

Case Study of Chinese Exclusion Act Enforcement

Compiled by Joanne Dufour

Lesson suggestions: This story is derived from the case files concerning Chinese immigration of the Seattle office of The National Archives and Records Administration. The related lesson presents several role playing opportunities: both the interviews conducted at the time this family arrived in Seattle and the questioning of Yee Quong Yuen (hereafter referred to as Quong) carried out in Denver. The presence of bilingual students providing the testimony in Chinese (or other languages could be substituted), along with the role of an interpreter would lend additional reality to a role play. Selected portions of the readings—Introduction, Conditions of the Chinese Exclusion Act in 1909 (or the Timeline of the Chinese Exclusion Act)—may be handed out as a preliminary reading for the entire class and used as reference material during the discussion. Questions for discussion are included. Groups can be assigned to play the role of immigration authorities and members of the Chinese community to discuss next step possibilities after the arrival of the family and the apprehension of Quong. Additional questions may be assigned for further research, such as anniversary activities relating to this Act and its enforcement, changes made in immigration policy since then, size of Chinese and Chinese American community in the United States at this time, current issues concerning immigration policies and others.

Introduction

While nearly 85 percent of the U.S. population is currently made up of immigrants and their descendants, some groups were specifically targeted for exclusion and deliberately expelled. The Chinese were the first to experience this. In the 1850s, many Chinese who came to this land to search for gold or to help build the transcontinental railroad, stayed on, moved to cities, and opened small businesses—shops, laundries, and restaurants.

This article will explore the case of Yee Ling Wing (hereafter called Ling)—who came to the United States in the early 1880s—and his efforts to bring his family to the United States in 1909. Ling married in China at a young age, but ventured to the United States when he was 16 to earn money to support his wife. In the early years of his marriage, as Ling and his wife had no children, he wrote to his older brother and asked if he and his wife could adopt

the brother's third son and raise him as their own (a usual practice for childless couples). His brother agreed, and so the young boy, Yee Quong Yuen, went to live with Ling's wife. Meanwhile, Ling found work in Salt Lake City, Utah, and eventually became a business partner, sending money home regularly to support his family. When he learned of the death of his wife in 1908, he decided to go to China to find a second wife and bring her and his son Quong to the United States. Quong was now a young adult of 19.

During Ling's time in the United States, an economic recession in the 1870s led some to blame the Chinese for taking their jobs or working for low wages. Resentment grew as conditions worsened and in 1882 Congress passed the first Chinese Exclusion Act, no longer allowing the immigration of laborers from China. This act targeted Chinese as one of the ethnic groups specifically excluded from immigration

by national law. It was amended 12 times, tightening up the restrictions for Chinese immigration and expanding criteria for deportation with each edition.¹ This will be apparent as you read what Ling and his family experienced when they arrived in 1909. As further information will show, some communities turned to very violent means to expel their Chinese neighbors.

Effects of the Exclusion Act for Chinese Immigrants in 1909

At the time of this sample case, the essential features of the Chinese Exclusion Act applicable for enforcement in 1909 were:

1. No laborers were allowed from China into the United States; any alien in violation of the law may be deported. Those who were allowed by law were Chinese officials, teachers, students, merchants or travelers for pleasure or curiosity with permission of the



(Photographer Marjory Collins/Courtesy of the Library of Congress, LC-USW3-007297-E)

Chinese immigration to the United States increased significantly after California's Gold Rush, in the mid 1800s. Eventually, these immigrants formed their own communities, and many opened businesses like this grocery store in New York's Chinatown, in 1942.

Chinese and United States government.

2. A laborer was defined as both skilled and unskilled manual laborers including Chinese employed in mining, fishing, huckstering, peddling, laundrymen...

3. Merchants were allowed to leave and return (within one year) as long as two credible witnesses other than

Chinese testified that the person had been a merchant at least one year before departure.

4. Any Chinese person who is arrested shall be considered to be in the country illegally unless he/she has a certificate of residence or proof of his/her lawful right to remain.

