner's occupation is not sufficiently lucrative to warrant his naturalization.

On July 2, 1962, the Solicitor General filed a motion praying that this case be remanded to the lower court for the reception of newly discovered evidence, allegedly tending to show that "there had been palpable lack of good faith, bordering on misrepresentation, on the part of the petitioner-appellee Gaw Ching in his naturalization papers". Action thereon was, however, deferred by this Court, by resolution dated July 27, 1962, until after the hearing of the appeal.

Pursuant to Section 7 of said law (Commonwealth Act No. 473, as amended), an application for naturalization shall state not only petitioner's present but, also, his "former places of residence". Petitioner admits that the latter data are not given in his petition herein, but, he alleges that this was due to sheer inadvertence on his part. He, moreover, maintains that such omission should not be considered fatal, for his present residence is No. 699 Asuncion Street, Manila, and his old address was No. 512 of the same street, which, he now claims, is nearby, and, hence, could not have affected materially the investigation that the authorities must have undertaken in connection with the present case. However, this argument is based upon a mere supposition, which, as such, has very little weight. Besides, considering that said street is located in one of the most densely populated sections of Manila, the distance between petitioner's new residence and the old one may spell the difference between success and failure in the conduct of said investigation. Again, the aforementioned non-compliance with the law must be assumed to have impaired the substantial effectivity of the investigation aforementioned, unless proved otherwise, and no such proof has been introduced or even offered by the petitioner.

Then again, said law requires that the application for naturalization be supported by the affidavit of two (2) "credible persons". According to the decision of this Court in *Ong vs. Republic*, 103 Phil. 964, (see, also, *Cuaki Tan Si vs. Republic*, L-18006, October 31, 1962), "credible persons", as the term is used in our Revised Naturalization Law, means:

"* * * 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* 89 Phil., 473 (decided on July 18, 1961), 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 therein contained. They also vouch for the applicant, attest to the merits of his petition and sort of underwrite the same."

The records do not show that petitioner's character witnesses, namely, Salvador Estenzo and Benjamin Amog, particularly, the latter, live up to the foregoing standard. What is more, their testimony concerning petitioner's qualifications and the alleged absence of disqualifications is too general to satisfactorily establish the same. In fact, they do not know him sufficiently to attest to the possession by him of the requisite qualifications and of none of the aforementioned disqualifications. It may not be amiss to note, also, that in his obvious interest to show that petitioner is well known to him, witness Amog declared that when he first met petitioner in 1946 he was already residing at No. 699 Asuncion Street, although according to Exhibit H of the petitioner, dated July 18, 1950, his residence up to such date was still No. 512 of the same street.

IN VIEW OF THE FOREGOING, it is unnecessary for us either to take up appellant's third assignment of error, or to pass upon appellant's aforementioned motion of July 2, 1962, and the decision appealed from is hereby reversed, with costs against appellee, Gaw Ching.

IT IS SO ORDERED.

Bengzon, C.J., Bautista Angelo, Reyes, J.B.L., Paredes, Dizon, Regala, Makalintal, Bengzon, J.P., and Zaldivar, 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.