

IN THE MATTER OF THE PETITION OF PABLO CHANG BRIONES LORENZO TO BE ADMITTED A CITIZEN OF THE PHILIPPINES. PABLO CHANG BRIONES LORENZO, PETITIONER AND APPELLEE, VS. REPUBLIC OF T...

G. R. No. L-9601. April 22, 1957

Ponente: REYES, A., J.

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REYES, A., J.:

This is an appeal by the Government from a decision of the Court of First Instance of Cebu granting Pablo Chang Briones Lorenzo's petition for naturalization.

Petitioner's evidence shows that he was born on May 27, 1928 of Chinese parents in the city of Cebu, where he is at present residing, and 'that he has never left the Philippines. He is single and has a lucrative occupation, being stockholder and manager of C. Yeanting Soap and Candle Factory, which has" a substantial capital and gives him an average annual compensation, in salary and bonus, of P2,500. He also owns P23,000 worth of shares in a rubber company. He speaks and writes English and the Cebu—Visayan dialect, having finished his primary and secondary education in the University of Southern Philippines and a course in Commerce in the University of San Carlos. He believes in the principles underlying the Philippine Constitution, is of good moral character, and has conducted himself in a proper and irreproachable manner during the entire period of his residence in this country.

The evidence sufficiently justifies the conclusion of the trial court that petitioner possesses all the qualifications or Filipino citizenship and is not among those disqualified under section 10 of the Revised Naturalization Law. Born in the Philippines and having received his primary and secondary education in schools recognized by the Government and not limited to any race or nationality, he did not have to file a declaration of intention to become a Filipino citizen.

The Solicitor-General, however, contends that the record is not clear that petitioner was really born in this country. To this we cannot agree. Aside from petitioner's own declaration on that point and the affidavits of Dr. H. Jurado and Sergio Yapbee, we have the testimony of former Congressman Tomas Alonso to the effect that petitioner was born near his house and had been known to him since childhood. In addition, we have a certified copy of an entry in the book of baptisms of the Cathedral of Cebu to the effect that oh June 9, 1929 a child born on May 27, 1928 was baptised in that cathedral and was given the name of Pablo C. Briones Lorenzo, with Hon. Manuel Briones and Mrs. Celestina Lorenzo de Briones as sponsors. It may be true as pointed out in the Government's brief that the name of the petitioner does not appear in the register of births kept by the City Health Officer of Cebu. But, as counsel for petitioner says, not all births are recorded in that register, and this must especially be true of births occurring before the establishment of the Civil Registry by Act No. 3753, which took effect on February 26, 1931, nearly three,years after petitioner was born.

Wherefore, the decision appealed from is affirmed, without special pronouncement as to costs.

Bengzon, Padilla, Montemayor, Bautista Angela, Labrador, Conception, Reyes, J. B. L., Endencia and Felix, ,JJ., concur.

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