

Oregon Historical Quarterly

Winter 2021



SPECIAL ISSUE
Chinese Diaspora in Oregon

Rediscovering Toy Kee's True Son

Chinese Immigration and Federal Bureaucracy Documented in Chinese Exclusion Act Case Files

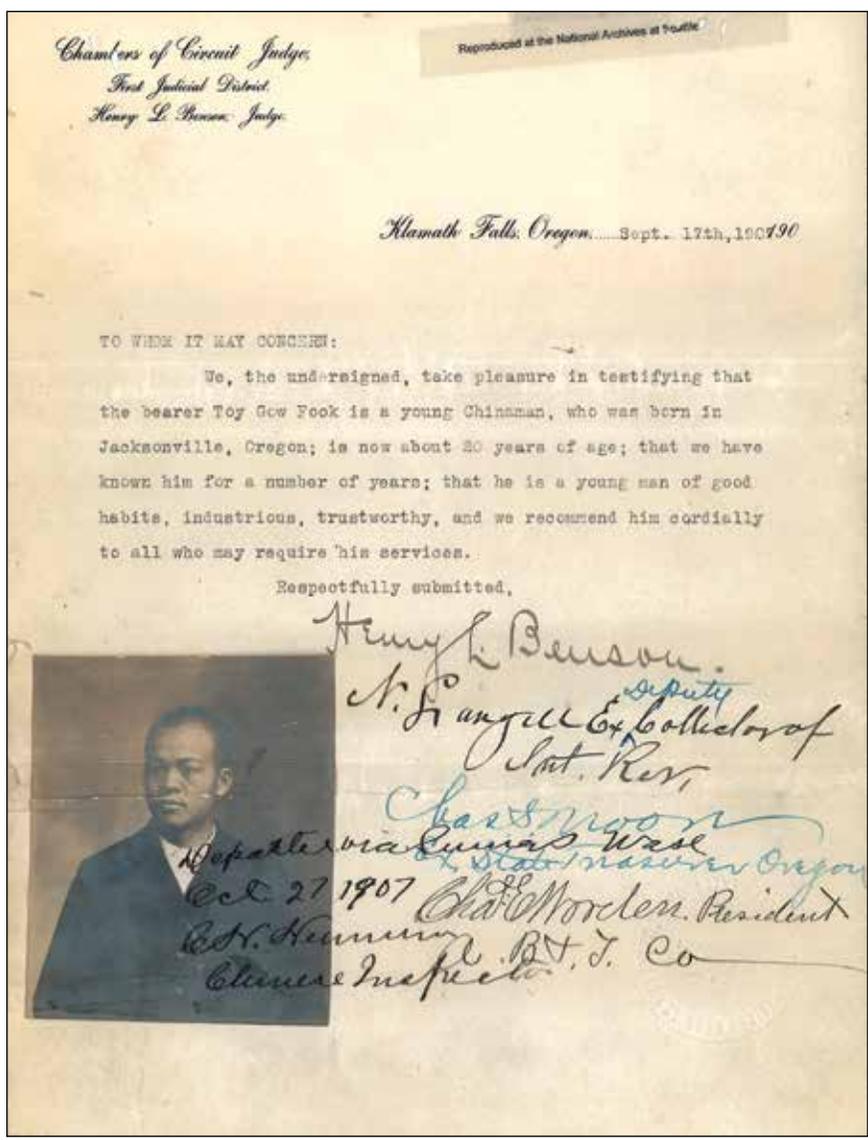
RESEARCH FILES

by Trish Hackett Nicola

DURING THE EARLY 1900s, two young men both made claims to U.S. immigration officials that they were the son of Toy Kee of Jacksonville, Oregon. Toy Gow Fook carefully constructed a history of being Toy Kee's son. Toy Fook Kee, who was living in Portland, also claimed to be the son of Toy Kee and was unaware of Toy Gow Fook's simultaneous claim until being contacted by immigration officials who were suspicious of Toy Gow Fook. The records that immigration officials created while seeking to determine whether they would let Toy Gow Fook re-enter the country allow researchers to carefully untangle Toy Gow Fook's complicated efforts to subvert the U.S. immigration system and demonstrate the intimidating process that system forced on Chinese persons who wanted to be readmitted to the United States after traveling abroad. This article offers a case study that highlights the fate of one individual, but there are thousands more files like this one,

each with different stories, housed in National Archives and Records Administration (NARA) facilities around the United States. After reading Gow's file, I became intrigued about how he had so many white and Chinese witnesses who were so sure he was the son of Toy Kee but, after questioning by immigration, began to doubt or change their stories. Could they be paid witnesses? I wondered whether Gow planned this deception by himself or possibly paid them in advance, and how he got so much information about the Toy Kee family. As shown here, a great deal of information — about the experiences of Chinese immigrants, the work of immigration officials and the structure of the federal bureaucracy, and the personal and societal impact of U.S. exclusion policies — can be gleaned from the Chinese Exclusion Act case files.

