

LEE GUAN, PETITIONER AND APPELLANT, VS. REPUBLIC OF THE PHILIPPINES, OPPOSITOR AND APPELLEE.

G.R. No. 15226. September 29, 1960

Ponente: CONCEPCION, J.

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CONCEPCION, J.:

An appeal by Lee Guan from a decision of the Court of First Instance of Bulacan denying his petition for naturalization as a citizen of the Philippines, upon two (2) grounds, namely, (a) inadequacy of the evidence on petitioner's moral character, and (b) insufficiency of the knowledge of English or Spanish, to enable him to speak and write either language.

Referring to the second ground, the lower court found "that petitioner could not speak and write English or Spanish. His knowledge of English is indeed scanty for he does not even know enough words for purpose of daily life so that 'he can understand those with whom he speaks and they can understand him' in turn. The Court has tried to test his proficiency in English and found that he could not speak and write English except a few words or sentences which had been dictated to him by his counsel." Indeed, the transcript of the hearing in the lower court shows that the following took place in the course of petitioner's testimony:

"Atty. Ramos:

"Q.— Are you in favor of using force in order to get what you want? Answer in Tagalog without the benefit of translating same to you in Tagalog.

"A.— I do not understand the question.

"Q.— I will put that in another form. Do you believe in using force so that you may get what you want?

"Court: (To Interpreter)

Do not translate anymore the question just propounded by Atty. Ramos and let witness answer same in Tagalog without first waiting for the translation thereof.

"A.— I cannot answer the question.

"Atty. Ramos:

"Q.— Did you understand the question or do you not understand the question?

"A.— I am not able to answer the question." (p. 6, t.s.n., Sess. of Dec 21, 1957).

Again the Court bade him to write in English: "Dear Mayor, we were robbed last night." Instead, petitioner wrote: "thre mayro will las ne nesutg nelug." Asked to write in Tagalog: "Magkano ang halaga nang inyong bigas ngayon?" "Mayor, baka po maaring pabantayan ninyo ng pulis ang aming bahay upang hindi kami manakawan." What he wrote was "Belame any buga inyo ng Bakano ang halaga ng inyo Bigas gayon. Mayor magkapo maari mag bantayan ng pulis hu ang amen bahay ng kameng nakawan."

Thus, the record not only bears out the above-quoted finding of His Honor, the trial Judge, but, also, indicates that petitioner's ability to write in Tagalog, the only local dialect he claims to command, is rather deficient.

Inasmuch as petitioner lacks one of the requisite qualifications for naturalization—ability to speak and . write English or Spanish (Section 2, fifth subdivision, Commonwealth Act No. 473)—a discussion of the first ground for the denial of his petition is unnecessary.

Wherefore, the decision appealed from is hereby affirmed, with costs against the petitioner-appellant. It is so ordered.

Paras, C. J., Bengzon, Padilla, Bautista Angelo, Labrador, Reyes, J. B. L., Barrera, Gutierrez David, Paredes, and Bengzon, JJ., concur.

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