

U. S. DEPARTMENT OF LABOR  
IMMIGRATION SERVICE

IMMIGRATION FILE

No. 682

SUBJECT: \_\_\_\_\_

No. 6821/17

September 16, 1908

Jacob J. Kern, Esq.,  
Attorney at Law,  
77 So. Clark St.,  
Chicago, Ill.

Sir:

Referring to your letter of September 2nd, in which you enclosed the papers of a Chinaman, Moy Toy, alleged merchant and member of the firm of Wah Kee & Co., of this city, but now in China, and requested that his status be investigated prior to his departure for the United States, I submit the following:

We have made an investigation here in Chicago, and find that this man does not have any interest in the firm of Wah Kee & Co., which is now located at 333 So. Clark St., and that he has not had an interest for a number of years. In view of our investigation and unfavorable report, the Chinese Inspector in Charge at Portal, N. D., through which port Moy Toy intended to enter the United States, has decided that Moy Toy will be rejected in the event he applies for admission.

Should Moy Toy appear at the port and make an application for admission, he is entitled to an appeal to the Secretary of Commerce and Labor, in case of an adverse decision by the Inspector in Charge.

Respectfully,

(Signed) L. T. Plummer.

Chinese Inspector in Charge



IMMIGRATION FILE

U. S. DEPARTMENT OF LABOR  
IMMIGRATION SERVICE

No. 682

SUBJECT: \_\_\_\_\_  
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14-204

Department of Commerce and Labor  
IMMIGRATION SERVICE

OFFICE OF INSPECTOR IN CHARGE  
PORTAL, N. DAK.

September 14, 1908.

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

Sir:

Receipt is hereby acknowledged of your letter of the 11th instant, No. 682, together with all papers in the case of MOY TOY, alleged merchant and member of the firm of Wah Kee, who is now in China and desires an ad interim investigation of his case prior to his intended return.

In view of the unfavorable report of the investigating inspector and your adverse recommendation, this applicant will be rejected in the event that he applies for admission at this port.

Respectfully,

*O. B. Holton*  
Chinese Inspector in Charge.

*Sept 2*

RECEIVED  
SEP 16 1908  
Chinese Inspector,  
CHICAGO, ILLINOIS.

No. 682.

September 11th, 1908.

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

Sir:-

I hand you herewith papers in the case of MOY TOY, an alleged merchant of this city who has applied for an ad interim investigation through Jacob J. Kern, Esq., his attorney.

Chinese Inspector Tippetts has made an investigation in this case and I enclose his unfavorable report, in view of which I would recommend that this man be denied admission upon his return to the United States.

Would you please inform me of your decision in order that I may inform this man's attorney here?

Respectfully,

(Signed) L. T. Plummer.

Chinese Inspector in Charge.

Enc.



No. 682.

September 11th, 1908.

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

Sir:-

I have investigated the case of MOY TOY, whose papers have been submitted to this office for an investigation by Jacob J. Kern, Esq., 79 Clark St., this city.

I have taken the statement of Moy Wah Foon, the present manager of the firm of Wah Kee of which Moy Toy claims to be a member, and a transcript of his testimony is attached hereto. It will be seen by the testimony of Moy Wah Foon that this concern has undergone a change in its membership, and at the present time there are only two partners in the firm, Moy Doon Yuen now in Hong Kong, and Moy Wah Foon, the present manager.

The partnership list of Wah Kee & Co. filed in this office July 27th, 1904 shows only two partners in the concern, Moy Doon Yuen and Moy Wah Foon.

I did not endeavor to locate the white witnesses to the paper for the reason that it was not necessary, as it is plainly established by the testimony of the manager as well as by the papers on file in this office that Moy Toy has not any mercantile standing in this concern and is not a bona fide merchant.

Respectfully,

H. E. TIPPETT

Chinese Inspector.



Case of : H. E. Tippet, Examining Inspector.  
 MOY TOY, : Charley Kee, Interpreter.  
 Merchant returning. : W. B. Calkins, Stenographer.

