

**IN THE MATTER OF PETITION FOR NATURALIZATION OF
FRANCISCO ANG VELOSO. FRANCISCO ANG VELOSO, PETITIONER
AND APPELLANT, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR
AND APPELLEE.**

G. R. No. L-5117. May 15, 1953

Ponente: TUASON, J.

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TUASON, J.:

Francisco Ang Veloso has brought this appeal from a decision of Judge Felicisimo Ocampo of the Court of First Instance of Manila, denying his application for naturalization on the grounds, first, that he had not been engaged in a profitable business and, second, that the "court doubts petitioner's ability to speak and write Tagalog."

On the first point, the court made these findings and conclusion:

"Although he (petitioner) alleged under oath in his petition that he has been a merchant since 1945, from which he averaged an annual income of P3,600, yet he has only filed an income tax return for 1950 (1949-1950), because, by his own admission, his business was not profitable enough to justify his making such a return for the previous years as required by law. * * * In point of fact, he still gives his occupation in his residence tax certificate as a student. A cursory examination of his only income tax return offered in evidence, reveals under Schedule A, that his so-called income (P3,600) was in the nature of 'commissions' and that, under Schedule B his gross (net) income from business was only P180.40. One does not usually receive 'commissions' from one's own business. It simply shows that he may be a mere commission agent or an employee on salary basis. Surely, this is not the lucrative trade, occupation or profession within the meaning of paragraph 5 (4), section 2, of the Revised Naturalization Law."

We do not perceive sufficient ground for not taking the applicant's evidence at face value. But even if the applicant, as the lower court believed, "was a mere commission agent or an employee on a salary basis," he certainly possessed the property or occupational qualification provided in the 4th paragraph of the Revised Naturalization Law, namely: that the applicant "must own real estate in the Philippines worth not less than P5,000, Philippine currency, or must have some known lucrative trade, profession, or lawful occupation." Add to this the fact that the appellant was enrolled in commerce in a university of good repute and standing (he may have been graduated by now), and we have an applicant who is not very likely to become an economic burden to society when he becomes a Philippine citizen.

Born in Manila on October 10, 1927 of Chinese parents, who run a business in the city, the management of which he claimed to have taken over, the applicant was attending the School of Commerce of Santo Tomas University at the time of the hearing in February, 1951, after finishing the elementary course in the Gregorio H. del Pilar Elementary School and high school in the High School Department of the above-mentioned university, from which he received elementary certificate and high school diploma respectively.

The statement in applicant's residence certificate that he was a student by occupation was no proof that he did

nothing else but study. It is a matter of common knowledge that classes in commerce, in law, and many other regular courses given in almost all Philippine colleges and universities are held in the evening to accommodate students who are busy earning their living during the day.

In the matter of his ability to speak and write Tagalog, it appears that the applicant was requested by counsel for the Government to put down in that language in his own handwriting his reason for wanting to become a Philippine citizen, and here is what he wrote on a piece of paper which is identified as Exhibit 1, "Gusto kong maging Filipino sapagkat and mga magulang ko at ang mga kaibigang ko ay nariritong lahat sa Filipinas. Akoy ay hind umuwi sa China. Akoy ay mamatay dito rin sa Filipinas."

But in another test the applicant translated "Love of country" into "Pagibig ng magulang" (Love of parents) and from this translation the court concluded that the applicant's knowledge of the vernacular is deficient.

In the case of *Zuellig vs. Republic of the Philippines*, (46 Off. Gaz., Supp. II, 220), the Court says: "An applicant need not be proficient in the use of a principal native dialect. It is not necessary that he writes it faultlessly and without effect or that he speaks it fluently and idiomatically. It is enough that he has sufficient knowledge of it, that in association with the Filipinos he can understand them when they speak or write to him in the principal native dialect." And in the case of *Kookooritchkin vs. Solicitor General*, (46 Off. Gaz., Supp. [1] 212)[*] "The law has not set a specific standard of the required ability to speak and write any of the principal Philippine Languages. * * * If appellee with his smattering of Bicol was able to get along with his Bicol comrades in the hazardous life of the resistance movement, we believe that his knowledge of the language satisfies the requirement of the law."

Having lived in Manila all his life and studied in schools where of necessity he associated and mingled with Tagalog-speaking teachers and students, there can not be the slightest question that the applicant is able to express himself in Tagalog intelligently. The Dean of Commerce and his professor at Sto. Tomas University attests to his proficiency in conversing in Tagalog, and Exhibit 1 testifies to his competence to write the language to a degree far above the minimum legal requirement laid down in the aforecited decisions. In fact, not all Tagalog-speaking Filipinos, even of the educated class, can write Tagalog so well.

With this demonstration of applicant's knowledge of both the spoken and the written Tagalog, it is exacting too much, we think, to regard as fatal his failure to make a good, literal translation of a phrase which is little used in ordinary, everyday conversation and intercourse. Yet his translation is not, metaphorically, inaccurate, for "pag-ibig" is the true equivalent of "love" in Tagalog and country is not infrequently spoken of as mother.

In view of the foregoing considerations, the appealed decision is reversed and one will be entered granting the appellant's application for Philippine citizenship, without costs.

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

[*] 81 Phil., 435.

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