100 Phil. 867

[G. R. No. L-5835. February 08, 1957]

IN THE MATTER OF THE PETITION OF CARMEN GO DE SERO, TO BE ADMITTED AS CITIZEN OF THE PHILIPPINES. CARMEN GO DE SERO, PETITIONER AND APPELLEE, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR AND APPELLANT.

D E C I S I O N

MONTEMAYOR, J.:

The Government is appealing from an order of the Court of First Instance of Cotabato, dated July 10, 1951, granting the petition for naturalization filed by Carmen Go de Sero on August 26, 1948. As to the facts in this case, there is no dispute except the ability of the applicant to write any of the principal dialects of the country. The record shows and the trial court found that the applicant was born on August 25, 1899 in Dagupan, Pangasinan, of a Chinese father and a mestiza mother. After six years and after the death of her parents, she came to live with her aunties in Manila where she resided for about twenty years, attending the public schools, reaching the third grade. In 1924, she was married to Yu Engkiat Sero, a Chinese now dead, by whom she had two daughters, named Valentina Sero, 24 years of age, who is now a pharmacist, having completed pharmacy at the Manila Central University, and Cecilia Sero, 22 years ol£, taking in the year 1951, if she has not now already completed, the course leading to the degree of Bachelor of Science in Education, at the Notre Dame College in Cotabato.

After marriage, the applicant went to live with her husband in Cotabato sometime in 1925, where she continued to reside up to the present time, having never left the Philippines. Her husband was engaged in the business of hardware and general merchandising. Upon his death, the trial court appointed the applicant as administratrix of the property left by her late husband, consisting of commercial and residential lots from which she now derives a monthly rental of about P415. As to her qualifications and the manner she conducted herself in the country of which she desires to be a citizen, we quote the pertinent portion of the order of the trial court:

> "* * *. She filed with this Court administrative proceedings for the intestate of her deceased husband, consisting of real property (residential lots), situated in the Municipality of Cotabato. The Courts, convinced of her fitness and competency, appointed her Administratrix of the estate (Special Case No. 66 of this Court). The estates has an income of P415 a month in the form of rentals.
>
> "The evidence further disclosed that the petitioner has had two children, with her deceased husband, namely, Valentina Sero, 24 years old, single, and Cecilia Sero, 22 years old, single. The former is a pharmacist by profession and the latter, a third year college student enrolled in a course leading to the degree of Bachelor of Science in Education. She alleged that her desire to become a Filipino citizen comes not only from a voluntary and legitimate impulse but also from the irresistible influence of her daughters whose manners, customs and ways, in the observation of the Court are really those of Filipina girls.. Like her daughters, she is a Christian and a devout catholic.
>
> "According to witnesses, the petitioner has lived a life of unquestionable conduct. She is opposed to communism or any ideology or doctrine that teaches the necessity or propriety of violence for the success and predominance of men's ideas. She mixes herself socially with Filipinos and contributes regularly to funds for the support of civic organizations and charitable institutions. She is free from any contagious or incurable disease. Her ability to speak and write the English language is fairly well, but may improve thru constant tutelage of her daughters. She also speaks native dialects, such as the Chavacano, Tagalog, and Moro."

The record further shows that her two children never went to Chinese schools, but attended catholic schools from the beginning, thereby explaining the finding of the trial court that said two daughters and their mother are Christians and devout Catholics.

Asked as to her ability to write in any of the principal dialects of the country, the applicant ingenuously answered in the negative. Perhaps she never tried to write in any of the dialect which she could speak,* such as, the Moro dialect, Chavacano, and Tagalog, and so thought she was unable to do so. But as already stated, she lived in Manila for about twenty years, and her knowledge of Tagalog can be fairly presumed, besides her claim and the finding of the trial court to this effect. The same may be said about her knowledge of the Chavacano and Moro dialects, considering her stay in Cotabato for over twenty-five years. That she can

