

IMMIGRATION FILE

U. S. DEPARTMENT OF LABOR
IMMIGRATION SERVICE

No. 798

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,

September 23, 1909

To Lorenzo T. Plummer
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

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附例房到驗之美十埠將華出現口

Port of Portal, N.D.

Oct. 4th, 1909.

Respectfully returned to

L.T. Plummer,

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.

John J. Thel
Officer in Charge,
OBA

Department of Commerce and Labor
IMMIGRATION SERVICE

OFFICE OF INSPECTOR IN CHARGE
SEATTLE, WASH.

HUM

No. 26,545.

RECEIVED
DEC 6 1910
Inspector in Charge,
CHICAGO, ILLINOIS.

Dec. 2, 1910.

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

S i r:

Receipt is acknowledged of your letter of November 28, 1910, No. 798, with which you returned record in the case of Chang Hing, alleged native, denied admission at this port November 3, 1910, and who through Attorney O'Donnell, your city, appealed from our excluding decision.

Your telegram of November 28, 1910, was received in time to permit of deportation the evening of November 29, 1910.

Respectfully,

HAM-TS.

Ellis J. Butler
C o m m i s s i o n e r .

JMS

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Department of Commerce and Labor

IMMIGRATION SERVICE

No. 2/234.

Department of Commerce and Labor

Office of Chinese Inspector in Charge

CHICAGO, ILL.

Chinese Inspector in Charge

SUBJECT:

OFFICE OF CHINESE INSPECTOR IN CHARGE
CHICAGO, ILL.

October 12th, 1909.

Commissioner-General of Immigration,
Department of Commerce and Labor,
Washington, D. C.

Sir:-

I inclose herewith copy of letter received from F. S. Platt, Clerk of the United States Courts, District of Vermont, Rutland, Vt. September 28th, 1909, in which he asks that I forward him \$2.00 for comparison of the certificate of discharge and copy of the testimony in the case of CHANG HING who was discharged by former U. S. Commissioner George E. Johnson June 28th, 1908.

In this case Chan Hing made an application for pre-investigation of status under rule 39, and in order to verify his statements as to his having been discharged upon the ground that he was born in the United States, I sent the copy of discharge and a copy of the testimony to Mr. Platt. I do not know whether the \$2.00 asked is a proper charge against our Department, but if so, I would ask for a letter of authority to pay same. If the Bureau considers that this is not a proper charge, will you please instruct me what course I should pursue in future cases of this kind, as I now have an application before me under Rule 39 of a Chinaman who claims to have been discharged by Commissioner Johnson upon the ground that he was born in the United States?

Respectfully,

Inc.
WBC

Inspector in Charge.

No. of papers

Office of the Clerk

UNITED STATES CIRCUIT AND DISTRICT COURTS
DISTRICT OF VERMONT

Rutland, Sep. 28, 1909.

C O P Y

Lorenzo T. Plummer, Esq.
Chinese Inspector in Charge,
Commercial Nat'l Bank Bldg.,
Chicago, Illinois.

My dear Sir:-

Your letter of Sept. 23rd, addressed to the Clerk of the United States District Court at Brattleboro, Vt., has been forwarded to me.

I note that you inquire about one Chang Hing, and inclose the certificate of discharge, a copy of testimony, etc.

The certificate of discharge is a genuine document, signed by George E. Johnson former United States Commissioner.

Mr. Johnson is dead, and his records and files have been sent to this office. I find from his dockets and papers that the case was heard before him, as stated in the certificate of discharge, and that the respondent, Chang Hing was discharged June 28, 1908. A photograph is not attached to Mr. Johnson's docket or to any of the papers: nor did Mr. Johnson keep minutes of the evidence. Mrs. Annie M. Brown, now of Brattleboro, Vermont, did take stenographic minutes of all evidence in Chinese cases during several years following May, 1898. She has seen the evidence that was inclosed in your letter to the Clerk. She says it is an exact copy of the evidence that was given at the trial.

As I understand it, this answers all the questions in your letter.

