

THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. SOY CHUY, DEFENDANT AND APPELLANT.*G.R. No. 10427. February 14, 1916*

Ponente: CARSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-10427/>**CARSON, J.:**

This is an appeal by the defendant from a judgment of the Court of First Instance of Sulu declaring him to be a Chinese laborer found within the Philippine Islands contrary to the provisions of Act No. 702 and ordering him deported to China.

The undisputed facts of this case are as follows: The defendant is a Chinese laborer and was found in the Philippine Islands on or about the 7th day of July 1914, in the municipality of Jolo, not having in his possession the certificate of residence required by Act No. 702 of the Philippine Commission, passed pursuant to the Act of Congress of April 29, 1902, regulating the residence of Chinese laborers in the Philippine Islands and at that time obtained the certificate of residence required by Act No. 702; that later he went to China and had issued in his favor a laborer's return certificate; and that as he did not return to the port at which the return certificate was issued within the time prescribed by Act No. 702 his certificate of residence was canceled. The record does not show when or how the defendant entered the Philippine Islands upon his return from China, but the evidence is conclusive and uncontroverted that he remained away beyond the Lime limit prescribed by law and that he surreptitiously entered the Islands without the knowledge of the customs and immigration officials, presumably by the way of Borneo. Upon the finding of facts the lower court ordered the defendant deported to the port of Hongkong, China.

Counsel for appellant contends that the undisputed facts disclose a violation not of Act No. 702 but of Act No. 317 of the Philippine Commission. In reply to this contention the Attorney-General well says that Act No. 317 is not applicable to the facts developed by the record in this case, it having been superseded by the Act of Congress of April 29, 1902, and by the provisions of Act No. 702 of the Philippine Commission. The position of the Attorney-General is undoubtedly correct. The Act of Congress of April 29, 1902 and Act No. 702 of the Philippine Commission cover in a very much more detailed and comprehensive manner the very subject matter of Act No. 317, viz: the reentry of Chinese persons into the Philippine Islands. Act No. 317 relates only to the regulation of the return and reentry of Chinese persons who had left or should leave the Philippine Islands before or after the 13th day of August, 1908, while Act No. 702 was an Act to regulate the registration of Chinese persons in the Philippine Archipelago, and to carry into effect and enforce the provisions of section 4 of the Act of Congress approved April 29, 1902, 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 persons and persons of Chinese descent."

The subject-matter of Act No. 317 is fully covered by the Act of Congress of April 29, 1902, and Act No. 702 of

the Philippine Commission, and Act No. 317 must be held to have been repealed by these later Acts, at least in so far as they are inconsistent with each other and in so far as the former Act, if it were still in force, could be held to be applicable to the facts in the case at bar.

It appearing that the defendant is a Chinese person, and he having failed to show that he has any lawful right to remain in the Philippine Islands, the order of the lower court deporting him should be affirmed, with the costs of this instance de officio. So ordered.

Arellano, C. J., Torres, Johnson, Moreland, and Trent JJ., concur.

ABOUT BATAS.ORG

Study smarter at BATAS.org

The Philippine bar review and law-school companion built around how your brain actually remembers.

The complete Philippine law library - free for everyone.

More than 100,000 Supreme Court decisions, Republic Acts, and executive issuances - full-text searchable, browsable by category and year, and always free. No paywall, no login. This PDF came from it.

Audio case-brief lectures.

Any decision becomes a podcast-style lecture - facts, issues, ruling, and doctrine - with read-along highlighting and a hands-free presentation mode. Study while commuting, working out, or resting your eyes.

Bar review built on the science of memory.

Complete, sequenced courses for all eight bar subjects, narrated like podcasts and reinforced with retrieval practice and spaced review - the study techniques with the strongest evidence behind them.

The full law-school curriculum.

One subscription unlocks the entire J.D. curriculum - every subject, every lesson, with your progress tracked down to the paragraph so you can pick up exactly where you left off, on any device.

Mock exams that tell you where you stand.

Timed multiple-choice exams graded instantly, with per-subject score breakdowns and focus suggestions that point you at your weakest topics first.

A study planner that keeps you on pace.

Set your schedule and BATAS tells you every day whether you are on track for bar day - and exactly which lesson to take next.

Start free at <https://batas.org>

The law library is free forever - and your first lesson is one click away.

The text of this document is an official public record and remains in the public domain. Formatting, presentation, and compilation © 2026 batas.org.

Downloaded free from the batas.org Law Library. Share it freely - the library is free for every law student, bar reviewee, and practitioner.