The Chinese Exclusion Act of 1882 limited the ability of Chinese laborers to enter the United States and explicitly barred Chinese immigrants



IN THIS U.S IMMIGRATION DOCUMENT found in Toy Gow Fook's Chinese Exclusion Act case file, Henry L. Benson and others attest that Gow was born in Jacksonville, Oregon.

already in the United States from becoming naturalized citizens. Congress extended the act several times before finally repealing it in 1943. The act imposed a rigorous interrogation

process for Chinese persons who wanted to travel abroad and return to the United States. It required that they register and obtain a certificate of residency, or identity, as proof of

their right to be in the United States.¹ Chinese people with the privileged status of merchant, teacher, student, or traveler were allowed into the country but needed to prove their status. Those with privileged status could also bring their spouse and children from China, but they needed to prove those relationships. The burden of proof was on the Chinese person.²

Immigration officials created a case file whenever a Chinese person entered or left the United States. Officials might also generate a file when a Chinese person wanted to make sure they had the correct documentation so that they could travel outside the United States or so they could obtain a certificate of identity or residence to prove that they were legally in the United States. If an applicant was leaving the country, their case file usually would include interviews, witness statements, affidavits, application for certificate of identity or residence, a photograph, and other forms and documents, depending on their citizenship status. If officials approved the trip, they would issue that applicant a certificate of return. Information included in the case file for an applicant entering, or re-entering, the country would include landing details; whether they were admitted, denied, or chose to appeal; the status of any appeal; and whether they were deported. Each time a person left or entered the country, they went through the same process. If the person went to China or even to Canada several times over the years, officials would photograph them and interview

them and their witnesses before every trip. If the interrogator doubted some of the applicant's testimony or if there were discrepancies in the interviews, the interrogator would interview more witnesses and might re-examine earlier witnesses. Case files might also include birth, marriage, or death certificates as well as maps of the applicant's village, school, or floor plan of their home in China. The file might include official immigration correspondence regarding the applicant. Sometimes, officials summarized the completed application before an inspector or committee of inspectors approved or rejected the application.

During the first twenty or so years after the Exclusion Act was passed, the specifics of the rules were sometimes unclear, in part because legislators continued to pass new changes to the act. There were contradictions and inconsistencies in both the policies and in how officials interpreted them. Leadership at the Bureau of Immigration wanted stiff action taken against those entering illegally, but there were no national procedural guidelines for administrative and judicial decisions on immigration. A 1902 study concluded that the system was allowing as many illegal entries as legal ones.³

Two Chinese Exclusion Act case files related to Toy Gow Fook are held at the NARA facility in Seattle. One was created in the port city of Sumas, Washington, and one in Portland, Oregon. Officials created the Sumas file when Toy Gow Fook departed the country to visit China in 1907, and

then, added more information when he returned and applied to be readmitted in 1908. The Sumas file contains almost sixty pages of information and several photos. It is unusual for there to be two files covering an individual's single trip, and officials apparently created the Portland file to supervise the investigation from that location.

Because there are four men named Toy in this article and their names are similar, I refer to Toy Gow Fook as Gow. Three witnesses refer to Gow by other names — “Toy Gow,” “Toy Fook,” and “Toy Foo.” Toy Kee, Toy Fook Kee, and Toy Ai Lung are referred to by their complete names. Toy Kee will sometimes be referred to as “Toy Kee, the father.” Toy Kee was a well-known merchant in Jacksonville whose children were born in the United States and therefore were citizens. U.S. Chinese exclusion policy meant that Toy Kee's status as a merchant allowed him to travel between the United States and China. For Toy Gow Fook to make a trip to China and be readmitted to the United States, he needed to prove that he was born in the United States, was the son of a U.S. citizen, was a merchant, or was the son of a merchant. Such proof would ease, but not necessarily guarantee, his re-entry into the United States.