Witness, MOY WAH FOON, sworn by Inspector Tippet, testified:

Q What is your name?  
 A Moy Wah Foon.  
 Q How old are you?  
 A Forty-nine.  
 Q What is your business?  
 A Sell cigars.  
 Q What is the name of your store?  
 A "Wah Kee".  
 Q Where is it located?  
 A 333 So. Clark St.  
 Q Are you the manager of that concern?  
 A Yes sir.  
 Q It is just a small cigar store now, is it?  
 A Yes sir.  
 Q How much capital have you invested there altogether?  
 A About \$2,000.00.  
 Q How long have you been in this concern?  
 A We started the business in K.S. 18.  
 Q Did you buy that place from some one, or did you establish the business?  
 A I bought it from another person.  
 Q Are there any other persons interested in this store other than yourself at the present time?  
 A Moy Doon Yuen.  
 Q He is your partner, is he?  
 A Yes, my partner and my uncle.  
 Q Just these two in the store? No one else interested financially whatever?  
 A No, just Moy Doon Yuen and myself.  
 Q What interest have you in the store?  
 A \$1,000.00.  
 Q How much of an interest has Moy Doon Yuen?  
 A \$1,000.00.  
 Q Moy Doon Yuen and you each have \$1,000.00 invested in the firm? Both together \$2,000.00?  
 A Yes. Before the capital stock was \$4,000.00, there being four partners in the concern, but I and Moy Doon Yuen bought the other two out in K.S. 23, and now there are only two.  
 Q Who were the other two partners in this concern?  
 A One was Moy Toy and the other was Moy On.  
 Q Was this firm of Wah Kee & Co. located at 319 So. Clark St. in 1902?  
 A Yes sir.  
 Q At that time you filed a partnership list in this office, didn't you?  
 A Yes, we did.  
 Q That list contained four names, Lam Moy, Moy Toy, Moy Wah Foon and Moy Doon Yuen, is that right?  
 A Yes.  
 Q Since that time you and your uncle have bought out the other two partners?  
 A Yes.  
 Q You moved from 319 So. Clark St. to 333 So. Clark St., and you are doing business at the latter place now?  
 A Yes.  
 Q In May, 1904, you again filed a partnership list in this office; only the records that the list was filed July 27th, 1904 and showed only two names, Moy Wah Foon, (yourself) and Moy Doon Yuen as members of the firm, is that right?



Case of MOY TOY.

Testimony of witness, MOY WAH FOON, continued.

A That is all there were in the firm at that time. That is correct.

Q Do you know this man? (Showing photograph of applicant)

A Yes, it is Moy Toy.

Q But Moy Toy has no interest in your firm at the present time, has he?

A No.

Q You and your uncle bought this man out? A. Yes.

Q This paper (referring to Moy Toy's merchant paper) bears the date of December 21st, 1892.

A When that paper was made out, I was not in this business.

Q Do you know where Moy Toy is now?

A Yes, he is in Hong Kong.

Q Is he living? A. Yes.

Q But he has no interest in the firm of Wah Kee & Co. formerly at 319 So. Clark St. now at 333 So. Clark St.?

A No, he has no interest in it.

Q You were in China and returned to the United States per the steamship "Mongolia" July 15th, 1904, were you not?

A Yes sir.

Q At the time you were in China, Moy Doon Yuen was managing this firm of Wah Kee & Co. was he not?

A Yes sir.

Q You are positive that Moy Toy has no interest in the store at the present time, are you?

A Yes sir.

Q Won't you tell me when you bought him out?

A Before, the firm went under the name of "Sam Moy". Then we changed the name to "Wah Kee". That was about the time that we bought out Moy Toy.

Q When was that?

A I think in 1895. For two or three years we had both the name of "Sam Moy" and the name "Wah Kee" on the windows of our store. About ten years ago, we took the name "Sam Moy" off the windows entirely. Since that time Moy Toy has had no interest in the firm.

Q After that Moy Toy no longer had an interest in your firm?

A No sir.

Q Where is Moy Doon Yuen?

A He is in Hong Kong, China to establish a business there. He is staying at 70 Wing Lock St.

Q Have you understood the interpreter?

A Yes sir.

Witness signed his testimony in English.

(Signed) Moy Wah Foon, Witness.

(Signed) Charley Kee, Interpreter.

(Signed) H. E. Tippet, Inspector.