5. No provision existed for adopted children in the law and precedence was emerging from the few cases of children adopted in China entering the United States.²

The story of Yee Quong Yuen, from the files of the Seattle office of the National Archives, follows.

Background

Testimony of the Family at the Time of their Arrival³

Date: August 16, 1909

Place: Seattle, Washington

Princess Victoria docked in Seattle, Washington from Vancouver, Canada with Yee Ling Wing, his new (second) wife, Yee Leung Shee and adopted son Yee Quong Yuen aboard, completing their trip to the United States from Hong Kong, China. With their papers approved by the captain, they were allowed to land in Seattle.

Date: August 17, 1909

Testimony taken of laundryman **Yee Dart Tow**⁴ of Denver, Colorado, long time friend and fellow passenger⁵ of Ling from a neighboring village in China. He validated Ling's return to China to pick up his son and marry a new wife as his first wife had died. He also verified the adopted son, Quong, was the son of Ling's older brother. He'd visited them while Ling was on his return trip to China.

Date: August 18, 1909

Testimony taken of **Yee Leung Shee**, new 20-year-old wife of Ling, indicated her knowledge of the adopted son and existence of the red papers—evidence showing her marriage to Ling prior to their voyage.

Testimony taken of **Yee Quong Yuen**, 19-year-old adopted son of Ling who told of his real father (his “uncle”), the older brother of his adopted father. He had been living with his adopted mother, Ling's wife, until her death the preceding

year. Ling had supported them but had never seen the boy until this trip to China. Quong was attending school until his mother's death, when he went to help his “uncle” on their rice farm. He attended the marriage of his father and his new wife in Canton before their voyage.

Testimony of Yee Ling Wing, age 43, arrived in Seattle after returning to China to marry a new wife and bring his adopted son to join him in Salt Lake City, Utah. In response to direct questioning he told of his first arrival in the United States at the age of 16 working in various jobs until he became a business partner in a grocery store almost 13 months before leaving for China. He'd married his first wife when he was 16 but had no children, so left for the U.S. to earn income for his spouse. Without a son, he wrote to his older brother and asked if he could adopt the brother's third son. His wife and his brother agreed so the young boy went to live with Ling's wife at their home in their village until his wife died. There was no formal adoption, but it was customary in his village to adopt a son if there was no male heir. Ling supported his family for the 26 years he was living in the U.S. and expected his son to attend school and afterwards learn a business in Salt Lake City.

*Order admitting the [named] applicants to the United States: “the said Yee Ling Wing as a returning merchant [member of the Firm of Wing On Wo Company, #51 Plum Alley, Salt Lake City, Utah], and the said Yee Leung Shee and Yee Quong Yuen as his wife and minor son respectively.”*⁶

Questions to Consider:

1. What customs do you notice existed in China at that time (e.g., adoption, family names and naming practices). N.B. Chinese write their family name first, then their given names.
2. What was Yee Quong Yuen doing when he was arrested?
3. What questions surprised you? What answers surprised you? Why?
4. What do you think happened to Yee Quong Yuen?

Once he was arrested by the Denver authorities there was much suspicion surrounding his legal status. He may have been a paper son, not a legal son of Ling.⁸ His case file, which was in Seattle, had to be sent to Denver with background information before any decision was made.

5. From the testimony included, and the provisions of the law, on what grounds do you think Denver officials made their decision? What do you think was their decision?
6. What are your thoughts about how this case was resolved?

Statement of Yee Quong Yuen, Apprehended in Denver, Colorado, Five Months Later When He was Working in a Laundry⁷