Gow's Portland file contains a letter from Nathaniel Langell of Klamath Falls, Oregon, to John B. Sawyer, the



Need credit from SOHS

TOY KEE was a well known merchant in Jacksonville, Oregon. He is pictured here in a photograph taken by P. Britt and Son between 1883 and 1905.

inspector in charge of immigration service in Portland. Langell inquired about the procedure for obtaining a certificate of citizenship for a sixteen-year-old boy born in Jacksonville. Langell received a reply saying he should obtain a pamphlet from U.S. Bureau of Immigration in Washington, D.C., entitled “Treaty, Laws and Regulations Governing the Admission of Chinese.” Sawyer explained that the Portland office did not have copies for distribution. He went on to say that the Chinese person should have proof, such as affidavits, stating that he was born in the United States, and he also

quoted sections from the act referring to laborers.⁴ Gow likely had asked Sawyer for this assistance, as he began to build his claim for being the U.S.-born son of Toy Kee and, therefore, being eligible for re-entry to the United States after a trip to China.

Courts generally privileged white witnesses as “credible,” and the Exclusion Act required a Chinese laborer to have at least one credible witness to testify that he was a resident of this country to obtain a certificate of residence.⁵ Gow provided three witnesses in 1907. Langell had been a resident of Klamath Falls from 1864 to 1904 and had known whom he presumed was Gow’s father, Toy Kee of Jacksonville, and his family for twenty years. He testified that Gow was about twenty years old.⁶ Robert S. Dunlap, of Roseburg, Douglas County, was residing at the Oregon Soldiers’ Home and swore that he was a resident of Jacksonville from 1854 to 1904. He stated that he knew Gow’s parents in Jackson County and that he often saw Gow as a boy, from infancy until he was about twelve years old.⁷ Wong Tai Ying, also known as Wong Ying, swore that he came to the United States in 1859 and went to Jackson County in 1860. He claimed that he was there when Gow was born, about twenty years ago at the time, and that he was well acquainted with Gow’s parents, Toy Kee and Lee Lan.⁸ Judge Benson and the other witnesses also provided to immigration officials a letter of recommendation, with an attached photo of Gow, stating that Gow was a young man of good habits, industrious, and

trustworthy. The letter was signed by Henry L. Benson, Judge of the First Judicial District; Langell, Ex-Deputy Collector of Internal Revenue; Charles S. Moore, ex-State Treasurer of Oregon; and Charles E. Worden, President, A.B.&T. Company.⁹

On September 3, 1907, Gow testified to immigration officials that he was twenty years old and a resident of Klamath Falls; that he had been born to Toy Kee and Lee Lan in January 1887 in Jacksonville, Jackson County, Oregon; and that his father had died when Gow was about four or five years old, and his mother was now living in China. (Note that, in this interview, Gow did not state where or when his father died.) Gow provided the statement to immigration officials to obtain identification and protection so he could visit his mother in China and return to the United States.¹⁰ Immigration officials, however, did not provide Gow with a certificate of identity, which would have made the process of re-entering the United States easier. That certificate would have included a photo, physical description, and proof of his right to be in the United States.¹¹ Gow evidently felt confident that he had provided enough documentation to be readily admitted when he returned to the United States, or simply was willing to take the chance in order to make the visit to China. He left from Vancouver, British Columbia, Canada, on October 29, 1907, on the S.S. *Empress of China*.¹²

On September 9, 1908, C.H. Han-num, the Chinese Inspector at the Port of Sumas, Washington, interrogated

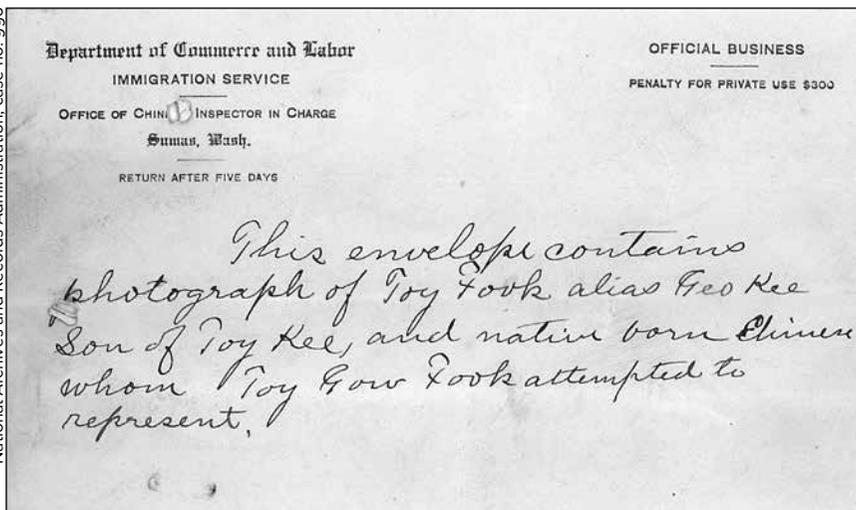
Gow, who had returned from China. Gow testified that he disembarked at Vancouver, British Columbia, on September 5, from the S.S. *Empress of India*. The next day, he arrived in Sumas, via the Canadian Pacific Railway. A Chinese interpreter and a white stenographer were present at his interview. The transcript of his interview includes a brief physical description of Gow, noting he was five feet five and one-eighth inches tall and had a large scar on the left side of his neck.¹³ Gow said his marriage name was Hong Yim but that people called him "Toy Gow."¹⁴ He stated he was born in 1887 in Jacksonville and had lived there for five years before moving to Medford briefly. Then, he was in Ashland for two years, Fort Klamath for two years, and finally, Klamath Falls for eight or nine years and was living there when he left for China in 1907. He was a cook for government surveyors, who he identified as George Pond (or Paun) and Mr. MacMillan.¹⁵

