

IN THE MATTER OF THE PETITION OF ROBERTO ONG TO BE ADMITTED A CITIZEN OF THE PHILIPPINES.

G.R. No. 15764. May 19, 1961

Ponente: LABRADOR, J.

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LABRADOR, J.:

This is an appeal from a decision of the Court of First Instance of La Union, Hon. Jose P. Flores, presiding, finding Roberto Ong, qualified for naturalization as citizen of the Philippines, as he possesses all the qualifications and none of the disqualifications to become a Filipino citizen.

In his appeal the Solicitor General claims the applicant does not possess the qualifications for Philippine citizenship because he failed to prove that he owns properties worth P6,000, as alleged in his petition, and because he lacks a lucrative trade, profession, or lawful occupation.

An examination of the record discloses that in his petition filed on March 1, 1958, he declared that he is a fourth year high school student eligible for graduation in March, 1958. Perhaps, finding that the facts would not qualify him for naturalization, he filed an amended petition on April 22, 1958, claiming that he was a salesman in a rice and furniture store which belongs to his family, from which he derives an income of P130.00 a month, and that he has property worth P6,000.00. His supposed employment is corroborated by his sister's unsworn statement to the effect that he is actually receiving a salary of P130.00 a month since April, 1958. The fact that the applicant was graduated only in March, 1958 and admitted being a student in Manila in the first semester of the school year 1958-59 contradict his supposed employment in his sister's store since April, 1958. Apart from the fact that the statement of the sister regarding his supposed salary is not under oath and is furthermore hearsay, the evidence of his supposed employment is so flimsy and unbelievable as to merit no credence in a court of justice. Besides, we have held in a line of decisions that an applicant earning less than P250.00 a month is not considered as possessing the necessary lucrative trade or profession, in view of the present high cost of living. (*Swee Din Tan vs. Republic*, 109 Phil., 287, *Republic vs. Lim*, L-3030, January 31, 1951; *Pang Kok Hua vs. Republic*, 91 Phil., 254).

As to his statement that he has real property worth P6,000, no credible evidence was presented in support thereof. We have only his own testimony to that effect. He declared that the only property he has is a residential house, which evidently is the house where he and his parents live and which should belong to the latter. If he is the owner of real property, he would have been able to present the corresponding tax declaration thereof in his name, or the tax receipts thereof, and he would have been able to explain how he acquired the same.

For the foregoing considerations, we find that even If the petitioner possesses the other qualifications, he has failed to prove that he has a lucrative trade or profession or that he has property of a substantial amount, within the contemplation of Section 2, par. 4 of the Revised Naturalization Law (Commonwealth Act No. 473.)

Wherefore, the judgment appealed from is hereby reversed and the petition for naturalization dismissed, with costs against the petitioner-appellee.

Bengzon, C.J., Padilla, Bautista Angelo, Concepcion, Reyes, J.B.L., Paredes, Dizon, De Leon, and Natividad, JJ., concur.

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