

PETITION FOR NATURALIZATION OF UY TIAN IT (PETER UY LORENZO). UY TIAN IT (PETER UY LORENZO), PETITIONER AND APPELLEE, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR AND APPELLANT.

G.R. No. L-18248. December 27, 1963

Ponente: CONCEPCION, J.

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CONCEPCION, J.:

The review of a decision of the Court of First Instance of Manila, granting the application for naturalization of petitioner Uy Tian It, alias Peter Uy Lorenzo, is sought by the Government, Appellant maintains that the lower court should have denied said application because: (1) it does not state petitioner's former places of residence, in violation of Section 7 of the Revised Naturalization Law; (2) petitioner's character witnesses are not credible persons; (3) petitioner has not conducted himself in a proper and irreproachable manner; and (4) he is deficient in writing English and the national language.

Upon review of the record we find that the appeal is well taken.

Petitioner's attesting witnesses were Severino Santos and David S. Cabreira. The first is an employee of the Equitable Banking Corporation who testified that he met the petitioner in 1949, when he (Santos) purchased a gift from the store, at Echague Street, Manila, where petitioner was then working; that since then he (Santos) bought gifts many times from petitioner herein in said store; that in 1955 he (Santos) became the manager of the branch office of the Bank in Quiapo, Manila, near the store then owned by petitioner, who opened a deposit account in said branch office; and that owing to petitioner's transactions with, the Bank in connection with his deposit therein, and to further purchases of gifts that Santos had thereafter made in said store, as well as to their contacts in some social gatherings, Santos felt he could express the view that petitioner had conducted himself in a proper and irreproachable manner in his relations with the constituted government and with the community in which he is living.

The same assertion was made by Dr. David S. Cabrera, a medical examiner of the Manila Police Department, who allegedly knew the petitioner since 1948 and had contacts with him, like Santos, as buyer of gifts, who, had, also, been in some social affairs attended by the petitioner.

As an applicant for naturalization, it is incumbent upon petitioner to establish satisfactorily that he had "conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines in his relations with the constituted government as well as with the community in which he is living", as required in Section 2, third paragraph, of Commonwealth Act No. 473. This requirement has not been sufficiently met. To begin with, petitioner's residence in the Philippines began in 1946, whereas his attesting witnesses came to know him only in 1948 and 1949, respectively. Moreover, their knowledge of petitioner was based upon their contact with him as buyers of gifts, aside from meeting with him in some parties. Then, too, they believed that his conduct had been irreproachable mainly because they did not know of any untoward act committed by petitioner or of any

criminal charge filed against him. Apart from the fact, that this circumstance does not affirmatively establish such irreproachable conduct, the nature of the relations between, the petitioner and his attesting witnesses was not such as to qualify the latter to make a competent assessment of his moral character, and much less to vouch for the same.

Wherefore, the decision appealed from is reversed and the petition hereby dismissed, with costs against the petitioner. It is so ordered.

Bengzon, C.J., Padilla, Bautista Angelo, Labrador, Reyes, J.B.L., Barrera, Paredes, Dizon, Regala and Makalintal, JJ., concur.

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