Date: January 20TH, 1910.
Louis Adams; Inspector
Yee You Tong; Interpreter

Q. What is your name?

A. Yee Quong Yuen.

Q. Have you any other name?

A. No, Sir.

Q. How old are you?

A. Nineteen years old.

Q. Where were you born?

A. In China.

Q. Have you any brothers or sisters?

A. I have two brothers, but no sisters.

Q. What are the names of your brothers?

A. Quong Hun and Quong Hing.

Q. How old are they?

A. Quong Hun is twenty two, and Quong Hing twenty years old

Q. Is your father or mother living?

A. My mother died last year, my father is in Salt Lake City.

Q. What is the name of your father?

A. Yee Ling Wing.

Q. At what place did your mother die?

A. She died in Len Kai Tun village, S.N. district, China.

Q. Where are your brothers living at present?

A. In Len Kai Tun village.

Q. Has your father any brother or sister living?

A. My father has one brother, but no sisters.

Q. What is the name of this brother of your father and where does he reside?

A. His name is Kun Chung and he lives in Len Kai Tun village....

Q. When did you come to the United States?

A. I came in S. H. 1, 6th month and 8th day.

Q. On what steamer did you come?

A. Empress of India.

Q. Where did you land?

A. At Vancouver.

Q. Who came with you to this country?

A. My father and my stepmother.

Q. What date did your mother die?

A. Last year, 7th month and 7th day.

Q. Were you all permitted to land on the same date from the ship?

A. Yes.

Q. Were you examined at Vancouver, B.C., or at Seattle, Washington?

A. At Seattle.

Q. After you left Seattle, where did you go?

A. Salt Lake City, Utah.

Q. Did your father and stepmother go with you?

A. Yes.

Q. How long did you remain in Salt Lake City?

A. About three weeks.

Q. What were you doing there?

A. I tried to start a business there.

Q. On what street and what kind of business?

A. On 51 Plum Alley; groceries and drugs.

Q. What was the name of the firm?

A. Wing On Wo Company.

Q. Why did you give up this business?

A. My uncle here told me to come to Denver...

Q. How much interest did you have in this firm?

A. I had no interest, but my father has.

Q. What were you doing in China before coming to the United States?

A. I was attending school until my father arrived...

Q. How many times did you see your father before you started for the United States?

A. I only seen him one time; I dont [sic] know if I seen [sic] him when I was young.

Q. When do you remember having seen your father the first time?

A. Last year, the 11th month, is the first time I remember having seen him.

Q. Where did you see him at that time?

A. In Len Kai Tun village.

Q. Did you know your stepmother before your father married her?

A. No, I didn't [sic] know her.

Q. At what place did you see her the first time?

A. I saw her the first time in Canton, China.

Q. Was that after you had started for the United States?

A. After my father married her, they lived in Canton, and I saw her there; then I went back home.

Q. Are you the natural son of Yee Ling Wing or are you his adopted son?

A. I am his adopted son.

Q. Where is your own father and mother?

A. In Len Kai Tun village, China

Q. What is the name of your real father?

A. Kun Chung

Q. Your mothers [sic] name?

A. Ham Shee.

Q. What are your father and mother doing in China?

A. They are working on a farm.

Q. Did you know that your father intended to give you to Yee Ling Wing?

A. I was too young to know, but my mother told me so.

Q. How long ago did your father give you away?

A. Nearly fourteen or fifteen years ago.

Q. Was Yee Ling Wing in the United States at that time?

A. Yes.

Q. Did you appear in the Court at that time, and were there any legal papers made out?

A. I dont [sic] know anything about that.

Q. How long have you known that you were the adopted son of Yee Ling Wing?

A. I known [sic] it a few years, I cannot remember exactly...

Q. When did you first know that you were coming to the United States with Yee Ling Wing?

A. The first time I saw him this year, he told me that he was going to take me to the United States.

Q. Did he pay your way here?

A. Yes.

Q. Who paid your fare from Salt Lake City to Denver?

A. My father gave me a ticket.

Q. Did you know where to go in Denver?

A. My uncle was waiting for me at the Union Station.

Q. What is your uncle's name?

A. Yee Hang Jung.

Q. Is this laundry on Tremont street, where you were found today, the place where you went on your arrival here?

A. No, first my uncle was located on Larimer Street, in Tom Lee's place, I cannot remember the number, and I went there.

Q. Does your father and mother in China know where you are at present?

A. They think that I am in Salt Lake City; they don't know that I am here.

Q. Did you enter the United States as the minor son or as the adopted son of Yee Ling Wing?

A. As the adopted son...

Q. Have you understood the interpreter?

A. Yes

Q. Every statement you have made here, you have made of your own free will and in answer to the questions put to you through the interpreter and without any coercion on anybody's [sic] part, isn't that so?

