

IN THE MATTER OF THE PETITION TO BE ADMITTED A CITIZEN OF THE PHILIPPINES. SENECIO DY ONG ALIAS SENECIO DY GO, PETITIONER AND APPELLEE VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR...*G.R. No. L-21017. November 29, 1965*

Ponente: CONCEPCION, J.

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The reversal of a decision of the Court of First Instance of Camarines Sur, granting the petition for naturalization of appellee, Senecio Dy Ong, alias Senecio Dy Go, is sought by the Solicitor General upon the ground: (1) that appellee has no lucrative trade, profession or occupation, and (2) that his attesting witnesses are not credible Persons, within the purview of Section 7 of Commonwealth Act No. 473.

Indeed, in his petition for naturalization, appellee stated that he had an annual income of P1,800.00, which is clearly-insufficient to characterize his trade or occupation as a lucrative one (Dy vs. Republic, L-20482, August 31, 1965; Uy vs. Republic, L-20208, June 30, 1965; Lim Uy vs. Republic, L-19916, June 23, 1965; Ong So vs. Republic, L-20145, June 30, 1965; Tan vs. Republic, L-19694, March 30, 1965; Tochip vs. Republic, L-19637, February 25, 1965; Lorenzo Go alias Lorenzo Chua, L-20019, February 26, 1965; Que Choc Gui vs. Republic, L-16184, September 30, 1961; Sy Ang Hoc vs. Republic, L-12400, March 29, 1961; Veloso vs. Republic, L-12214, May 25, 1960).

Moreover, his own evidence shows that he began to work in April, 1960, when he was allegedly employed at a monthly salary of P150.00. As a consequence, when he filed said petition on May 6, 1960, he had earned less than P306.00, and his total income at the end of the year was no more than P1,350.00 or barely P112.50 a month.

Again, appellee would have us believe that said compensation was paid to him by Ong Sing Trading, a business establishment operated in Goa, Camarines Sur, and belonging to his father, for whom he allegedly worked as purchasing agent in Manila, where he was studying. Under the circumstances, and considering appellee's relation with his alleged employer, his evidence to this effect smacks merely of an attempt to meet conveniently the statutory requirement of a lucrative trade, profession or occupation, as one of the qualifications for naturalization.

Appellee's evidence on his income for the years 1961 and 1962 are open to the same observation. According to appellee's testimony, his salary was raised to P180.00 a month from January to August 1961; from September to December of the same year, while studying in Manila, he earned P3,368.23 by way of commission as agent in Manila of Major Teofilo Padua, who was engaged in business in Naga City; and from February, 1962, he worked as salesman for Leelin & Co. at a monthly salary of P240.00, plus an allowance of P40.00 per month. It should be noted that this testimony was given in December, 1962, or several months after the government had objected to appellee's naturalization as a citizen of the Philippines, for the reason that the annual income of P1,800.00, alleged in his petition, is neither lucrative nor sufficient to meet the statutory requirement. At any rate, this evidence, even if taken on its face value, refers to events subsequent to the filing of said petition and do not offset the fact that, at

the time of its presentation, appellee lacked, at least, one of the requisite qualifications to be naturalized as a Filipino.

Accordingly, it is unnecessary for us to pass upon the second contention of appellant herein, and the decision appealed from should be, as it is hereby, reversed, with costs against the appellee. It is so ordered.

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

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