When questioned, Gow said his father, whose marriage name was Toy Ai Lung, had died in China in about 1892 and that his parents had returned to China without him when Gow was young, about four or five years old. Gow also stated that he lived for about two years with his father's friend, "Mr. Yee," who owned the Hing Gee Laundry in Medford, and had then stayed with Wong Quon Sue (a.k.a. Wong Sue, Wong Guan Que, or Wah Chung) in Ashland, at the Wah Chung store. He gave his mother's name as Louie Lan. Gow stated that he had no brothers or sisters. Gow also testified that, during

his recent visit with his mother in China, they did not talk about family matters, because she was old and very deaf.¹⁶

While Gow remained in custody in Sumas, immigration officials re-interviewed his initial witnesses and decided to interview more witnesses. Something must have made them suspicious. Witnesses in Gow's case were people who he said had known him and his family when he was young. He claimed that he had moved to Klamath Falls in about 1898 and then become reacquainted with some of the people he knew as a young child. Gow had not seen Dunlap since he was a young child.¹⁷ Immigration authorities sometimes would re-interview witnesses who had provided testimony before a Chinese person left the United States to see if they gave the same information when the person returned and applied for reentry. They probably realized that to substantiate Gow's identity and his claim of having been born in the United States, they would need to interview people who knew him when he was closer to his current age of twenty rather than when he was a young boy. Several witnesses testified about Gow in September and October 1908. Their testimony sometimes conflicted with each other's and with Gow's.

Wong Quon Sue was a merchant at Wah Chung Company in Ashland who testified that Gow had lived in Ashland for almost twenty-six years and identified a photograph of Gow. Wong Quon Sue stated he met Gow when he came into his store about eight years ago and that Gow told him that he had been



THIS ENVELOPE, included in Toy Gow Fook's Chinese Exclusion Act case file, holds a photograph of Toy Fook Key, whom Gow attempted to impersonate when re-entering the United States.

born in Jacksonville. While Gow had stated that he had no siblings, Wong Quon Sue stated that he thought he remembered that Gow had a brother, Toy Fook Kee, who was one or two years older than Gow, and a sister. The family had gone back to China, Wong Quon Sue believed, but he was not sure if Gow went back with them or if he went back later. Wong Quon Sue claimed Gow stayed with him around 1893 for six or seven months and that, when Wong Quon Sue saw Gow again at his store in Ashland about 1903, Gow was about sixteen years old. The interrogator asked Wong Quon Sue if he knew a Mr. Yee of Medford and if there was a laundry there called Hing Gee Laundry; Wong Quon Sue did not know either.¹⁸ Wong Quon Sue's statement contradicted Gow's testimony that he

had lived with Yee in Medford for about two years around 1893 or 1894.¹⁹

Wong Tai Ying (Wong Ying) of Sisson (now Mt. Shasta), California, had lived in Josephine County for about twenty-eight years and in Jackson County for a little over a year. Wong Tai Ying testified that when he met Toy Kee, the father, in Jacksonville, Toy Kee had two boys. The one he thought of as Toy Fook Kee was about ten or twelve when his parents went to China in about 1892. Gow stated he had been born in 1887, so would have been five years old in 1892. Wong Tai Ying said Toy Kee, the father, died in China and said he did not see Gow again until about 1907, when he met a young man in Klamath Falls calling himself "Toy Fook." When shown a photo of Gow, Wong identified him as the person who

had introduced himself as “Toy Fook.” Wong Tai Ying also had never heard of the Hing Gee Laundry in Medford.²⁰