A. Yes.

(Signed in Chinese) Yee Quong Yuen

Subscribed and sworn to before me this 20TH day of January, 1910.

(Sgd) Louis Adams, Immigrant Inspector in Charge,

I certify that the above is a true transcript from the original notes taken by me.

(Sgd) Vaino Jaatinen, Immigrant Inspector.

What Actually Happened

As noted in a report on February 23, 1910, by the Bureau of Immigration and Naturalization,⁹

This young Chinaman has been found working in a laundry in Denver, which fact, it is thought, demonstrates that a mistake was made in admitting him. It seems to the Bureau that the fact that his alleged foster father had been a laborer in this country continuously until the time he apparently made up his mind to go to China and bring over a woman and a young man, whereupon he connected himself with a mercantile firm, was sufficient to arouse suspicion and cause a thorough examination and cross examination of all parties concerned. The boy admitted that he had been working on his blood-father's farm for some time before leaving China¹⁰—an admission which, it seems to the Bureau, might have been followed up to advantage. On February 27, 1910, his case was heard before the U.S. Commissioner and the defendant ordered deported.

The case was appealed to the U.S. District Court the same day.

...The defense argument was that no deception was used when the alleged son was examined by the Immigration officials at the port of entry; that the adopted minor son stated under oath that he had been adopted by Yee Ling Wing, a brother of his father; that Yee Ling Wing, who claimed he adopted the boy, made same statement under oath to the same officials, and that Yee Quong Yuen was consequently admitted.

A letter dated November 8, 1911, from the Inspector in Charge for the Immigration Service returning the File to the Seattle office indicates:

The within named Chinese [Yee Quong Yuen] was arrested on Jan. 20, 1910, ordered deported on Feb. 17, 1910, case appealed to District Court and decision of the U.S. Commissioner reversed. Appeal was then taken to the U. S. Circuit Court of Appeals and on October 27, 1911, they affirmed the decision of the District Court.

Yee Quong Yuen was allowed to stay in the United States.

It was not until July 13, 1943, that the Chinese Exclusion Acts were repealed by Congress. The law was changed to establish a quota for entry based on the population from China already present in the United States.¹¹

Why Is so Little Known of These Events?

While this case had a positive result, there were numerous incidents of violence against Chinese in relation to their harsh deportation and even cases of murder. This terrible side of U.S. history went against the principles of the Constitution and is generally neglected in history textbooks. In recent decades, members of the Chinese American community have worked hard to bring awareness about this period in our history. For example, following a peaceful demonstration in Tacoma, Washington, on November 30, 1993, the City Council of Tacoma unanimously approved Resolution No. 32415 to acknowledge that the 1885 expulsion was “a most reprehensible occurrence,” citing the violence, deaths, and destruction that occurred in the “Tacoma Method” of removing the Chinese.¹² In 2008, the City Council endorsed the concept of building a Chinese Commemorative Park and international pavilion near the site of the early Chinese Settlement called Little Canton.¹³ Many other events have taken place around the country commemorating this period and in

