

AH YOUNG, PETITIONER AND APPELLANT, VS. VICENTE ALDANESE, IN HIS CAPACITY AS INSULAR COLLECTOR OF CUSTOMS, AND EMILIO VELEZ, IN HIS CAPACITY AS COLLECTOR OF CUSTOMS OF THE PORT ...*G.R. No. 44281. December 13, 1935*

Ponente: ABAD SANTOS, J.

Read online (full-text search, related cases, audio case brief): <https://batas.org/library/g-r-no-44281/>**ABAD SANTOS, J.:**

This is an appeal from an order of the Court of First Instance of Davao, denying a petition for a writ of habeas corpus filed in behalf of Ah Fook, who claimed the right to enter this country as minor son of Ah Young, a Chinese merchant residing in Davao. A board of special inquiry, appointed by the Collector of Customs of Davao, held that there was no satisfactory evidence to establish the relationship between Ah Fook and his alleged father, and therefore denied the former admission into this country. Whereupon this petition for a writ of habeas corpus was filed in the court below for the purpose of securing a review of the decision of the board of special inquiry, which was previously appealed to and confirmed by the respondent Insular Collector of Customs. The petition was denied; hence this appeal.

In denying the petition, the court below held that the board of special inquiry did not abuse its discretion in passing upon the right of Ah Fook to enter this country. To establish the relation of father and son alleged to exist between Ah Young and Ah Fook, oral evidence was presented, consisting of the testimony of the two and of two other witnesses named Chan Kee and Lim Men. From the testimony of these four witnesses it is clearly inferred that Ah Fook is the son of Ah Young. In passing upon this evidence, the board of special inquiry remarked in its decision:

"It will be observed from his testimony that when he came back to the Philippines in 1915 the applicant was not yet born. In fact he was not in China when his alleged three sons were born. This board is not satisfied that the applicant is the son of Ah Young. The testimony of the witness introduced to establish the relationship between applicant and his alleged father is not satisfactory."

This court has held that while it is true that immigration authorities are not obliged to believe the testimony of witnesses in cases like the present, yet, when they reject such testimony, they must give some reason therefor. They must give the particular facts upon which their conclusions are based, and those facts must appear in the record. (*Sam Mow Tow vs. Aldanese*, 42 Phil., 217.) In the instant case, there is no valid reason given in the decision of the board of special inquiry, or appearing in the record, which supports the conclusion reached by the board that Ah Fook is not the son of Ah Young. The mere fact that Ah Young was not in China when his three alleged sons were born, is not sufficient to impeach the testimony of the four witnesses who testified before the board, considering that there was evidence to show that Ah Young was married in China in 1914, and although he returned to the Philippines after his marriage, he again visited China in 1915, 1919 and 1921. Upon a review of the record in this case, we find that there is no evidence to support the decision of the board of special inquiry.

The order appealed from is reversed, and the petition for a writ of habeas corpus is granted. So ordered.

Avanceña, C.J., Hull, Vickers, and Recto, JJ., concur.

Order reversed and writ granted.

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.