George Paun had been a resident of Klamath Falls for about twenty-five years and operated a restaurant there. He stated to the interrogator that he recognized Gow from his photo, had known him for about fifteen years, and believed Gow had been born in Jacksonville. Paun also knew Gow’s father, Toy Kee, in Jacksonville and had met Gow when he was a small boy; he believed Toy Kee had one son and one daughter, conflicting with Gow’s testimony.²¹ Charles E. Worden, a banker in Klamath Falls, stated he knew Gow for about eight years or so and that Gow had done some cooking and washing for Paun. He did not know where Gow was born, but he had heard Paun say that Gow was born in Yreka, California.²²

Yee Lan (Jim Ling), of Ashland, recognized the photo of Gow, whom he had known for about six or seven years. He stated that everyone called him “Gow” and that he did not think Gow was the same boy he had known in Jacksonville many years ago.²³ Like other witnesses, Jim Ling did not know Yee of a Hing Gee Laundry in Medford. Jim Ling did know the boy named Toy Fook Kee, who had been born in Jacksonville and lived there until he was six or seven years old. Toy Fook Kee lived at Wah Chung’s (Wong Quon Sue’s) store and went to school in Ashland. Conflicting with Gow’s testimony, Jim Ling stated that Toy Fook Kee’s father, Toy Kee, had three children, two boys



National Archives and Records Administration, case no. 996

THIS PHOTOGRAPH of Toy Fook Kee accompanied the envelope on the facing page describing him as the true son of Toy Kee.

and one girl, and that one boy went to Portland and the other two went to China with their parents. He stated that he had seen Toy Fook Kee in Albany when he was about eighteen years old and that the person in the photograph did not look like the boy he knew. Toy Fook Kee was tall and slim and never worked in Klamath Falls. He thought Toy Fook Kee worked in a saloon in Portland.²⁴

Nathaniel Langell of Lents, Oregon, had lived in Jacksonville over forty years and in Medford and Klamath Falls for four years each. He knew Gow in Jacksonville when he was a young child, from about age two to five. During the interview, Langell referred to Gow as “Toy Foo.” He did not see Gow again until 1907, in Klamath Falls, when he



HATTIE NEWBERRY MOORE, a schoolteacher in Jacksonville, Oregon, taught Toy Fook Kee when he was young.

helped Gow fill out his papers for his trip to China. He stated that he had not recognized him right away but thought he looked familiar and that, after Gow called Langell by name and explained who he was, Langell remembered him.²⁵ Henry L. Benson, a lawyer in Klamath Falls, testified that he had known Gow as a boy in Jacksonville but had lost track of him until about two or three years ago. He did not know Gow's parents, but stated that Langell had told him that Gow was born in a small mine his father had just outside Jacksonville. Inspector Albert Long concluded that all Benson really knew about Gow was what Langell had told him.²⁶

Long summarized his observations from the September interviews in a letter to J.H. Barbour, Inspector in Charge in Portland. Long reported that, when Langell prepared the case for Gow, Langell had obtained all the information from the white witnesses (Benson and Worden) and did not have contact with Gow until Gow asked him to prepare the affidavits alleging him to be a native-born citizen. Long noted that Langell had not seen the applicant since he was very young, and he mistakenly called him "Toy Foo" at times. Long talked to a Chinese informant in Klamath Falls who told him that Gow's father, Toy Ai Lung, had died several years ago and was buried in Sisson, California. The informant probably wanted Long to know that Gow's father died in California, not China.²⁷ Yee Lan (a.k.a. Jim Ling) thought the applicant was not the Chinese man he knew and testified that Toy Kee's son was called Toy Fook Kee, was older than Gow, and was married and living in or near Portland. Yee Lan believed the person in the photo was Gow, not Toy Fook Kee.²⁸ The holes and inconsistencies in Gow's testimony had become obvious, but Long was either too inexperienced or incompetent to find Toy Fook Key in Portland. Several letters among Immigration Service officials include suggestions on whom

to interview or re-interview as well as calls to keep the costs for agents and travel within reason.²⁹