recognition of the gross injustice which occurred. 🇺🇸

Notes

1. This act was amended three times in 1888 and 1893, and once in 1891, 1892, 1894, 1900, 1901 and 1902.
2. Correspondence of Commissioner-General of the Bureau of Immigration and Naturalization to the Commissioner of Immigration in Seattle, WA, of February 23, 1910 (No. 52871/1) from Chinese Exclusion Act Case file number R.S. 2366 of Yee Quong Yuen, Seattle District; Immigration and Naturalization Service (Record Group 85); National Archives at Seattle. Documents are not online but are available from National Archives at Seattle.
3. From documents found in Chinese Exclusion Act Case file number R.S.2365 of Yee Ling Wing; Seattle District; Immigration and Naturalization Service (Record Group 85); National Archives at Seattle.
4. By that time, it was customary to obtain fairly elaborate testimony and corroborating evidence for any Chinese entering the country to verify compliance with the law.
5. They sailed together on the *Empress of India* from Hong Kong to Vancouver, Canada.
6. Indicates material from correspondence of Inspector in Charge, John H. Sargent, referenced in letter cited in note 2. (This testimony matched Wing's earlier testimony made to the U.S. Customs Department when leaving for China a year earlier.)
7. Testimony from Chinese Exclusion Act Case File R.S. #2366 of Yee Quong Yuen of Seattle District; Immigration and Naturalization Service (RG 85); National Archives at Seattle.
8. With much interest in coming to the United States, some individuals would accept bribes to sponsor extra children as their own in order for them to enter the U.S. Another opportunity to create “paper sons” was after the great San Francisco fire in 1906 when all the town records including immigration files were destroyed.
9. This report and subsequent letters were found in Chinese Exclusion Act Case File RS. #2366 of Yee Quong Yuen of Seattle District; Immigration and Naturalization Service (R.G. 86); National Archives at Seattle.
10. Found in full testimony made on August 18, 1909.
11. This number was 107 per year, in comparison to 25,000 per year from European countries.
12. With anger growing against the Chinese community in the 1870s and 1880s, Tacoma's own anti-Chinese sentiment boiled over in March 1884 as townspeople demanded that the city resolve “the Chinese problem.” In 1885, the Chinese were ordered to leave Tacoma by November 1st. Some did but 200 remained. On November 3, 1885, an organized group of armed men, led by the mayor, forcibly evicted the remaining Chinese. They were marched eight miles to the train station where they were later boarded onto Portland and returned to China. Their property was completely destroyed the following day. This became known as the “Tacoma Method for removing Chinese.”
13. Please see the website of the Chinese Reconciliation Park at www.crpftacoma.org/goals.html for an update.

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Timeline of Chinese Exclusion Act

Compiled by Joanne Dufour

The following are provisions of the Chinese Exclusion Act and its amended versions over the period of the 61 years the Act was in effect.¹

The Act of May 6, 1882, was passed “**To Execute Certain Treaty Stipulations Relating to Chinese.**”² This said the following for 10 years

- “the coming of Chinese laborers to the United States be suspended and during such suspension it shall not be lawful for any Chinese laborer to come, or ... to remain within the United States.”
- this act was not to apply to Chinese laborers who were in the United States on November 17, 1880, who would be registered on a list by the Customs collector if they left the country and were given a certificate to allow their return to the U.S.
- no state or federal court could admit Chinese to citizenship.

In **the Act of September 13, 1888**³ Congress passed the provision, “**Immigration of Chinese Laborers Prohibited**” which specified which classes were permitted to enter the United States:

- “Chinese officials, teachers, students, merchants or travelers for pleasure or curiosity, shall be permitted but ... they shall first obtain the permission of the Chinese Government ... evidenced by a certificate” given to the captain of their departing vessel.
- “No Chinese laborer shall be permitted to return to the U.S. unless he has a lawful wife, child or parent in the U.S., or property therein of the value of one thousand dollars, or debts of like amount due him and pending settlement.”
- “The right to return with said certificate shall be limited to one year.”

In **The Act of May 5, 1892**⁴ “**Chinese Exclusion** [was] **Extended** [for] **Ten Years**”

- Any Chinese person not lawfully entitled to be or remain in the U.S. was to be removed from the U.S. to China
- If convicted of breaking the law this person was to be imprisoned at hard labor for one year and thereafter removed from the U.S.
- Those Chinese laborers allowed to remain were required to have a certificate of residence—if found with a forged certificate, he would be subject to a fine of \$1,000 or imprisoned in the penitentiary for five years.

The Act of March 3, 1893⁵ called for “Requiring Steamship or Transportation Companies to Post Copies of Immigration Laws in Foreign Countries”

The Act of November 3, 1893⁶ now established deportation for any Chinese laborer who was found without the certificate of residence

- No Chinese person convicted in any felony was to be permitted to register and obtain a certificate
- Chinese laborers were defined as “Chinese employed in mining,

fishing, huckstering, peddling, laundrymen, or those engaged in taking, drying or otherwise preserving shell or other fish for home consumption or exportation”

- A merchant was a person engaged in buying and selling merchandise, at a fixed place of business, which business was conducted in his name, and who during the time he claims to be a merchant, did not engage in any manual labor, except as was necessary in the conduct of his business.

