

AN ACT TO REGULATE THE REGISTRATION OF CHINESE PERSONS IN THE PHILIPPINE ARCHIPELAGO, AND TO CARRY INTO EFFECT AND ENFORCE THE PROVISIONS OF SECTION FOUR OF THE ACT OF CONGRESS ...

Act No. 702, March 27, 1903

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By authority of the United States, be it enacted by the Philippine Commission, that:

SECTION 1. The Collector of Customs for the Philippine Archipelago is hereby authorized and directed to make the registration of all Chinese laborers in the Philippine Islands as required and prescribed by section four of the Act, of Congress approved April twenty-ninth, nineteen hundred and two, entitled "An Act to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent," and to employ for that purpose the personnel of the Philippine Customs Service, the provincial and military officers hereinafter provided, and such other persons as may be necessary.

SEC. 2. The Insular Collector of Customs shall make such rules and regulations as may be necessary for the efficient execution of this Act, prescribing the form of certificates of registration required hereby, and making such provisions that certificates may be procured in localities convenient to the applicants.

SEC. 3. Each certificate of registration shall contain the name, age, date, and place of birth, registry of birth, if any, local residence, occupation, and photograph of the person therein described, and such other data in respect to him as shall be prescribed by the Insular Collector of Customs, and shall be issued by the proper officer upon payment to him of a fee of fifty cents, United States currency, said fee to be accompanied by a true photograph of the applicant in triplicate to the satisfaction of such officer.

SEC. 4. Any Chinese laborer within the limits of the Philippine Islands who shall neglect, fail, or refuse to obtain within the time prescribed by section four of the Act of Congress of the United States referred to in section one of this Act, the certificate of registration by this Act provided to be issued, and who shall be found within the Philippine islands without such certificate of registration after such time has elapsed, may be arrested upon warrant issued by the Court of First Instance of the province or by the justice's court of the municipality returnable before said Court of First Instance, by any customs official, police, Constabulary, or other peace officer of the Philippine Islands and brought before any judge of a Court of First Instance in the Islands, whose duty it shall be to order that such Chinese laborer be deported from the Philippine Islands, either to China or the country from whence he came, unless he shall affirmatively establish clearly and to the satisfaction of such judge, by at least one credible witness other than Chinese, that although lawfully in the Philippine Islands at and ever since the passage of this Act he has been unable by reason of accident, sickness, or other unavoidable cause to procure the certificate within the time prescribed by law, in which case the court shall order and adjudge that he procure the proper certificate within a 'reasonable time and such Chinese laborer shall bear and pay the costs of the proceeding: Provided, however, That any Chinese laborer failing for any reason to secure the certificate required under this law within two years from the date of its passage shall be deported from the Islands. If it appears that

such Chinese laborer had procured a certificate in due time but that the same has been lost or destroyed, he shall be allowed a reasonable time to procure a duplicate from the Insular Collector of Customs or from the officer granting the original certificate, and upon the production of such duplicate such Chinese laborer shall be discharged from custody upon payment of costs.

Any Chinese person having procured a certificate of registration, and the same having been lost or destroyed, shall have a right to procure a duplicate thereof under such regulations as may be prescribed by the Insular Collector of Customs upon the payment of double the fee exacted for the original certificate and the presentation of his true photograph in triplicate.

No Chinese person heretofore convicted in any court of the States or Territories of the United States or the Philippine Islands of a felony shall be permitted to register under the provisions of this Act without special authority from the Civil Governor.

SEC. 5. Every Chinese person having a right to be and remain in the Philippine Islands shall obtain the certificate of registration specified in section three of this Act as evidence of such right and shall pay the fee and furnish his photograph in triplicate as in said section prescribed; and every Chinese person found without such certificate within the Philippine Islands after the expiration of the time limited by law for registration shall be presumed, in the absence of satisfactory proof to the contrary, to be a Chinese laborer and shall be subject to deportation as provided in section four of this Act. Every Chinese person shall, on demand of any customs official, police, Constabulary, or other peace officer, exhibit his certificate, and on his refusal to do so may be arrested and tried as provided in section four of this Act.

