

Title: Molden vs. The Insular Collector of Customs

Facts:

On April 17, 1915, Bernardo Molden filed a petition for writ of habeas corpus in the Court of First Instance of Manila, alleging illegal detention by the Insular Collector of Customs. The Collector responded by asserting Molden's unlawful entry into the Philippine Islands on November 6, 1914, as a Chinese person in violation of the Act of Congress of February 20, 1907, leading to his detention under Administrative Warrant No. 160. Further investigations into Molden's claim to Filipino heritage were conducted clandestinely, leading to a supplemental petition by Molden on July 26, 1915, and a supplementary return by the Collector detailing the investigations and a subsequent hearing that recommended Molden's deportation. The Board of Special Inquiry and the Insular Collector of Customs found Molden to be unlawfully present, ordering his deportation. Molden's appeal to higher judgment sought to challenge these findings on the grounds of process validity and the merits of his deportability.

Procedural Posture:

Molden's appeal moved through several stages, starting with his initial detention and habeas corpus petition, followed by supplementary petitions and the Collector's detailed investigation and hearing process. The case eventually reached the Supreme Court after the First Instance Court remanded the case to the Insular Collector for a more comprehensive hearing, which affirmed the deportation order. Molden's appeal to the Supreme Court was based on questions regarding the validity of the arrest warrant and the merits of the deportation process.

Issues:

1. Whether the proceedings before the immigration officers, which were not based on a preceding oath or affirmation, were null and void.
2. Whether the court below erred in refusing to pass upon the merits of the case.
3. Whether the remanding of the case for further consideration was erroneous.

Court's Decision:

The Supreme Court dismissed Molden's arguments, holding that deportation proceedings are civil in nature and do not require a warrant to be under oath if issued by appropriate administrative authorities as per the Act of Congress of February 20, 1907. The Court emphasized that provided a fair or summary hearing is given and there is any evidence, however slight, to support deportation, such administrative decisions are binding and not

subject to judicial review for admissibility or weight of evidence. Molden's appeal was denied, affirming the decision for his deportation.

Doctrine:

This case affirmed the doctrine that deportation proceedings, being civil rather than criminal, allow for the issuance of administrative warrants without the necessity of a preceding oath or affirmation. It also highlighted the principle that judicial interference in deportation decisions is limited, provided a fair hearing is given and there is minimal evidence supporting the charge.

Class Notes:

- **Deportation as Civil Action:** Deportation procedures are based on administrative and civil norms rather than criminal justice processes, affording a different set of procedural safeguards.
- **Administrative Warrant:** An administrative warrant for the purpose of arrest and deportation in immigration law need not adhere to the same standards as those in criminal law; it does not require to be under oath.
- **Scope of Judicial Review:** The courts will not re-evaluate the admissibility or the weight of evidence in deportation hearings as long as there is a semblance of supportive evidence and a fair or summary hearing has been conducted.
- **Evidence in Deportation Proceedings:** The decision of the immigration board or equivalent authority holds significant weight, and slight evidence to support deportation can be sufficient for such decisions to be upheld by the courts.

Historical Background:

The case is set in the context of the early 20th century, a period when the United States exerted significant influence over the Philippines, and immigration laws reflected this dynamic. The Act of Congress of February 20, 1907, and its amendments governed immigration, including for territories under U.S. authority such as the Philippines, establishing procedures and grounds for the deportation of unlawful entrants, highlighting the U.S.'s regulatory approach to immigration during this era.