

IN THE MATTER OF THE PETITION OF ANTONIO JAO ALIAS JAO TECK CHUAN TO BE ADMITTED A CITIZEN OF THE PHILIPPINES. ANTONIO JAO ALIAS JAO TECK CHUAN, PETITIONER-APPELLEE, VS. REPUB...

G.R. No. L-23116. January 24, 1968

Ponente: MAKALINTAL, J.

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MAKALINTAL, J.:

The Solicitor General has appealed from the decision of the Court of First Instance of Cebu granting appellee's petition for naturalization (Case No. 753). The case was submitted without appellee's brief in reply to that of appellant.

Petitioner, a citizen of the Republic of Nationalist China, was born of Chinese parents in Binondo, Manila, on December 7, 1921, and baptized in the Chinese Church of Binondo under the name of Antonio Jao Teck Chuan. He took his primary course in De La Salle College of Manila and his secondary and collegiate courses in the Far Eastern University where he obtained his degree of Bachelor of Science in Commerce. On April 28, 1951 he married Susan Ng Siok Kun, also a Chinese citizen, with whom he has four children, to wit: Andrew, Alexander, Margaret and Melanie, the first two being enrolled at the De La Salle College and the other two at St. Scholastica College, both in Manila. Since 1956 petitioner and his wife have been residing in Cebu, where he is employed as salesman in the Ignacio Leyson Brokerage, as a solicitor in the office of Santiago Go, Commercial Broker, and in the Lianga Bay Logging Company, Inc., with a monthly salary of P550.00, P500.00 and P75.00, respectively, or a total of P1,125.00. Two witnesses, Honorato Suson and Facundo O. Perez, vouched for his good moral character.

The issue to be resolved is whether or not petitioner has satisfactorily shown that he has all the qualifications and none of the disqualifications for naturalization.

The first objection raised by the Solicitor General is that although according to petitioner he was known in school as Anthony Jao he was never officially registered under this name, nor was it included in the publication of the notice of his petition. We do not consider this objection of sufficient importance, since petitioner was baptized Antonio Jao Teck Chuan, and this is the name given in his petition as well as in the published notices thereof.

The Solicitor General next draws attention to the evidence of petitioner's good moral character and conduct. It is a well settled rule that the evidence on this point must embrace the entire period of the applicant's residence in the Philippines (Lim vs. Republic, L-22437, June 21, 1966; Republic vs. Hon. Andres Reyes, L-20602, December 24, 1965; Vy Tian alias Si Un vs. Republic, L-19918, July 30, 1965). The two character witnesses in this case testified that they first came to know the petitioner in 1946, when he was already 25 years old, and even then used to meet him only occasionally, until he transferred to Cebu in 1956. Consequently they are not in a position to vouch for petitioner's irreproachable conduct for the entire period required by law (Ng vs. Republic, L-21179, January 22, 1966; King vs. Republic, L-19082, September 29, 1966), especially while he was staying in Manila and for a time in San Juan, Rizal.

The notice of the petition for naturalization was published in "La Prensa", a newspaper of general circulation in the province of Cebu. There is no showing that the said newspaper was also of general circulation in Manila and San Juan, Rizal, where petitioner, as heretofore stated, spent the greater part of his youth. The purpose of the law in requiring publication of the notice of the petition is to apprise the public in general that petitioner has applied for citizenship, so that persons who know him or otherwise may have derogatory information about him may bring the same to the attention of the corresponding authorities. For the acquisition of citizenship by naturalization is of public interest, involving as it does the conferment of political and economic rights and privileges.

Wherefore, the decision appealed from is set aside and the petition is dismissed, without prejudice to the filing of another application by petitioner. No pronouncement as to costs.

Concepcion, C.J., Reyes, J.B.L., Dizon, Bengzon, J.P., Zaldivar, Sanchez, Castro, Angeles, and Fernando, JJ., concur.

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