

Form 551

INCLOSURE 25678

FROM
Department of Commerce and Labor
IMMIGRATION SERVICE

Port of PORTAL, N.D.

ARTMENT OF LABOR
GRATION SERVICE

No. 774

Form 430.

APPLICATION OF ALLEGED AMERICAN-BORN CHINESE FOR PREINVESTIGATION OF STATUS

TRIPPLICATE

Department of Commerce and Labor

IMMIGRATION SERVICE

CHINESE INSPECTOR IN CHARGE,
Office of CHICAGO,
Port of

JUL 6 1909

19

To

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.D., 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 宇 名 李 肖 澄
Signature in English 簽 番 宇 名 Lee Sing Ching
Address 具 禀 人 之 住 址 125 Baum St., Saginaw Mich.

相 簽 詢 委 亦 憑 國 九 而 來 人 遊 外 委 員 知 之 我 管
三 留 問 員 親 據 出 款 回 亦 出 入 邦 暫 離 美 國 現
幅 禀 口 之 與 呈 世 回 亦 入 邦 離 美 國 現
上 供 公 證 上 所 例 由 去 由 華 將
並 照 辨 證 在 依 例 由 去 由 華 將
附 房 到 查 在 依 例 由 去 由 華 將

Port of

Portal, N.D.

Aug 21, 1909

Respectfully returned to

L. T. Plummer.

Chinese and Immigrant Inspector,

CHICAGO, ILL.

With the information that I am not prepared, on the basis of the evidence submitted with the original of this application, to approve said application.

John S. Abel
Officer in Charge.
0724

No. 774.

August 25th, 1909.

Hon. Clarence M. Browne,
Prosecuting Attorney,
Saginaw, Michigan.

Dear Sir:-

Since telegraphing you this morning, I received a report from the Inspector in Charge at Portal, North Dakota wherein he says that after carefully considering the testimony in the case of LEE SING JOG together with that of Joseph H. Lee an alleged brother at the time the latter was admitted at that port, he refuses to favorably endorse the application of Lee Sing Jog for the privilege of going and returning from the United States as a native according to Rule 39.

Respectfully,

H. E. TIPPETT

Chinese Inspector, Acting in Charge.

CLARENCE M. BROWNE,
PROSECUTING ATTORNEY.

BIRD J. VINCENT,
ASSISTANT PROSECUTING ATTORNEY.

Prosecuting Attorney's Office.

Hamilton Square.
Saginaw, W. S., Michigan.

Saginaw., Mich August 26th 1909.

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

Chicago Ill.

Dear Sir:-

Sometime ago a Chinese person of this City made application through the writer for a pre-investigation and certificate for return to this Country as a native born Citizen. The applicant's name was Lee Sing Jog, your Mr Tibbits made the investigation and inform my client that the investigation would have to go to the Port of Entry, at Minneapolis, Minn. We have received no information or return certificate in the matter, and as I am informed my client desires to leave for China this week if possible.

Your Dept would confer a favor by giving us some information or directions in the matter, and will pay for a telegram to Minneapolis to determine result. Yours respectfully,

yours respectfully,

em Brown

RECEIVED
AUG 25 1909
Chinese Inspector,
CHICAGO, ILLINOIS.

July 21
774

Department of Commerce and Labor
IMMIGRATION SERVICE

OFFICE OF CHINESE INSPECTOR IN CHARGE
PORTAL, N. DAK.

No. 2845

August 21, 1909

Mr. H. E. Tippett,

Acting Chinese Inspector in Charge,
Chicago, Ill

Sir:

I am in receipt of your letter of the 17th instant, No. 774, enclosing therewith all papers in the case of LEE SING JOG, an applicant for a preinvestigation of his case as a native born citizen of the United States under Rule 39.

After carefully comparing the testimony submitted in this case with the testimony adduced in the case of Joseph H. Lee at the time of his admission through this port in the year 1906, my decision is that the endorsement provided for on the original of Form 430 will not be granted, and you will please so advise the applicant.. The triplicate of the form is herewith returned duly executed.

