

GEORGE S. CORBET, PETITIONER AND APPELLEE, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR AND APPELLANT.*G. R. No. L-4144. April 29, 1953*

Ponente: PADILLA, J.

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On 7 September 1948 George S. Corbet filed an application for naturalization. The application sets forth the usual facts necessary to support a petition for naturalization and the only facts that need be stated in connection with the review of the decree granting the application are that he was born on 26 May 1891 in St. Petersburg, Russia; that at the time of the filing of the application of Commonwealth Act No. 473 for the reason that he served in the Philippine Army from 13 September 1943 to 15 October 1945. Attached to the application are the affidavits of Ruperto P. Tamula and Manuel Labitad, Filipino citizens, who swear that they know and are acquainted personally with the applicant since 1943 and those of Alexander Yvanoff and A. V. Kozloff who state that the applicant was a member of the Russian Siberian Flotilla under Rear Admiral Stark that arrived in Mariveles, Philippines, on 29 January 1923, both affiants being also members of the crew or personnel of that flotilla. In 1939 the applicant filed his declaration of intention to become a citizen of the Philippines (Exhibits A, B, C & D). In the meanwhile, pending hearing of the application, on 27 March 1949 the applicant married Angela Quirante, a Filipino woman (Exhibit M). On 6 October 1949 the application for naturalization was amended to state the fact that he was married to Angela Quirante.

It appears that the applicant was born in Stapet, Russia, in 1891, was a Russian subject and in the naval service of the Czar of Russia, until his government was overthrown by the Bolsheviks in October 1917. When the naval station at Vladivostok, Siberia, was taken over by the latter in 1922, some of the navy officers and men, among them Rear Admiral Stark and the applicant, refused to join the Bolsheviks and fled Vladivostok arriving in the Philippines on 26 January 1923. Since then the applicant has lived continuously in the Philippines—in Central Luzon Agricultural School where he taught agricultural subjects for six months, in Recodo, province of Zamboanga, and in Kapatagan, province of Lanao. When the Pacific War broke out he was attached to the U. S. Army as civilian employee and later on was appointed first lieutenant in the Philippine Army (Exhibits J, J-1, K, K-1, and L). The rest of the evidence on his qualifications to become a naturalized citizen of the Philippines and on the fact that he is not disqualified to become such need not be restated.

The Court of First Instance of Lanao denied the petition on the ground that the applicant has failed to show that Russia grants to the citizens of this country the same right to become naturalized citizens and on the further ground that he has not shown that he is not prohibited from renouncing his Russian nationality and that, if he is permitted to do so, he has so renounced. Upon motion for reconsideration, however, the order denying the application was set aside and another entered granting the application for naturalization. From this decree the Government has appealed.

It is contended that the petition for naturalization is defective because the affidavits of two credible persons who are citizens of the Philippines do not state that they have known personally the applicant to be a resident of the

Philippines for the period of time required by the Naturalization Act.

This contention is devoid of merit because in the original petition the applicant claims that he served the Philippine Army and in the amended petition he reiterates the same service and alleges that he is married to a Filipino woman. Hence the period of not less than ten years continuous residence in the Philippines required by section 2, paragraph 2, is reduced to five pursuant to section 3, paragraphs 1 and 3, of the Naturalization Act. The fact that he married a Filipino woman after filing his original application does not deprive him of the benefit granted by section 3, paragraph 3, of the Naturalization Act. There is no showing that the marriage was contracted in bad faith or just to secure the benefit granted by law. Laying aside the fact that he is married to a Filipino woman, he can still invoke the benefit of a reduction of the period to five years because of his service with the Philippine Army as shown by Exhibits K, K-1 and L. There it appears that George S. Corbet was appointed first lieutenant of the guerrillas and his appointment confirmed effective 20 February 1945 (Exhibit L).

As to his ability to speak a native dialect, it is claimed that Chavacano is not one of the principal dialects of the country. In *Wu Sioc Boon alias Lam Hoy vs. Republic of the Philippines*,[*] G. R. No. L-4688, 16 February 1953, this Court held that Chavacano is one of the principal Philippine languages and to speak and write it is sufficient compliance with that requirement of the Naturalization Act.

The decree is affirmed, without costs.

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

[*] *Supra*, p. 671.

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