write in English, there is no question. The lower court found that she could write English fairly well. The provincial fiscal in representation of the Government, opposing the application for naturalization, cross-examined her on the witness stand and even subjected her to a test, handing her a piece of paper and fountain pen and asking her to write the following sentences in English: "My daughter is taking pharmacy. I love my daughter." It is too bad that that piece of paper and what the applicant wrote on it was not submitted in evidence, but the presumption is that the fiscal was satisfied with the result, because the Government in its brief in the present appeal, makes no mention cf the same, unfavorable to the applicant's knowledge and ability to write in English. Furthermore, in her testimony, the applicant said that she can write in English what she wants to write. From the time of the death of her husband, the applicant had been the administratrix not only of the property left by her husband, but also of her own, that is to say, her portion of the conjugal property acquired by them during the marriage. She could send and support her two daughters to school and to college, where the elder one had graduated in pharmacy, and the other younger one about to graduate, if not already graduated in Bachelor of Science in Education. This shows intelligence and some administrative ability. That is why the trial court in its decision said: "The court convinced of her fitness and competency, appointed her administratrix of the estate. (Special Case No. 66 of this Court). The estate has an income of P415 a month in the form of rentals." As administratrix, she must have been keeping books or records and rendering account or reports to the court, presumably in English, thereby implying a working knowledge of English, including the writing thereof. From this knowledge, could we infer that she could also write in Tagalog, or in the Moro or Chavacano dialects? In the case of Eremes Kookooritchkin, petitioner, vs. The Solicitor General,1 oppositor (G. R. No. L-1812, August 27, 1948; 46 Off. Gaz. 217, Supplement), this Court held that where a Russian applying for naturalization knew English and has a smattering of Bicol, although there is no piece of positive evidence to support the claim that he can write also in the Bicol language, we may infer that his knowledge of English will enable him to write in the Bicol dialect for the reason that Bicol, like all the important Philippine dialects, uses the same English alphabet, and that it is much easier to write Bicol than English because it is phonetic. In the case of Nicanor Tan vs. Republic of the Philippines2 (G. R. No. L-1551, October 31, 1949), we held that it being of common knowledge that the Philippine alphabet is substantially. the same as the English alphabet, and that a high school graduate in English would have no difficulty in writing the dialect he speaks, it is not illogical to assume that petitioner can also write both Ilocano and Tagalog, having long resided in Cagayan and Manila. In the case of Lao Chin

Kieng, petitioner, vs. Republic of the Philippines,1 oppositor (G. R. No. L-3921, June 30, 1952; 48 Off. Gaz. 2654), this Court held that the applicant's ability to write English and Visayan may be inferred from the fact that he is a high school graduate from the San Carlos College of Cebu, and that he speaks English and Visayan. In the case of Wu Siock Boon vs. Republic of the Philippines2 (G. R. No. L-4688, February 16, 1953; 49 Off. Gaz., 491), we said that:

> "* * * Judicial notice way also be taken of the fact that in the Philippines the same alphabet is used for writing English, Spanish or any of the native dialects, so that one who, like the applicant herein can write English well enough may also be expected to write Spanish, Chavacano or any other Philippine dialect that he knows. (Tan vs. Republic of the Philippines, G. R. No. L-1551, October 31, 1949; Kookooritchkin vs. Solicitor General, 46 Off. Gaz., Supp. No. 1, p. 217)."

Finally, in the case of Nabih Awad vs. Republic of the Philippines3 (G. R. No. L-7685, September 23, 1955), we held that the applicant having reached first year high school, he is Iterate and, as such, may be deemed capable of writing the dialects he speaks, namely, the Visayan and Tagalog dialects, which are phonetic.

In the instant case, the applicant has not reach high school, it is true, and perhaps may not pretend to have a perfect, not even a good command of English, but because of her age and experience, her use of English not only in her. business and that of her husband, but later in her work as administratrix and her dealings with the court, not excluding her association with her two daughters educated exclusively in English, not only in high school, but in college as well, we can say that the applicant is quite literate, and as she said in her testimony before the court, she can write in English whatever she wants to write. If she is able to do so, there is every reason to believe that she can also write in the dialects that she speaks, such as, Moro, Chavacano, and Tagalog.

In view of the foregoing, the order appealed from is hereby affirmed, no costs.

Paras, C. J., Bengzon, Padilla, Reyes, A., Bautista Angela, Labrador, Reyes, J. B. L., Endencha, and *Felix, JJ.*, concur.

Date created: October 13, 2014