Respectfully,

John E. Clark
John E. Clark
Inspector in Charge
DAK

OBH/a
enc. 25678

RECEIVED
AUG 25 1909
Chinese Inspector,
CHICAGO, ILLINOIS.

No. 774.

August 17th, 1909.

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

Sir:-

I respectfully report that LEE SING JOG, Saginaw, Mich. has made application for an investigation of his status, claiming citizenship by birth in this country in accordance with Rule 39, on form 430.

The testimony of applicant, Lee Sing Jog, and witness, Lee Chuck, an alleged brother, all that was offered, has been taken, and a transcript of the same is hereto attached.

Insofar as the testimony shows, there are no great material discrepancies; but the circumstances surrounding the birth of this applicant in this country is most peculiar. It will be seen that the claim is made that six children were born in this family in this country, five boys and one girl, the girl the eldest of the six; that the mother went to China, taking the girl with her, when applicant, Lee Sing Jog was eight years old, and she never returned to this country thereafter; that the father, Lee You, continued to reside in the United States until 1905 when he departed for China via Portal, No. Dak., taking with him Lee Ward, now twenty-five years old. Taking the time and the age of applicant at the time the mother left San Francisco and returned to China with the oldest daughter, Lee Ward

must have been about four years old, a mere infant. This fact itself is significant; that a mother would take one child out of a family of six and go to China and never return thereafter and leave the other five children, one as young as four years and this applicant about eight years, is hardly credible, and equally as incredible is the statement that the father during all that time did not visit his wife in China until, as above noted, he returned in 1905.

Lee Ward also claims that he was born in San Francisco and is a citizen by birth; that he went to China with his father, returning to this country in November, 1908 via Canada; that he landed at Vancouver; then went to Toronto; thence to Windsor, Can. where he stopped with one Frank Lee, a noted smuggler of Chinese; then came across the river in a row boat, smuggling into the United States; was arrested, tried before U. S. Commissioner and discharged as native-born. He is now at Saginaw, Mich. with applicant and is his alleged brother. It appears to me that if he had had a bona fide claim, he would not have returned to this country in any such manner, but would have presented himself at a port of entry, submitted his proof and would have been admitted in the regular way. Although he has been discharged by a U. S. Commissioner, yet I cannot believe that his claim is a just one. There is no reason why he should enter Canada, pay a \$500.00 head tax and the expenses of smuggling into the United States, if he is a citizen of this country by birth.

Joseph H. Lee, another one of the alleged natives in this family, now in the employment of the United States Government as an interpreter at Philadelphia, Pa. visited China and returned via the

port of Portal, North Dakota, about December 14th, 1906, applied for admission upon the grounds that he had been born in San Francisco, Cal. His case was made the subject of investigation by the Detroit office, by Inspector Ross December 20th, 1906; and owing to the discrepancies in applicant's testimony, Inspector Ross's report under date of December 24th, 1906 on file in your office, was adverse to his landing, but nevertheless he was admitted. Inspector Ross stated in his report at that time, "After a careful consideration of the testimony, and the discrepancies noted, my opinion is, that the facts are not sufficiently strong to justify a belief that applicant, Joseph H. Lee, is native-born".

From the foregoing facts, I am not convinced that Lee Sing Jog is a citizen of this country by birth, and therefore do not believe that he is entitled to the privilege of going out and returning as such.

Respectfully,

H. E. TIPPETT

Chinese Inspector, Acting in Charge.

Inc.

TELEPHONES | BELL 3299
VALLEY 3390

CLARENCE M. BROWNE
ATTORNEY AND COUNSELOR
HAMILTON SQUARE
SAGINAW, W. S., - MICH.

PROSECUTING ATTORNEY

BELL 3299
VALLEY 3390

CLARENCE M. BROWNE
ATTORNEY AND COUNSELOR
HAMILTON SQUARE
SAGINAW, W. S., - MICH.