To examine the papers, look up the files and do the work

L. T. P.--2.

that I have in connection with this matter, has been considerable trouble. I have been lately requested very many times to do some work for other Chinese Inspectors in Charge. My office is not a salaried office; my income is derived entirely from fees. I do not understand that it is my duty to do this work for nothing. If I did, a good share of my time would be devoted to work for which I did not received any compensation.

My charge for what I have done in this case, is \$2.00, which I trust you will forward to me.

Very truly yours,

(Signed) F. B. Platt,

Clerk.

Received 9-29-09.
Chinese Inspector,
Chicago, Ill.

C O P Y

No. 798.

October 6th, 1909.

Chang Hing,

c/o Hip Lung Ying Kee Co.,

323 So. Clark St., Chicago, Ill.

Sir:-

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

Respectfully,

(Signed) L. W. Plummer.

Inspector in Charge.

Inc.

No. 798.

1909
September 30th, 1909.

Inspector in Charge,
Immigration Service,
Portal, North Dakota.

Sir:-

I hand you herewith papers in the case of CHANG HING, applicant for pre-investigation of status under Rule 39. This man presented with his application what purported to be a certificate of discharge showing that he was discharged by George E. Johnson, U. S. Commissioner at Burlington, Vt. June 28th, 1898.

I have forwarded this paper to the Clerk of U. S. District Court at Burlington, Vt. and inclose a reply from him which is self explanatory. I have examined applicant and inclose a transcript of the notes taken.

In view of the fact that this certificate of discharge shows that applicant was discharged because of having been born in the United States and that this certificate has been found to be genuine, I am satisfied that applicant is entitled to the privilege he requests and would recommend that it be granted to him.

Respectfully,

(Signed) L. T. Plummer:

Inspector in Charge.

Inc.

No. 798.

September 23rd, 1909.

Clerk,

United States District Court,
Brattleboro, Vermont.

Sir:

Will you please compare the inclosed paper which purports to be a certificate that a Chinaman, CHANG HING, was discharged by Commissioner George E. Johnson, June 28th, 1898, upon the ground that he was born in the United States, with the docket of Commissioner Johnson, and inform me whether or not this man was discharged for the reason given, and whether the photograph attached to this paper is of the same person as that attached to the Commissioner's docket?

I also inclose what purports to be a copy of the evidence introduced in this case, and would ask if you would compare that with the Commissioner's records and inform me if it is a true copy.

Thanking you in advance for your courtesy, I am

Yours respectfully,

(Signed) L. T. Plummer.

Chinese Inspector in Charge.

Inc.

522, Commercial Nat'l. Bk. Bldg. CHICAGO

September 23rd, 1909.

Case of : L. T. Plummer, Examining Inspector.
CHANG HING, : Charley Kee, Interpreter.
Native departing. : W. B. Calkins, Stenographer.

Applicant, CHANG HING, sworn by Inspector Plummer, testified:

Q What is your name? A. Jung Hing.
Q What is your family? A. Jung.
Q Are you married? A. Going home to get married.
Q Are you married now? A. Yes.
Q When were you married? A. Went home and got married K.S. 19.
Q What is your marriage name? A. Jung Wan Goon.
Q Is your wife living? A. Yes.
Q How many children have you? A. No children.
Q Are you going back home to get married to another woman?
A. No.
Q What is your boyhood name? A. Jung Hing.
Q You say you went home to get married, when did you go and return? A. I went home when I was four years old.
Q When did you come back? A. K.S. 21.
Q Were you arrested at the time of your return? A. Yes.
Q What year were you arrested? A. K.S. 21.
Q Are you sure of that? A. Pretty sure, K.S. 21.
Q Where? A. Richford.
Q Where did you have the trial? A. Burlington.
Q What was the name of the judge? A. Johnson.
Q Did you have a lawyer? A. There was the district attorney there.
Q Didn't you have a lawyer? A. No.
Q Who was the witness? A. My father.
Q Where is he now? A. Went to China.
Q What is his name? A. Jung Lo.
Q How long was it from the time you were arrested until you were discharged? A. About a week or so.
Q What kind of a looking man was the judge? A. Short, chunky man, not tall.
Q Smooth face, or did he have a beard? A. Smooth face, gray hair.
Q Did you testify yourself as a witness? A. Yes.
Q Are you sure of that? A. Yes, I gave a statement there.
Q What month was it that you were tried and discharged?
A. 5th month.
Q Did they give you any paper? A. Yes.
Q Is this the paper?(Referring to certified copy of the discharge upon which this application was based) A. Yes.
Q Where did you go after you were discharged? A. Boston.
Q When did you come to Chicago? A. I lived in Boston over a year. Then came here.
Q Do you own a laundry now? A. No.
Q Have you owned a laundry since you have been here? A. I worked in some of them and owned some of them.
Q Where was the last laundry you owned? A. The last one I owned was on Fifty-fifth St. I left there two years ago. I have been working around at different places since then.
Q Have you understood the interpreter? A. Yes.

