

THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. LI KIENG DEFENDANT AND APPELLANT.

G.R. No. 11411. December 11, 1916

Ponente: JOHNSON, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-11411/>

JOHNSON, J.:

This defendant was charged with a violation of section 8 of the Act of Congress of February 20, 1907. The complaint alleged "That on or about the 17th day of June, 1915, the aforesaid accused, together with three Moros named Gubah, Gubamanti, and Langi, all conspiring and working together, mutually aiding each other, wilfully, feloniously and illegally attempted and succeeded in bringing to the Philippine Islands, within the jurisdiction of the Province of Sulu, Department of Mindanao and Sulu, on a vessel called a vinta, twelve Chinese or foreigners from the port of Sandakan, a colony of the Kingdom of England, no one of said twelve Chinese being duly admitted by an immigration inspector nor having any other legal right whatever to enter these Islands; acts done in violation of law."

Upon said complaint the defendant was duly arrested and tried before the Court of First Instance of the Province of Sulu, Jolo. Upon being arraigned, the defendant presented the question of the jurisdiction of the court to try him. He alleged, in effect, that no crime had been committed within the jurisdiction of said court. The objection to the jurisdiction was overruled and the cause was brought on for trial.

After hearing the evidence, the Honorable George N. Hurd, judge, found the defendant guilty of the crime charged in the complaint and sentenced him to be imprisoned for a period of two years and to pay a fine of P200, with subsidiary imprisonment in case of insolvency. From that sentence the defendant appealed to this court.

The only question presented by the appellant here is one of jurisdiction. He alleges that the Court of First Instance of the Province of Sulu, under the evidence and the law applicable to the case, had no jurisdiction of the defendant or of the offense.

The evidence found in the record shows that the defendant, in company with three Moros arrived at the port of Sandakan, British North Borneo, on or about the 17th of June, 1915, with thirteen aliens (including the defendant and appellant) ; that they embarked in a Moro boat called a vinta, which was the property of a Moro called Langi; that the defendant and his companions were arrested on the high seas by the officers of the customs cutter Gilbert near the Reef of Mambahenauhan; that the point at which the defendant and his companions were arrested near said reef was not within the waters of the Philippine Archipelago.

After a careful examination of the evidence we find no proof which shows that at the time the defendant and his companions were arrested they were within the jurisdiction of the court of the Province of Sulu or of any other court of the Philippine Archipelago. For the reason, therefore, that the evidence fails to show that the defendant had committed any crime within the jurisdiction of the court the sentence of the lower court is hereby revoked, the complaint is hereby dismissed, and it is hereby ordered and decreed that the defendant be discharged from the custody of the law, with costs de officio. So ordered.

Torres, Carson, Trent 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.