PROSECUTING ATTORNEY

July 22, 1909.

Mr. L. T. Pumber,

Chinese Interpreter In Charge,

Room #522 Commercial National Bank Bldg,

Chicago, Ill.

not being certain just what form is necessary, but ask you to treat this letter as such application.

Thanking you for the information furnished me, I remain

Yours respectfully,

Dear Sir:--

Your letter of July 7th is received with reference to Lee Sing Jog who desires his status as an American born Chinese person as indicated in the Passport Bureau.

I have been out of town and otherwise engaged so I could not write this letter until to-day.

Inclosed please find documentary evidence in duplicate as per your request and three unmounted photographs of Lee Sing Jog. I am sending you as duplicate evidence, copies of the affidavits attached to the passport now in the possession of Lee Sing Jog and which are duplicates of the ones filed with the Passport Bureau Department of Interior. I would be pleased to have you send your officer to Saginaw any day convenient to him after receiving my letter or wire me at my expense and I will meet him at the Bancrof House in this city which is only a few steps from where my parties live.

Please also notice, attached to the copies of the affidavits inclosed, my affidavit that they are true compared copies of the original now in my possession as attorney for my client Lee Sing Jog.

I have not prepared a formal application for investigation,

RECEIVED
JUL 24 1909
Chinese Inspector,
CHICAGO, ILLINOIS.



125 So. Baum St., Saginaw, Mich.

July 31st, 1909.

Case of : H. E. Tippett, Examining Inspector
 LEE SING JOG, :
 Native departing. : Charley Kee, Interpreter.

Applicant, LEE SING JOG, sworn by Inspector Tippett, testified:

Q What is your name? A. Lee Sing Jog or Lee Sing.

Q How many names have you? A. That is all. I am not married.

Q What is your occupation? A. Laundryman.

Q Where were you born? A. Dupont St., San Francisco, Cal. I don't know the number.

Q When were you born? A. I am now thirty years old. I don't know the year I was born.

Q When did you leave San Francisco? A. About eleven years ago and came to Chicago, stopped there a few months and then came to Saginaw.

Q Have you been to China? A. No.

Q Are you registered? A. No.

Q What is your father's name? A. Lee You. He is in China. He returned to China in 1905, via Portal, N.D. He is now living in Canton Province, Sun Ning Dist. Gon How village.

Q Where is your mother? A. She is with my father.

Q When did your mother go to China? A. I was eight years when she went to China and she never came back to this country.

Q What did your father do in San Francisco? A. Mining near San Francisco. I don't know the name of the place.

Q What kind of a house did you live in at San Francisco?

A. Brick.

Q What floor did you live on? A. Third floor.

Q How old were you when you left San Francisco? A. Eighteen or nineteen years old.

Q Did you live there until you came East? A. No, we lived several places. I was born at 842 Dupont St.

Q Where did you last live in San Francisco, Cal.? A. It was on Dupont St. 2nd floor over a drug store named Tie Wah Fong Co.

Q Did your father have any other business in San Francisco except mining? A. No, only mining.

Q What did you do in San Francisco? A. Worked for the Chinese Theatre.

Q How old is your mother? A. 66 years old.

Q How old is your father? A. 70 years old.

Q How many children in your family? A. Six, five boys and one girl.

Q Give me the names and ages of each. A. Lee Sed York, (girl) born San Francisco, 842 Dupont St. She is in China, Canton Province, Sun Ning Dist., Gon How village. She is married and is forty-three years old. Lee Yawn, about 35 or 36 years old. He is in China. Went back 1907, December, via Portal. He did not take any papers. Lee H. Joe, 32 years old, living in Philadelphia, is in Government service there. He went to China 1905 and returned to this country Dec. 1906 via Portal as a native. I am next, 30 years old. Then Lee Shuck, 28 years old. He is here in the laundry. He has never been to China. Lee Ward, 25 years old. He is here in the laundry. He went to China with my father and he returned Nov. 1908. He came by Canada. He landed at Vancouver. Then went to Toronto, Can. Then to Windsor, Can. He stopped with Frank Lee for a day or so and then he came across the river in a row boat.

