

751

Form 591

IMMIGRATION FILE

U. S. DEPARTMENT OF LABOR
IMMIGRATION SERVICE

751
No. _____

SUBJECT: _____

Form 430

APPLICATION OF ALLEGED AMERICAN-BORN CHINESE FOR PREINVESTIGATION OF STATUS

TRIPLICATE

Department of Commerce and Labor
IMMIGRATION SERVICE

Office of CHINESE INSPECTOR IN CHARGE, _____

Port of CHICAGO, _____

June 21, 1909

To L. T. Hummer
Chinese and Immigrant Inspector,
Chicago Ill

SIR: It being my intention to leave the United States on a temporary visit abroad, departing and returning through the Chinese port of entry of Portal N. Dak., I hereby apply, under the provisions of Rule 39 of the Chinese Regulations (Bureau Circular No. 25), for preinvestigation of my claimed status as an American citizen by birth, submitting herewith such documentary proofs (if any) as I possess, and agreeing to appear in your office personally, and to produce therein witnesses, for oral examination regarding the claim made by me.

This application is submitted in triplicate with my photograph attached to each copy, as required by said rule.

Respectfully,

Signature in Chinese 簽唐字名 亞才 木梅才

Signature in English 簽番字名

Address 具稟人之住址 297 20 Clark St.



相簽詢委亦憑國九而來人遊欲委
三名問員親據出欸回亦出外暫員
幅稟口之與呈世之茲即埠入邦離知
上供公證上所有例依由而去之今美之
並照辦人查有在美十埠將港由國我
附例房到驗之

Port of PORTAL N. D.

JUN 24 1909, 19____

Respectfully returned to

L. T. Hummer
Chinese and Immigrant Inspector,
Chicago Ill

With the information that I am _____ prepared, on the basis of the evidence submitted with the original of this application, to approve said application.

W. H. Kelton

Officer in Charge.

UNITED STATES DISTRICT COURT.

CHICAGO.

Terms: First Monday in July and third Monday in December.

Process in civil cases also returnable at adjourned terms first Mondays in February, March, April, May, June, September, October, or November.

FREEPORT.

Third Mondays in April and October.

Department of Justice.

OFFICE OF UNITED STATES ATTORNEY,

NORTHERN DISTRICT OF ILLINOIS.

826-833 FEDERAL BUILDING,

CHICAGO.

September 15, 1911.

751
Moy Ah Toy, appellant, v. United States appellee.

RECEIVED
SEP 18 1911
Inspector in Charge.
CHICAGO, ILLINOIS.

Dr. P. L. Prentis,

Inspector in Charge of Immigration,

Chicago, Illinois.

Dear Sir:

I have the honor to enclose herewith, a copy
of brief in the above entitled case filed in the United States
Circuit Court of Appeals.

Very respectfully,

James S. Wilkinson
United States Attorney.

Encl.
1816
JFV-FH.

Department of Commerce and Labor

IMMIGRATION SERVICE

OFFICE OF THE COMMISSIONER
SEATTLE, WASH.

HAM

RECEIVED

AUG 18 1911

Inspector in Charge.
CHICAGO, ILL.

No. 27,804.

August 12, 1911.

Inspector in Charge,
U. S. Immigration Service,
Chicago, Illinois.

S i r:

There arrived at this port August 4, 1911, on the s. s. "Keemun", one MOY TOY, a Chinese who was admitted the following day as a returning citizen enroute to Chicago, Ill. At the time of admission there was issued to Moy Toy certificate of identity No. 4,444. This for your information, reference being had to your file No. 751, and letter dated June 22, 1909.

Respectfully,

Edwin D. Butler
Commissioner.

HAM-TS.

No. 751.

June 26th, 1909.

Moy Toy,

c/o Yuen High & Co.,

297 So. Clark St., Chicago.

Sir:-

I hand you herewith duplicate application for a pre-investigation of your status as an American-born Chinese, and would instruct you to exchange this for the original with the Chinese Inspector in Charge at Portal, North Dakota upon your departure through that port.

Respectfully,

(Signed) L. T. Plummer.

Chinese Inspector in Charge.

Department of Commerce and Labor
IMMIGRATION SERVICE

OFFICE OF CHINESE INSPECTOR IN CHARGE

No. 2303.

