

CANG KAI GUAN, PLAINTIFF AND APPELLANT, VS. THE INSULAR COLLECTOR OF CUSTOMS, DEFENDANT AND APPELLEE.

G. R. No. 10828. October 28, 1915

Ponente: JOHNSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-10828/>

JOHNSON, J.:

The plaintiff and appellant arrived at the port of Cebu on the 19th of November, 1914, on the steamship Linan, and asked permission to enter the Philippine Islands. An investigation was held by the board of special inquiry who denied the petition of the plaintiff.

An appeal was taken to the Collector of Customs, the Honorable B. Herstein, who, after considering the facts, affirmed the decision of the board of special inquiry and ordered the said Cang Kai Guan deported.

Later a petition for the writ of habeas corpus was presented in the Court of First Instance of Cebu. The cause was submitted to the Honorable Adolph Wislizenus, judge, who, after hearing the respective parties, denied the petition for the writ of habeas corpus. From that decision the plaintiff appeals to this court and makes several assignments of error.

From an examination of the record, the following facts appear to be undisputed: (first) that the plaintiff arrived at the port of Cebu on the 19th of November, 1914, on the steamship Linan, and asked permission to enter the Philippine Islands; (second) that he was born in China and was a Chinaman; (third) that he was eighteen years of age; (fourth) that he had never been in the Philippine Islands; (fifth) that his father had died in China about six years before; that his father, for some years before his death, had been a merchant in the Philippine Islands; (sixth) that he was not possessed of the "section six certificate."

The foregoing facts present the question whether or not the minor son of a Chinese merchant may enter the Philippine Islands without the "section six certificate" after the death of his father. This question has been fully discussed in the case of Tan Lin Jo vs. Collector of Customs (p. 78, ante), and there held that such minor can not enter the Philippine Islands without the "section six certificate." And without repeating here the arguments in that case, the judgment of the Court of First Instance is hereby affirmed with costs. So ordered.

Arellano, C. J., Torres, Carson, and Araullo, 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.