It must have been frustrating for officials to interview witnesses several times hoping for more clues to Gow's real identity. They interviewed Langell again in October 1908, but in response to many repeated questions, he did not provide new information.³⁰ Long expanded his investigation to include Toy Fook Kee's schoolmates. C.J. (Christian Joseph) Kenney was twenty-five years old, had attended public school in Jacksonville, and remembered Toy Fook Kee as someone who had a younger sister and could speak, understand, and write English as well as any of the students. Kenney believed Toy Fook Kee left Jacksonville when he was about ten or twelve years old, and he had been told that Toy Fook Kee went to Portland and then to San Francisco. Kenney did not recognize the photo of Gow.³¹ H. Ernest Elliott was thirty years old and had been a resident of Jacksonville from 1884 to 1897. He also remembered the Toy Kee family as including a man, wife, son, and daughter. Toy Fook Kee "had the reputation of being the best English penman in the school," had moved when he was twelve or thirteen to Ashland, then Yreka, California, and had been living in Portland for the past six or seven years. Elliott believed he was a foreman of a cannery gang and went to Alaska every summer and returned in the fall. According to Elliott, about 1905 or 1906, Toy Fook Kee married a white woman in

Portland who had been a widow with one child, a little girl. Elliot stated the family lived in Portland at Seventeenth and Overton (or Johnson) Streets and that he had visited with Toy Fook Kee once or twice a year for the past five or six years. He stated positively that the photograph in the papers of Gow was not the son of the Chinese man who ran a store and laundry in Jacksonville twenty years earlier.³²

Hattie Newberry Moore (a.k.a. Mrs. Charles A. Moore) had been a school teacher in Jacksonville from 1884 to 1892. She recalled that Toy Fook Kee was her only Chinese student and that "he was a bright pupil and was the best pupil I had in penmanship." She also recalled a daughter in the family, noting that Toy Fook Kee had a little sister called Sook or Nook. The last time she saw him, he had been close to ten years old. Toy Fook Kee's father kept a store in Jacksonville, Moore stated, and in about 1896, her brother told her that Toy Fook Kee had come by the house and asked about her, having just come back from China.³³

Officials continued with interviews and re-interviews. Lee Nguey (a.k.a. Lee Gay) was about fifty-five years old, had lived in Medford seven or eight years, and had been in the United States since about 1882, before the railroad was built. He had been a cook for a Dr. Linton in Medford and recognized the photo of Gow from his certificate.³⁴ He had met Gow around seven years ago, when Gow was a dishwasher at Grants Pass, and knew him by that name. He believed Gow's father was Toy Ai Lung, who

died at Sisson and was buried there. Lee Nguey also knew Toy Fook Kee, who was born in Jacksonville, went to Portland, and married a white woman. He did not know if Gow and Toy Fook Kee were brothers.³⁵ Officials re-interviewed Yee Lan and Wong Quon Sue in October. Both reiterated what they had said two months earlier: Yee Lan was sure that Gow was not Toy Fook Kee, and Wong Quon Sue was not sure. Apparently desperate to find new information, officials kept interviewing the same people repeatedly. Officials re-interviewed Wong Quon Sue, who repeated that about ten years ago, "a Chinaman about sixteen years old [Gow] came to my store at Ashland and told me his name was Toy Fook, son of Toy Kee of Jacksonville." Wong Quon Sue stated that he had believed the story at the time but now was not sure he was really the son of Toy Kee of Jacksonville.³⁶

With this additional information, immigration officials were able to find Toy Fook Kee in Portland. Barbour interviewed Toy Fook Kee (also known as George Key), son of Toy Kee, who testified on October 30, 1908, at the Custom House in Portland that he was thirty years old and had been born about 1878 in Pasadena, California. He presented a certificate of residence, number 45202, issued to his father, Toy Kee, at Albany, Oregon. There were two boys and one girl in his family. His brother's name was Toy Hing, and he believed his sister's name was Nook. His brother was older and was also born in Pasadena.³⁷ Gow, in contrast,

had said he was born in January 1887 in Oregon, which would have made him nine years younger than the person he claimed to be. Toy Fook Kee testified that he went to school in Jacksonville and that his teacher was Miss Newberry. He knew at least ten white families in Jacksonville and also knew Wong Gin Sue (Wong Quon Sue) of Ashland but could not remember Jim Lan (Yee Lan). He did not recognize the photo of Gow. His testimony that he was part of the Jacksonville community verified that of others who had testified that he was the true son of Toy Kee.³⁸

