

RICHARD VELASCO, PETITIONER AND APPELLANT, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR AND APPELLEE.

G.R. No. L-14214. May 25, 1960

Ponente: BAUTISTA ANGELO, J.

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BAUTISTA ANGELO, J.:

This is a petition for naturalization filed before the Court of First Instance of Manila which, after trial, was denied for failure of petitioner to meet the requirements of the law. Petitioner has appealed.

Petitioner was born in the Philippines on May 12, 1932 of spouses Peter Velasco and Miguela Tiu who became naturalized citizens in 1956. He alleges that since his birth in Manila on May 12, 1932 he continuously resided in the Philippines, particularly at 1441 Magdalena St., Manila; that he finished his elementary education at the Francisco Balagtas Elementary School, and his high school at the Arellano University; that he pursued his collegiate studies at the University of the East where he graduated in dentistry in 1954; that he is a citizen of the Republic of China in Formosa; that he has not followed the citizenship of his father when the latter became naturalized as he was then already 23 years old; that he is single, although he is engaged to be married to a Filipino girl by the name of Noemi Eugenio; that he is at present employed at the Wilson Drug Store since February, 1957 with a monthly salary of P150.00; that previously he worked as a salesman of his father with a salary of P2,400.00 per annum, even, if his father was only an agent of Elizalde and Co.; that he knows how to speak and write English and Tagalog; that he is a Catholic by faith; and he has never been convicted of any crime involving moral turpitude; that he does not believe in polygamy or in anarchy or the use of violence for the predominance of men's ideas; that he does not own any real property although he allegedly has cash savings amounting to P3,500.00 at the Republic Savings Bank, P1,000.00 worth of shares of stocks of the Far Eastern University, P2,000.00 shares of stock of the Marinduque Iron Mines, and P1,000.00 in cash; that he is not suffering from any contagious disease; that he has mingled socially with the Filipinos; that he has shown a desire to embrace the customs and traditions of the Filipinos; and that he desires to become a Filipino citizen because he considered the Philippines as his country and the Filipinos as his countrymen.

His qualifications as to moral character were attested by Santiago Mariano, a sergeant of the Manila Police Department, and Mrs. Paz J. Eugenio, a housekeeper, who admitted that she is the prospective mother-in-law of petitioner.

The trial court found that there are three names mentioned in the petition and in the documentary evidence submitted in support thereof, namely, Richard Velasco, Richard C. Velasco, and Richard Chua Velasco, and that while petitioner states in his petition that his full name is Richard Velasco, the signature thereon is Richard C. Velasco. Again, the court found that the joint affidavit of said witnesses states that the affiants personally know and are acquainted with Richard Velasco while the documentary evidence shows that his name is Richard Chua Velasco. On the other hand, petitioner testified that he has no alias nor other names and has always been known as Richard Velasco. No evidence was submitted to prove that they are one and the same person.

The trial court likewise found that Mrs. Paz J. Eugenio, a character witness, is the prospective mother-in-law of petitioner, and as such her testimony is biased. It also found that she and her companion witness Santiago Mariano were also the character witnesses of a brother of petitioner in his petition for naturalization, a circumstance which in its opinion indicates that petitioner has a limited circle of Filipino friends. The court finally found that the present income of petitioner is only P150.00 a month which, considering the present high cost of living and the low purchasing power of our peso, is neither lucrative nor substantial to meet the requirement of the law.

Because of the above facts and circumstances, the trial court declared petitioner not qualified to become a Filipino citizen.

We agree to the foregoing finding. Indeed, it appears from the evidence that petitioner was employed at the Wilson Drug Store only on February, 1957 with a salary of P150.00 a month, or barely a month before he filed the instant petition, and that said store is partly owned by his mother who has one-fifth capital investment therein. This leads one to believe that petitioner's employment, even if true, is but a convenient arrangement planned out by him and his family in order to show a token compliance with the requirement of the law that to become a Filipino citizen one must have a lucrative income or occupation.

Considering that "naturalization laws should be rigidly enforced and strictly construed in favor of the government and against the applicant" (*Co Quing y Reyes vs. Republic*, 104 Phil., 889), we are constrained to hold that the trial court did not err in denying the petition for naturalization.

Wherefore, the decision appealed from is affirmed, with costs against appellant.

Bengzon, Padilla, Labrador, Concepcion, Barrera, and Gutierrez David, JJ., concur.

Paras, C.J., reserves his vote.

Montemayor, J., took no part.

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