

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

G.R. No. L-19830. September 30, 1964

Ponente: BENGZON, C.J.

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BENGZON, C.J.:

This case is before us on appeal by the Solicitor General from the decision of the Court of First Instance of Manila dated March 30, 1962, granting petitioner Paul Teh's petition for naturalization.

Petitioner is a Chinese citizen, born in Manila of Chinese parents in 1938. At the time of the hearing below he was a student of Commerce in the University of the East.

Three points are raised by appellant in his brief: (1) the omission in appellee's petition of a statement of his exact residence in Manila during the first year after he was born; (2) his lack of lucrative trade, profession or occupation; and (3) the fact that the vouching witnesses had not known appellee sufficiently.

The first point is of no vital importance. The omission must have been an excusable oversight, considering that the appellee had already indicated in the petition that die was born in Manila, but after a year was taken by his parents to Gumaca, Quezon, where he lived until 1947, when he returned to Manila and took up residence at Magdalena Street, Nos. 1134-1136.

On the second point the evidence shows that appellee's monthly income is P280.00. The Solicitor General maintains that this amount does not meet the requirement of the law. We need not pass on this question, the third point being, in our opinion, decisive of the present appeal.

The two witnesses whose affidavits accompanied appellee's petition and who testified for him at the trial are Ponciano Ogalesco and Ricardo Alejandro. The first is a bookkeeper in an unnamed Chinese firm at Sta. Cristo Street, Manila. He had known appellee, he said, since the latter was a child. His testimony as to appellee's qualifications, however, was nothing but a series of conclusions given in answer to leading questions of counsel: that appellee was of good moral character; that he believed in the principles underlying the Philippine Constitution; that appellee was "well disposed to the good order and happiness of the Philippines;" and that he had all the qualifications and none of the disqualifications to become a Filipino citizen. On cross-examination, Ponciano Ogalesco admitted that he had previously testified once in the same court in another naturalization case.

The second witness, Ricardo Alejandro, was a policeman in the Manila Police Department. He admitted having once been charged with violation of the penal laws, specifically with being the maintainer of an opium den, but he was absolved of the charge. He had known appellee since the tatter's boyhood and, on direct examination, simply gave affirmative answers to the leading questions of counsel concerning appellee's qualifications. On cross-examination, however, when asked whether he himself knew the principles underlying the Philippine

Constitution, he could not give a single one of them although the question was propounded to him no less than three times. As in the case of the first witness, Alejandro had once before helped another Chinese to become a naturalized citizen.

The law requires that an applicant for naturalization must be vouched for by two credible persons. These persons are in a sense insurers of the applicant's qualifications and lack of disqualifications, and hence in themselves must be individuals of probity and good standing in the community. Employment as bookkeeper in a Chinese firm over thirty years, as in the case of the witness Paciano Ogalesco, is not necessarily satisfactory proof of probity and good standing in the community. Nor is membership in the police force of a member as in the case of the witness Ricardo Alejandro, who has been accused, although acquitted, of violation of the opium laws. With respect to the testimony itself given by them, we find it to be deficient, for they failed to mention any details of appellee's life character to show how well they knew him and why they believed he was qualified for naturalization. And as far as patrolman Alejandro is concerned, his own lack of knowledge of the principles underlying the Constitution certainly did not qualify him to testify regarding appellee's qualification on that particular point.

The judgment appealed from is reversed, and appellee's petition is denied, with costs.

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

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