Applicant signed his names in Chinese.

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

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VS.

CHANG HING.

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 ⑪ ⑫ ⑬ ⑭ ⑮ ⑯ ⑰ ⑱ ⑲ ⑳

Heard at Burlington, Vermont, June 28, 1898, before
George E. Johnson, Esq., United States Commissioner.

Hon. D. J. Foster, counsel for Applicant.

Applicant discharged June 28, 1898.

[illegible]

TESTIMONY OF CHANG LUNG.

Q What is your name? A Chang Lung.

Q Have you got a paper with you? A Yes.

Q That your laborer's paper? A Yes, sir.

Q Is that your photograph? A Yes, sir.

Q Where do you live now? A Boston.

Q Street and number? A No. 9 Oxford Place.

Q Who is this sitting beside you? A That is my boy.

Q What is his name? A Chang Hing.

Q How old is he? A 21.

Q Where was he born? A San Francisco.

Q How long have you lived in Boston? A Three years in Boston.

Q Where were you living when you had this laborer's paper filed?

A New Bedford.

- Q How old did you say you are now? A 52.
- Q What do you do in Boston now,- laborer? A I work in No. 9.
- Q How long have you lived in this country altogether? A Thirty years in this country.
- Q Have you been back to China during that time? A No, sir.

CROSS EXAMINATION.

- Q Is this all the children you have? A That is the only one.
- Q How old is he? A 21.
- Q Where were you married? A I was married in San Francisco.
- Q When? A I was married twenty-three years ago.
- Q How long since you have seen this boy before coming here to Burlington? A I haven't seen him since he was four years old until now.
- Q Did you know him? A He sent me one of his photographs.
- Q Let me see it. (Photograph produced.)
- Q When did you get that? A I got it last year.
- Q Let me see the letter it came in? A I destroyed that letter.
- Q Have you got the envelope that it came in? A No, it is all destroyed.
- Q Have you got any letters from this boy? A I got a letter from Montreal from him.
- Q Any letters written from China? A I got a letter from his mother.
- Q Where is that? A It is destroyed.
- Q Have you any letters, either here or anywhere else, from this boy or his mother? A No, sir, I always look it over and

burn it.

Q How old was this boy when he went back to China? A Four years old.

EXAMINED BY MR. WHITEMORE, CHINESE INSPECTOR.

Q Did you ever live in Boston? A Yes, sir, I live there now.

Q Where? A No. 9 Oxford Place.

Q What are you,- a laborer? A Yes, sir.

Q What is the name of the firm? A Fook Sang Wah.

Q Sure about that? A Yes, sir, I am sure about it.

Q That firm hasn't sold out, has it? A Sometime before that it changed hands, but not lately.

Q How long since it changed hands? A I don't know much about it before that, but ever since I was there I haven't seen any change.

Q Been the same firm? A Yes, sir.

Q Who is the manager of that firm? A Moy Quon Hang.

Q Did you ever see me there? A You might have been there and I wasn't there.

APPLICANT DISCHARGED.