

**IN THE MATTER OF THE PETITION OF TSE VIW ALIAS TSE VEW
ALIAS PABLO SIA TO BE ADMITTED A CITIZEN OF THE PHILIPPINES.
TSE VIW ALIAS TSE VEW ALIAS PABLO SIA, PETITIONER AND
APPELLE...**

G. R. No. L-18281. November 22, 1966

Ponente: DIZON, J.

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DIZON, J.:

Appeal taken by the Republic of the Philippines from the decision of the Court of First Instance of Leyte (Civil Case No. 0-8) admitting Tse Viw alias Tse Vew, alias Pablo Sia, to Philippine citizenship.

On January 14, 1960, appellee filed a petition for naturalization alleging that he was born a citizen of Nationalist China on August 20, 1927 in Canton, China; that he arrived in the Philippines from Hongkong on July 10, 1938 on board the vessel S.S. TJISAROCA; that he had resided in the Philippines continuously ever since and for more than one year immediately preceding the filing of the petition in the City of Ormoc, Leyte; that he was an employee of Walter Johnson & Co., an establishment in Ormoc City, receiving a monthly salary of P250.00; that he was married to Lucita Villas, a Filipino citizen; and, finally, that he possessed all the necessary qualifications required to become a Filipino citizen and none of the disqualifications. Attached to the petition were the affidavits of character witnesses, Rafael Mejia and Valeriano Daffon, both residents of Ormoc City, wherein they alleged that they personally knew appellee for more than ten years prior to the filing of the petition; that the latter had been continuously residing in the Philippines during said period of time, and that, in their opinion, appellee had all the qualifications necessary to become a Filipino citizen and none of the disqualifications.

After proper publication and hearing, the court, on February 15, 1961, rendered the appealed judgment.

Petitioner claims that for a good number of years he has been employed as bookkeeper by Walter Johnson and Co., at a monthly salary of P250.00, with free board and lodging. He has not shown affirmatively, however, that he has filed any income tax return for any particular year, as required by law. True, he presented Exhibit P, a certificate issued by Anacleto Serafin, Assistant Provincial Revenue Officer stationed at Tacloban City, to the effect that petitioner "has no outstanding tax obligation accruing to the Philippine government" as of October 18, 1960, but this is not equivalent to producing proof, for the purpose of this case, that petitioner had filed the income tax returns required by law. As has been held repeatedly heretofore, it is incumbent upon an alien applying for citizenship to prove affirmatively that during the period of his stay in this country he has complied with the law.

Coming now to the character witnesses, We find that their testimony is too general and unconvincing. It must be remembered that vouching witnesses stand as insurers of petitioner's conduct and character. For this reason they are expected to testify on specific facts and events justifying the inference that petitioner - as personally known to them - possesses all the qualifications and none of the disqualifications provided by law for purposes of naturalization. In this case it does not appear sufficiently that the nature of the association of the vouching

witnesses with the petitioner is such as would have enabled them to acquire definite knowledge about his qualifications and/or disqualifications. Neither were they able to cite specific facts and events regarding petitioner's conduct and character.

Lastly, while the record discloses that Pablo Sia is the name given to petitioner upon being baptized in a catholic church and gave it in his application as one of his aliases, there is nothing in the record showing that he had been judicially authorized to use such name as an alias.

WHEREFORE, the decision appealed from is hereby reversed, with the result that petitioner's application for citizenship is hereby dismissed, with costs.

Concepcion, C.J., Reyes, J. B. L., Barrera, Regala, Makalintal, Bengzon, J. P., Zaldivar, Sanchez and Ruiz Castro, JJ., concur.

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