Toy Fook Kee testified that he had traveled to China with his father, mother, and sister, through San Francisco, in around 1890 or 1893, when he was between the ages of twelve and fifteen, that his father had died in China, and that he had stayed in China for about two years before returning through San Francisco with his uncle, who was not named in the testimony.³⁹ There is no record of immigration officials in Portland verifying Toy Fook Kee's departure and arrival information with the San Francisco Collector of Customs. According to Toy Fook Kee's San Francisco file, he left the United States from San Francisco as a young boy with his family on October 17, 1889, aboard the *SS Belgic* and returned aboard the *SS Oceanic* on October 20, 1891, with his uncle. The file states that he was Toy Fook Kee, the son of Toy Kee, a merchant in Jacksonville, Oregon, where he had been born. His three-page file has little information, which was typical of the

record keeping of that era. The application Toy Fook Kee made to obtain his certificate of residence is no longer extant. The Immigration and Naturalization Service destroyed nearly all individual records of resident Chinese laborers, merchants, and U.S. citizens of Chinese ancestry registered under the authority of the Geary Act of 1892 and subsequent legislation during the 1940s and 1950s.⁴⁰

On November 8, 1908, after two months at the Detention Center in Sumas, Toy Gow Fook was denied admission to the United States but given the right to appeal. He chose not to appeal and returned to China.⁴¹ We do not know Gow's thoughts or motivation for trying to deceive immigration authorities, although it is clear that he had planned for being readmitted into the country. He carefully introduced himself to the people who would be his witnesses and told them he was the young boy they knew many years ago. Gow gambled his ability to live in the United States for his trip to China. He may have been smuggled into the country and had no papers. If he was smuggled in, who helped him and created a cover story for him? Or, after working in the Jacksonville area, he may have stumbled on people familiar with the Toy family and decided he could make the Toy surname fit into his family story. It is possible that his connections at the Wah Chung Company coached him early on in the process but, then, dropped him when the story started to fall apart. These questions are never addressed. Whatever the

case, Gow decided to claim Toy Kee as his father as part of an elaborate plan in an attempt to enable him to return to the United States from a trip to China. We will never know why.

This article is written from information taken almost exclusively from one Chinese Exclusion Act case file. Helpful information from other sources may be available, but immigration authorities at that time mostly depended on witness statements and affidavits, and this article traces only those pieces of evidence.⁴² There are hundreds of thousands of case files at the various branches of the National Archives, including about 50,000 at the Seattle facility. The information in the files varies widely, depending on the circumstances of the applicant. When immigration authorities were suspicious about a person trying to enter the United States, they would require more interrogations and affidavits. The act was in effect for sixty-one years — from 1882 to 1943.

The files are a painful reminder of the xenophobia and racism that existed during that time and remain prevalent today. It is important for society to be aware of the files created by these anti-Asian laws and to understand their long-term consequences. It is unfortunate how and why these records came about, but many of them contain priceless historical and genealogical information about the rich details of the lives of Chinese Americans and their ancestors from the late nineteenth to the mid twentieth century.

NOTES

The research for this case study was conducted in preparation for presentations at the Southern Oregon Historical Society's (SOHS) "Chinese Oregon" series in April 2016. The author would like to especially thank Maureen Battistella as well as the Oregon Historical Society, SOHS, librarians, and historians in southern Oregon for their interest and support in this research.

1. The Geary Act outlined provisions that required Chinese already in the United States to possess "certificates of residence" (as well as "certificates of identity" after the McCreary amendment was added) that served as proof that they entered the United States legally and had the right to remain in the country. Certificates of residence were phased out around 1909 and replaced by certificates of identity. Library of Congress, Chinese Exclusion Act: Primary Documents in American History, <https://guides.loc.gov/chinese-exclusion-act/digital-collections> (accessed November 19, 2021).

2. Waverly B. Lowell, compiler, "Chinese Immigration and Chinese in the United States: Records in the Regional Archives of the National Archives and Records Administration, NARA," reference information paper 99, 1996, p. 1, <https://www.archives.gov/research/chinese-americans/guide> (accessed November 19, 2021); Office of the Solicitor of the Treasury, Digest of "Chinese Exclusion" Laws and Decisions, compiled by Chapman W. Maupin, Washington Government Printing Office, 1899.

3. Marie Rose Wong, *Sweet Cakes, Long Journey: The Chinatown of Portland, Oregon* (Seattle: University of Washington Press, 2004), 125–26.

4. "Correspondence between Langell and Sawyer," 1907, RG 85, Chinese Exclusion Act case file [hereafter CEA case file], Toy Gow Fook, Portland file, box 48, case 1017/108 [hereafter Toy Gow Fook CEA case 1017/108], National Archives and Records Administration, Seattle, Washington [hereafter NARA-Seattle]; U.S. Bureau of Immigration, *Treaty, Laws,*

and Regulations Governing the Admission of Chinese: Regulations Approved February 5, 1906, Washington, D.C., Government Printing Office, 1906.