SEC. 6. Any person who shall knowingly and falsely alter or substitute any name for the name written in any certificate of registration or forge such certificate, or knowingly utter any forged or fraudulent certificate, or falsely personate the person to whom said certificate was originally issued, or who shall falsely present any such certificate, shall be punished by a fine not to exceed one thousand dollars and imprisoned for a term not to exceed five years.

SEC. 7. Every Chinese person who may be entitled to come into the Philippine Islands shall upon landing, if he so requests, be given by the collector of customs of the port at which he lands a certificate containing his name, age, photograph, occupation, place of last residence, the date on which he landed, and such other data in respect to him as may be prescribed by the Insular Collector of Customs, and such certificate shall be issued upon payment to the proper officer of fifty cents, United States currency, accompanied by a true photograph of the applicant, in triplicate, to the satisfaction of such officer.

SEC. 8. Each certificate issued under this Act shall be made out in triplicate, and to each of the triplicate copies shall be attached a true photograph of the person to whom issued. One of such triplicate certificates shall be delivered to the applicant, one filed in the office of the registrar of Chinese for the district within which the application is made, and the third transmitted to the Insular Collector of Customs for permanent record and file.

SEC. 9. The Collector of Customs for the Philippine Archipelago is hereby authorized to deputize as registrar or deputy registrar of Chinese in each organized province of the Civil Government any collector or deputy collector of customs or treasurer of the province, and the officers so deputized shall give the necessary assistance under the direction of the Insular Collector of Customs in the execution of this Act.

SEC. 10. In unorganized provinces the Insular Collector of Customs is authorized to designate, where available, any officer or qualified employee in the Customs Service for duty as registrar or deputy registrar of Chinese, and in case none such is available, then by and with the consent of the commanding officer of the Division of the

Philippines he is authorized to designate an officer of the United States Army to serve as registrar of Chinese.

SEC. 11. Registrars and deputy registrars of Chinese, in addition to their compensation as officials or employees of the Civil Government or officers of the United States Army, shall receive not to exceed the sum of seventy-five dollars, United States currency, per month, and their actual and necessary traveling expenses, not to exceed three dollars, United States currency, per day, incurred under orders of the Insular Collector and by reason of their being engaged in the work prescribed in this Act.

SEC. 12. The word "laborer" or "laborers" wherever used in this Act shall be construed to mean both skilled and unskilled manual laborers, including Chinese laundrymen and Chinese employed in mining, fishing, huckstering, peddling, or taking, drying, or otherwise preserving shell or other fish for home consumption or exportation.

The term "merchant" as employed in this Act signifies a person engaged in buying and selling merchandise at a fixed place of business, which business is conducted in his name, and who during the time he claims to be engaged as a merchant does not engage in the performance of any manual labor except such as is necessary in the conduct of his business as such merchant. The definition of "laborer" and "merchant" set out in this section shall receive the same construction as that given to it by the Federal courts of the United States and the rulings and regulations of the Treasury Department of the United States.

SEC. 13. For the purposes of this Act the following temporary employees, or so many thereof as may be necessary, are hereby authorized in the office of the Collector of Customs for the Philippine Archipelago: Six registration clerks and two Chinese translators of class nine and two stenographers and typewriters of class eight.

SEC. 14. The sum of forty thousand dollars, United States currency, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Insular Treasury not otherwise appropriated, to pay the salaries and expenses of registrars and deputy registrars and necessary clerical assistance, interpreting, translating, printing, advertising, traveling, transportation, stationery, and such other expenses as may be incurred in connection with this registration.

SEC. 15. It being impossible to complete the registration herein provided for within one year from the passage of the Act of Congress approved April twenty-ninth, nineteen hundred and two, the time for such registration is, pursuant to authority granted by section four of said Act, hereby extended for a period of six months to date from April twenty-ninth, nineteen hundred and three.

SEC. 16. This Act shall take effect on its passage.

Enacted, March 27, 1903.

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