

IN THE MATTER OF THE PETITION OF MATEO LIM TO BE ADMITTED A CITIZEN OF THE PHILIPPINES. MATEO LIM, PETITIONER AND APPELLEE, VS. REPUBLIC OF THE PHILIPPINES, RESPONDENT AND APPEL...

G. R. No. L-4588. January 28, 1953

Ponente: REYES, J.

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REYES, J.:

This is an appeal from a decision of the Court of First Instance of Manila granting Mateo Lim's application for Philippine citizenship.

The evidence shows that the applicant Mateo Lim was born in Manila on August 10, 1928 of Chinese parents residing in said city; that he took and finished his elementary and secondary education in Bohol Junior College, Mapua Institute of Technology and the Far Eastern University, graduating from the last-mentioned institution in 1948; that at the time of the hearing he was a second year student in preparatory medicine in said university; and that he speaks and writes English as well as Tagalog.

The evidence further shows that applicant is still single and lives with his father at No. 609 Benavides, Tondo, Manila, his mother having already died; that although a student he is at the same time employed in his father's business firm with a salary of P80 a month plus free board and lodging, and that he has a savings deposit of P1,002.26 in the China Banking Corporation in Manila.

The applicant has also testified that he believes in the principles underlying the Philippine Constitution; that he is not opposed to organized government; that he is not a polygamist nor a believer in the practice of polygamy; that he is not suffering from any incurable disease; that he has never been convicted of any crime; that he has mingled socially with the Filipinos and is willing to follow the Filipino customs and traditions; and that he is willing to renounce his present Chinese citizenship.

There is hardly any dispute about the above facts. And nothing having been proved that would bar this applicant from acquiring Philippine citizenship, the only ground upon which the decision below is impugned is the alleged failure of the applicant to show that he has "some known lucrative trade, profession or lawful occupation."

It would be idle to deny that being employed in a business firm with a salary of P80 a month and with free board and lodging does constitute a lawful and lucrative occupation. And while the Solicitor General chooses not to believe that applicant is really so employed just because he is a student and attends his classes during the day, nevertheless we are with the trial court in holding that the uncontradicted evidence presented by applicant on that point is convincing and satisfactory. Well known is the fact that there are in this country as in other parts of the world hundreds of students who work their way through school. And in the present case, notice must be taken of the fact that applicant's work as an employee of an importing firm consists merely in supervising delivery of goods to his firm at the Manila customhouse whenever there is shipment to be received. The job does not

necessarily conflict with his classes which, according to him, are held "sometimes in the morning and sometimes in the afternoon.

In the case of Republic of the Philippines vs. Rafael Lim, G. R. No. L-3030, decided January 31, 1951, Philippine citizenship was granted to a Chinese who did not own any property but was a law graduate employed as legal adviser to his brother-in-law at a monthly salary of P250 but without free meals and quarters. In the present case the salary in cash is smaller, but it is in addition to free board and lodging. It does not at all seem likely that a person in applicant's circumstances will ever become a public charge.

The judgment of the lower court must therefore be, as it is hereby, affirmed. Without costs.

Paras, C.J., Feria, Pablo, Bengzon, Padilla, Tuason, Montemayor, Jugo, Bautista Angelo and Labrador, JJ., concur.

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