

**IN THE MATTER OF THE PETITION FOR PHILIPPINES CITIZENSHIP.  
NABIH AWAD, PETITIONER AND APPELLANT, VS. REPUBLIC OF THE  
PHILIPPINES, OPPOSITOR AND APPELLEE.**

*G.R. No. L-7685. September 23, 1955*

Ponente: CONCEPCION, J.

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**CONCEPCION, J.:**

This is an appeal, taken by petitioner Nabih. Awad, from a decision of the Court of First Instance of Davao, denying his application for naturalization as citizen of the Philippines, upon the ground of insufficiency of the evidence to establish his ability to read and write a principal local dialect.

In this connection, petitioner testified that he was born in Lebanon, in 1924; that he came to the Philippines in 1936; that, since then, he had resided continuously in the Philippines, having returned to Lebanon only once in 1948; that he studied up to the first year high school; that he knows how to read and write English; that he understood the contents of his petition, which is in Spanish; and that, he can speak the Visayan and the Tagalog dialects. Although there is no direct evidence that he can write either dialect, his ability to do so is conceded by the Solicitor General, for, having reached first year high school, he is literate and, as such, may be deemed capable of writing the dialects he speaks, namely, the Visayan and the Tagalog, which are phonetic. (*Lao Chin Kieng vs. Republic of the Philippines*,[\*] 40 Off. Gaz., 2654, 2656.)

This notwithstanding, we are of the opinion that petitioner's application for naturalization has been properly dismissed. Pursuant to section 7 of the Revised Naturalization Law (Commonwealth Act No. 473), an applicant for naturalization must attach to his petition the affidavits of at least two credible persons stating "that they are citizens of the Philippines and personally know the petitioner to be a resident of the Philippines for the period of time required by this Act" This period is ten (10) years (Section 2, Commonwealth Act No, 473), except when petitioner falls within certain specified classes— namely, "having been born in the Philippines"; or "being married to a Filipino woman"; or "having been engaged as a teacher in the Philippines in a public or recognized private school \* \* \* for \* \* \* not less than two years"; or "having honorably held office under the government of the Philippines or of its local subdivisions"; or "having established a new industry or introduced a new invention in the Philippines" (Sec. 2)—to neither of which classes petitioner herein belongs. In other words, for the validity of petitioner's application (See *Cu vs. Republic of the Philippines*, L-3018, decided on July 18, 1951) it is essential that the same be supported by the affidavits of two citizens of the Philippines who knew Mm to be a resident thereof for at least ten (10) years.

In the case at bar, petitioner's application was accompanied by the affidavits of Jesus V. Oceña and Gregorio P. Manongdo. The latter did not take the witness stand, whereas the former testified that he came to know petitioner in 1947, or only five (5) years prior to the filing of petitioner's application on December 4, 1952. It is obvious, therefore, that the same is fatally defective and must necessarily be dismissed.

Wherefore, the decision appealed from is hereby affirmed, with costs against petitioner herein. So ordered.

Bengzon, Padilla, Montemayor, Reyes, A., Jugo, Bautista Angelo, Labrador and Reyes, J. B. L., JJ., concur.  
Judgment affirmed.

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[\*] 91 Phil., 510.

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