The Act of August 18, 1894⁷ authorized the following “**Enforcement of the Chinese Exclusion Act**”: the charge of one dollar per alien [legally] admitted and the money used to “prohibit the coming of Chinese persons in the U.S.”

The Act of June 6, 1900⁸ extended prior legislation to cover Chinese entering Hawaii

The Act of March 3, 1901⁹ allowed action to be taken by any U.S. commissioner [to deport] any Chinese person for being found unlawfully within the United States

The Act of April 29, 1902¹⁰ stated “Chinese Immigration Prohibited” with no time limit except those who might be coming under contract to the United States to participate in a fair installing or conducting exhibits

The Act of July 13, 1943¹¹ authorized alternative deportation arrangements if an enemy was occupying the country to which the alien was being deported

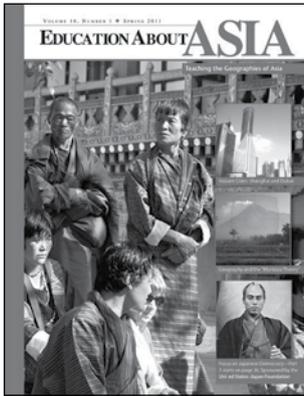
The Act of December 17, 1943¹² was created “**To Repeal the Chinese Exclusion Acts,**” [over 20 provisions of various acts indicated above] **to Establish Quotas, and for Other Purposes**”

Timeline Notes

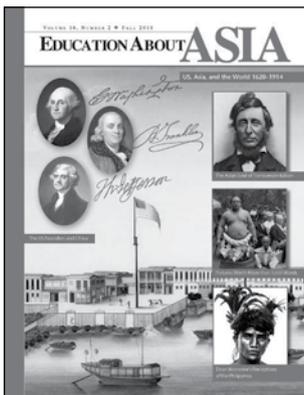
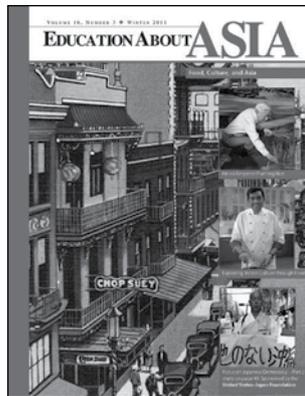
1. *Laws Applicable to Immigration and Nationality, Compiled under the Direction of Carl B. Hyatt, Assistant Commissioner, Citizenship Services and Instructions Division, Immigration and Naturalization Service, United States Department of Justice, by Edwina Austin Avery, Editor, and Catherine Riley Gibson, Assistant, Edition of 1953 (U.S. Government Printing Office, 1954)*
2. (22 Stat. 58; 8 U.S.C.), p. 211-215
3. (25 Stat. 476; 8 U.S.C. 261-299), p. 230-234
4. (27 Stat. 25; 8 U.S.C.), p. 242-246
5. (27 Stat. 570-571; 8 U.S.C. 172), p. 246-247
6. (28 Stat. 7.), p. 247-249
7. (28 Stat. 390; 8 U.S.C. 174), p. 249-250
8. (31 Stat. 611; 8 U.S.C. 262), p. 254-255
9. (31 Stat. 1093; 8 U.S.C. 262), p. 255-256
10. (32 Stat. 176; 8 U.S.C.), p. 256-257
11. (57 Stat. 553; 8 U.S.C. 153), p. 524
12. (57 Stat. 600), p. 524-526



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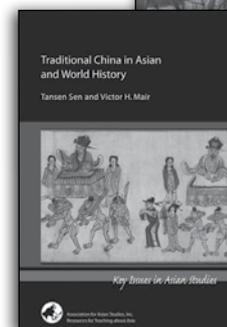
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