

CHENG TAO LIAP, PETITIONER AND APPELLANT, VS. THE INSULAR COLLECTOR OF CUSTOMS, RESPONDENT AND APPELLEE.

G. R. No. 35183. July 24, 1931

Ponente: ROMUALDEZ, J.

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ROMUALDEZ, J.:

The petitioner appeals from the judgment of the Court of First Instance of Manila which denies his petition for habeas corpus, maintaining that the court erred in holding that he imported Chua Ang Sy into the country for immoral purposes, and that the case is within the purview of the Act of Congress approved February 5, 1917.

The appellant contends that his detention by the respondent Insular Collector of Customs is unjustified. The fact is that the latter holds the petitioner under his custody by virtue of a decision rendered according to law by the board of special inquiry of the Bureau of Customs, and duly confirmed by the respondent, ordering the deportation of the petitioner for violation of the Act of Congress of February 5, 1917.

The record shows that the board of special inquiry, which decreed and recommended the petitioner's deportation had investigated the case and received among other evidence the testimony of Si Kim Tee (alias Chua Ang Shi), justifying the action taken. There is no merit in the appellant's contention that the testimony of this witness should not have been given credence. Courts are not free to review the weight, admissibility, or sufficiency of evidence adduced before this board of special inquiry; and the decision of the Bureau of Customs, based upon evidence, is deemed conclusive. (Tan Beko vs. Collector of Customs, 26 Phil, 254; Que Quay vs. Collector of Customs, 33 Phil., 128; Guevara vs. Collector of Customs, 34 Phil., 394; Molden vs. Collector of Customs, 34 Phil., 493.)

Neither can it be held that the provisions of section 19 of the Act of Congress of February 5, 1917, do not apply to the petitioner in view of the fact that it is more than five years since he entered the country. This court has already held, in the case of Azuma vs. Collector of Customs and Chief of Police of Manila (40 Phil., 842), that paragraph 8 of section 19 in the aforesaid Act of Congress, which has been applied to the appellant, is applicable to all aliens violating it, irrespective of the time of their entry into this territory.

Inasmuch as this appeal has not been taken upon sufficient grounds, the judgment appealed from is hereby affirmed with the costs against the appellant. So ordered.

Avanceña, C. J., Johnson, Street, Malcolm, Villamor, Villa-Real, and Imperial, JJ., concur.

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