Q Who brought him over? A. I don't know. He was arrested and tried before a Commissioner and was discharged.

Q What did they do with all of the children when your mother went to China? A. My aunt took care of us.

Testimony of applicant, LEE SING JOG, continued:

Q. What was her name? A. Yee She. Her husband's name was Lee Yen Quay, over Tie Wah Tong Co.

Q. When did your sister go to China? A. She went with mother and she never returned.

Q. Did your mother ever return here? A. No.

Q. When did Lee Ward go to China? A. He went with my father, Nov. 1905 via Portal, N. D.

Q. Did either of them take papers with them to return to this country? A. No, neither of them took papers.

Q. Is there any one besides your brother who knows where you were born? A. I have a cousin at Bay City by the name of James H. Lee who knows of it.

Q. Are there any white people that know of your birth? A. I don't think so.

Q. Did your father ever live at Pontiac, Mich.? A. Yes.

Q. When did he live there? A. About 1886 he had a laundry there. He lived there for fifteen years and in Saginaw for eight years. That makes twenty-three years that he lived in this state.

Q. Where was the family while your father lived at Pontiac? A. At San Francisco, Cal. Then Joseph H. Lee went there and after that Lee Yuen joined them.

Q. Where was your mother during all of that time? A. She was in San Francisco.

Q. Was you living with your mother then at San Francisco?

A. Yes, I was about five or six years old.

Q. How old were you when your mother returned to China? A. I was nine years old.

Q. Did your sister go at that time with your mother? A. Yes, she went with my mother, just those two. They sailed from San Francisco twenty-one years ago.

Q. Did your father ever go to China after your sister and mother went back? A. No, not until this trip in 1905.

Q. Where is the uncle and aunt now that you say you lived with after the departure of your mother? A. Both are dead, Lee Yen Quay, my uncle died in China three years ago. His wife died last year in China. They did not have any children.

Q. When did they go to China? A. After the fire at San Francisco.

Q. Did your father have any other brothers in this country? A. No, and mother had no brothers in this country.

Witness signed his name in English & Chinese.

(Signed) Lee Sing Jog.

李勝

Subscribed and sworn to, before me July 31st, 1909.

(Signed) H. E. Tippett,

Chinese & Immigrant Inspector.

Place: same

July 31st, 1909.

Witness, LEE CHUCK, sworn by Inspector Tippett, testified:

- Q What is your name? A. Lee Chuck.
 Q How many names have you? A. Only one.
 Q Are you married? A. No.
 Q Have you been to China? A. No.
 Q Where were you born? A. In San Francisco.
 Q When did you leave San Francisco? A. About thirteen years ago.
 Q What is your occupation? A. Laundryman.
 Q Are you registered? A. No.
 Q When were you born? A. I am now 28 years of age.
 Q Where were you born? A. 842 Dupont St.
 Q How many children in the family? A. Six, one sister and five brothers.
 Q Were all of the children born at that place at 842 Dupont St.? A. Yes.
 Q What is your father's name? A. Lee Yow.
 Q Your mother's name? A. Jin Shee.
 Q Where is she? A. In China. She went to China some twenty years ago. She never came back.
 Q Who went with her? A. My sister. She never came back.
 Q Where is your father? A. In China. He returned to China in 1905 about Nov. via Portal, N. D. and my brother, Lee Ward went with him.
 Q Where is Lee Ward now? A. He is here in this laundry.
 Q Is he the one that came across the river from Windsor, Can.? A. Yes.
 Q How old were you when you left San Francisco? A. Thirteen or fourteen years old.
 Q Where did you last reside in San Francisco? A. On Dupont St. over the drug store of Tie Wong Tong Co., on the second floor.
 Q Who m did you live with? A. With Uncle Lee Yen Quay and his wife.
 Q Did you make that your home after your mother went to China? A. Yes.
 Q Where was your father then? A. Pontiac, Mich.
 Q Did your father ever go to China after your mother returned there before his trip in 1905? A. No.
 Q Name the children in your family? A. Lee Sed York, (girl) 43 years old, born San Francisco at 842 Dupont St. Lee Yuen, 36 years old, born same place. Lee Joe (Joseph H. Lee) 32 years old at Philadelphia. Lee Sing Jog, 30 years old, born at the same place. I am next, 28 years old, Born 842 Dupont St. Then Lee Ward, 25 years old born at 842 Dupont St.
 Q How long have you been in Saginaw? A. Eight years.
 Before, I worked in Fort Wayne, Ind. also Chicago.
 Q Is this your brother? (Showing photograph of applicant) A. Yes.

