

**IN THE MATTER OF THE PETITION OF JUAN YAP TO BE ADMITTED A
CITIZEN OF THE PHILIPPINES, JUAN YAP, PETITIONER AND
APPELLEE, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR AND
APPELLANT.**

G. R. No. L-19846. February 26, 1965

Ponente: CONCEPCION, J.

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CONCEPCION, J.:

The Solicitor General seeks the review of a decision of the Court of First Instance of Misamis Occidental granting the petition for naturalization of appellee Juan Yap. Appellant maintains that petitioner does not have a lucrative trade or occupation, and that his witnesses are not credible persons.

Indeed, it is admitted that petitioner owns no real estate whatsoever. Moreover, his only income is P150.00 a month, as a weigher in the Western Products, Co., Inc. As we ruled in *Ong vs. Republic* (111 Phil., 1034), such income is insufficient to warrant the conclusion that he has a lucrative trade, particularly considering that he has to support a wife and three children (*Jew Chong vs. Republic*, 111 Phil. 1054; *Tan vs. Republic* 112 Phil. 131; *Sy Cesar vs. Republic*, G. R. No. L-14009, May 31, 1961; *Ong Tai vs. Republic*, G. R. No. L-19418, December 23, 1964).

Again, petitioner's character witnesses were Benedicto Labastida and Severo E. Banci. The former is an administrative deputy in the office of the city treasurer of Ozamis City, whereas the latter had been its municipal treasurer from 1923 to 1930. The records do not show that petitioner has complied with his duty to prove affirmatively that these witnesses enjoy such a general reputation for honesty and integrity as to qualify them, to the extent required by the Naturalization Law, to vouchsafe for herein applicant appellee as one suitable for naturalization (*Te Tay Seng vs. Republic*, 117 Phil. 528; *Sehwani vs. Republic*, G. R. No. L-18219, December 27, 1963; *Ong Ling Chuan vs. Republic*, G. R. No. L-18550, February 28, 1964).

WHEREFORE, the decision appealed from is hereby reversed, with costs against the petitioner.

IT IS SO ORDERED.

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

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