PORTAL, N. DAK.
June 24, 1909.

Mr. L.T. Plummer,
Chinese Inspector in Charge,
Chicago, Ill.


Dear Sir:-

Receipt is respectfully acknowledged of your letter of the 22th inst. No. 751, enclosing therewith all papers in the application of Moy Toy, for pre-investigation of his status as a native.

I am returning herewith the duplicate and triplicate copies of form 430, and will deliver the original *to applicant* properly endorsed upon his departure thru this port.

Respectfully,

H/a


Chinese Inspector in Charge.

Arriving Portal, July 10, 1909.

RECEIVED
JUN 26 1909
Chinese Inspector,
CHICAGO, ILLINOIS.

No. 751/

June 22nd, 1909.

Mr. O. B. Holton,
Chinese Inspector in Charge,
Portal, North Dakota.

Sir:-

I hand you herewith papers in the case of MOY TOY, an
-----, an alleged American-born applicant for a preinvestigation of
status.

Applicant presented a certified copy of the judgement rendered by U. S. Commissioner Benj. L. Wells, February 26th, 1903 in the case of YUNG MON SAY, alias AH TOY, discharging him from custody on the ground that he had a right to be and remain in the United States. A certified copy of the testimony taken in the case was also filed with this application and as you will notice the defense was based solely on the ground that the defendant was born in the United States. The certified copy of judgement was compared with the docket of Commissioner Wells and found to be genuine, and I compared the attached copy of the testimony with the copy forwarded to me by the Chinese Inspector in Charge at New York City and found it to be a true copy.

I have examined applicant upon his arrest and discharge and inclose a transcript of the notes taken.

In view of the fact that the only evidence introduced at the trial of the case was to the effect that this defendant was a native-born, I would recommend that applicant be permitted to depart from and return to the United States as a native.

Respectfully,

(Signed) L. T. Plummer,
Chinese Inspector in Charge.

No. 751.

522, Commercial National Bk. Bldg. CHICAGO

June 21st, 1909.

Case of : L. T. Plummer, Examining Inspector.
MOY AH TOY, : Charley Kee, Interpreter.
Native departing. : W. B. Calkins, Stenographer.

Applicant, MOY AH TOY, sworn by Inspector Plummer, testified:

Q What is your name? A. Moy Toy.
Q Is that your full Chinese name? A. American people call me
Ah Toy. That is all the name I have.
Q When and where were you arrested for being unlawfully within
the United States? A. In the neighborhood of Malone,
Q In New York state? A. Yes.
Q When was that? A. About six years ago.
Q What month? A. Some time in January, Chinese date.
Q How long were you in jail? A. About a month.
Q What kind of a looking man was the judge? A. A heavy man.
I do not remember whether he had a mustache or not.
Q What was the name of your lawyer? A. Moore.
Q Do you remember the names of your witnesses? A. Moy Gop
Sue.
Q Moy Gop Sue your witness? A. Yes.
Q What relation was he to you? A. Brother.
Q How many men besides yourself were arrested and tried about
the same time? A. Over ten people that day were arrested.
Q Have you been in Chicago ever since you were discharged?
A. After I was discharged I went to New York City and stayed there
a few days. Then I came to Chicago and have been here ever since.
Q What have you been doing here in Chicago and where have
you been living? A. Went to work in a laundry. I have not got
any certain place to work.
Q Do you own a laundry? A. No.
Q Are you married? A. No.
Q Have you understood the interpreter? A. Yes.

Applicant signed his testimony in English & Chinese.

(Signed) Moy Toy, Applicant.

(Signed) L. T. Plummer, Inspector.
(Signed) Charley Kee, Interpreter.

Nos. 751 and 752.

June 12th, 1909.

Chinese Inspector in Charge,
New York City,
New York.

Sir:-

Your letters of June 9th, 1909, Nos. 2420/71 and 2420/72 returning certified copies of the judgments rendered by U. S. Commissioner Wells of Malone, New York in the cases of U. S. vs AH ONG, alias M'Y HONG and U. S. vs YUNG MON SAY, alias AH TOY, are received.

In reply, I return herewith copy of the transcript of the evidence taken at these examinations, and would thank you very much for your kindness in the matter.

Respectfully,

(Signed) L. T. Plummer.

Chinese Inspector in Charge.

Inc.