Witness signed his name in English & Chinese.

(Signed) Lee Chuck.

Witness.

Subscribed and sworn to before me, July 31st, 1909.

(Signed) H. E. Tippett,

Chinese & Immigrant Inspector.

Executed in Duplicate.

STATE OF MICHIGAN,
ss:
COUNTY OF SAGINAW,

Affidavit as to Birth

Lee Sing Jog, commonly known as Lee Sing, of the City of Saginaw, County of Saginaw, State of Michigan, being duly sworn deposes and says that his full name is Lee Sing Jog, that he is commonly known and called Lee Sing.

Deponent further says that he is an American Citizen of the Chinese Race, having been born in Chinatown, San Francisco, California, on the 12th day of December, A.D., 1879, (Eighteen Hundred and Seventy-Nine). Deponent further says that he is the third son of Lee You, his father, and Gin See his mother; that all of the children of his father's family were born in Chinatown, San Francisco, California. Deponent further says that while he was yet a small child his father and the children of the family removed to the City of Chicago, Illinois; and that his Mother returned to China where she now resides; that his father and the children after residing for a time in Chicago, removed to Pontiac Michigan, and from there came to Saginaw, Michigan, where the father engaged in the laundry business, assisted by his sons, to-wit: Joseph H. Lee, Yuen Lee, Chuck Lee, Lee Ward and this deponent. That their place of residence and business was then and now is situated at No. 125, and 127 South Baum Street, in the City of Saginaw, Michigan.

Deponent further says that his father Lee You and his youngest brother Lee Ward departed this Country about three years ago for China leaving his brothers Joseph H. Lee, Lee Yuen, Chuck Lee and this deponent in charge of the laundry business. That his brother Joseph H. Lee visited China in the years 1905 and 1906 upon a passport of the American Government which was issued to him January 13th, 1905, or thereabouts. That his brother Yuen Lee recently departed for China via Portal, North Dakota, leaving

Joseph H. Lee, Lee Chuck, or Chuck Lee and deponent in charge of the business, said Joseph H. Lee having returned to the United States. Deponent further says that he cannot talk the English language, but can understand part of the same, and can write his name in the English language; Deponent further says that he has never been or resided out of the United States of America, and for the last ten years past he has resided at 125 South Baum Street, in the City of Saginaw, Michigan, and is engaged in the laundry business at such place, with his brothers Joseph H. Lee and Chuck Lee. That deponent is well acquainted with Patrick Kain, Chief of Police of the City of Saginaw, Michigan, and also with Lieutenant Timothy McCoy of said Police Department, also with Clarence M. Browne, formerly Assistant Prosecuting Attorney for Saginaw County, Michigan, whose affidavits of identification of this deponent are hereto attached. Deponent further says that he was born in Chinatown, San Francisco, California, on the 12th day of December, A.D. 1879; that his occupation is that of a laundry-worker; that his place of permanent residence is Saginaw, Michigan, and that he intends to return to the United States via Portal, North Dakota, within two years from the date of his passport hereto attached, with the purpose of residing and performing the duties of citizenship therein, within said period.

Deponent further says that he has taken the oath of allegiance to the Government of the United States, as shown and attached hereto, before William J. Smith, A Notary Public in and for the County of Saginaw, Michigan, a person duly qualified to administer oaths, and whose certificate is hereto attached and made a part of this affidavit.

Deponent further says that his personal description is as follows: to-wit:

Age: Twenty-Eight years past on December 12th, A.D. 1907.

Stature: Five Feet, three and one half inches as near as may be.

Forehead: Full-receding

Eyes: Black Mongolian shape.

Nose: Mongolian.

Mouth: Three gold teeth on upper jaw.

Chin: Small- receding mole on right side.

Hair: Black.

Complexion: Mongolian. Face: Mongolian.

Deponent further says that the photograph attached to this passport to which these affidavits are attached, is a photograph and a good likeness of this deponent, as shown by the affidavits of Patrick Kain, Timothy McCoy and Clarence M. Browne, hereto attached. Deponent further says that he is unable to procure affidavits of two citizens, preferably not of the Chinese race, proving birth in the United States or any witnesses to such effect, except the affidavits of his brothers Joseph H. Lee and Chuck Lee, both American Citizens of the Chinese Race, and for the further reason that there are now no persons who he knows in Chinatown, San Francisco, California, or elsewhere, who would know of his birth, and he does not now believe that any record was ever kept of the births of Chinese in 1879, which was before the passage of the Chinese Exclusion Act. And deponent further says that the affidavits of said Joseph H. Lee and Chuck Lee are hereto attached, showing the birth of this deponent Lee Sing Jog, in the City of San Francisco, State of California, United States of America.

State of Michigan.

ss:

County of Saginaw.

Joseph H. Lee of the City of Saginaw, County of Saginaw, and State of Michigan, being duly sworn deposes and says that he is

an American Citizen of the Chinese Race and that he can speak and interpret the English language into the Chinese language, and the Chinese language into the English language, and that acting as such interpreter, this deponent did on this day translate the substance of the foregoing affidavit from the English language into the Chinese language, and communicate the same to Lee Sing Jog in the Chinese language, and each and every statement therein contained, and has given the said Lee Sing Jog a correct translation of said affidavit and of the jurat following:

Joseph H. Lee.

Subscribed and sworn to before me
this 20th day of April, A.D. 1908.

William J. Smith
Notary Public in and for
Saginaw County, Michigan.
My Commission expires: Nov. 8-1910.

State of Michigan,
ss:
County of Saginaw,

Lee Sing Jog, the above named deponent to the affidavit foregoing, being duly sworn deposes and says that he has heard read and translated to him the foregoing affidavit by him subscribed, and known the contents thereof and solemnly swears that the facts therein contained are true, except as to matters therein stated to be upon his information and belief and as to those matters he verily believes them to be true.

Lee Sing Jog.

Subscribed and sworn to before me
this 20th day of April, A.D. 1908.

William J. Smith.

Notary Public in and for
Saginaw County, Michigan.

My Commission expires: Nov. 8-1910.

Seal

Oath of Allegiance.

State of Michigan,
ss:
County of Saginaw,

Be it Remembered, that on this day, personally appeared before me, a Notary Public, duly qualified to administer oaths under the laws of the State of Michigan, one Lee Sing Jog, to me known, who made oath as follows, to-wit: (oath administered through an interpreter duly sworn by me to interpret the English language into the Chinese language and a true translation give,) (

"I hereby declare on oath, that I will support and defend the Constitution of the United States of America, against all enemies foreign and domestic and that I will bear true faith and allegiance to the same.

Lee Sing Jog.

Subscribed and sworn to before me
this 20th day of April, A.D. 1908.

William J. Smith.

Subscribed and sworn to before me
this 20th day of April, 1908.

Notary Public in and for
Saginaw County, Michigan.
My Commission expires:
Nov. 8-1910.

Seal.