5. Library of Congress, United States Statutes at Large, <https://www.loc.gov/law/help/statutes-at-large/52nd-congress/session-1/c52s1ch60.pdf> (accessed November 19, 2021). "By common law and statute, the law of evidence discriminated against Asians in various ways. Part I addresses the special treatment of Asians as witnesses in immigration and other cases. State and federal courts and legislatures treated Asian testimony as less credible, or made it incompetent entirely." Beyond this technical point, the Court seemed to recognize that Chinese witnesses were generally untrustworthy." Gabriel J. Chin, "'A Chinaman's Chance' in Court: Asian Pacific Americans and Racial Rules of Evidence," *UC Irvine Law Review* 3:4 (December 2013): 966.)

6. "Nathaniel Langell affidavit," 1907, CEA case file, Sumas, box 48, case 996 [hereafter Sumas CEA case 996], NARA-Seattle.

7. "R.S. Dunlap affidavit," 1907, Sumas CEA case 996, NARA-Seattle. R.S. Dunlap died in spring 1908 and was buried in Roseburg National Cemetery, Douglas County, Oregon per Examination of N. Langell, 1–2," October 13, 1908.

8. "Wong Ying affidavit," 1907, Sumas CEA case 996, NARA-Seattle.

9. "Letter of Recommendation," September 17, 1907, Sumas CEA case 996, NARA-Seattle.

10. "Toy Gow Fook affidavit," 1907, Sumas CEA case 996, NARA-Seattle. Note: In this interview, Gow did not state when or where his father died.

11. Lowell, "Chinese Immigration and Chinese in the United States," 1.

12. "Testimony of Toy Gow Fook," p.1, September 9, 1908, Sumas CEA case 996, NARA-Seattle.

13. "Testimony of Toy Gow Fook," p. 2, Sumas CEA case 996, NARA-Seattle.

14. Chinese often had several names.

They might have the name they received when they were born, a "school name," a "married name," an alias or an Americanized version of their name. There are also many spelling variations in the files. Names might be spelled phonetically or misspelled.

15. "Testimony of Toy Gow Fook," p. 2," Sumas CEA case 996, NARA-Seattle.

16. *Ibid.*, 3–4.

17. *Ibid.*, 5–7.

18. "Testimony of Wong Guan Sue," p. 1–3, September 19, 1908, Sumas CEA case 996, NARA-Seattle.

19. "Testimony of Toy Gow Fook," p. 3, Sumas CEA case 996, NARA-Seattle.

20. "Testimony of Wong Tai Ying," p. 3–6," September 20, 1908, Sumas CEA case 996, NARA-Seattle.

21. "Testimony of George Paun," p. 6–7, September 22, 1908, Sumas CEA case 996, NARA-Seattle.

22. "Testimony of Charles E. Worden," p. 8–9," September 22, 1908, Sumas CEA case 996, NARA-Seattle..

23. As a child, Toy Fook appeared in local newspapers: "While Toy Fook, a little China boy, was coming from public school today at noon, someone threw a rock at him striking him in the temple inflicting an ugly wound, which it is feared will result seriously" (*Oregonian*, May 28, 1887, p. 6); "The Jacksonville district schools have a curiously very few others in the state possess a Chinese boy named Toy Fook aged about 8 years, whose parents desire him to master the intricacies of the English language. Being an American by birth the law provides for his admission to our public schools. Some of the younger school boys do not take kindly to Toy Fook, however, one of them hit him with a brick one day last week the middle striking him on the head and inflicting a painful though not dangerous wound" (*Times*, June 3, 1887, p. 3).

24. "Testimony of Yee Lan/Jim Ling," p. 9–12," September 24, 1908, Sumas CEA case 996, NARA-Seattle.

25. "Testimony of N. Langell, 12–14," September 26, 1908, Sumas CEA case 996, NARA-Seattle.

26. "Testimony of Henry L. Benson," p. 7–8, September 22, 1908, Sumas CEA case 996, NARA-Seattle.

27. "Letter to J. H. Barbour," September 30, 1908, Sumas CEA case 996, NARA-Seattle.

28. *Ibid.*

29. "Correspondence between Inspector Edsell and Inspector Barbour," September 30 to October 6, 1908, Toy Gow Fook CEA case 1017/108.

30. "Testimony of N. Langell," p. 1–2, October 13, 1908, Sumas CEA case 996, NARA-Seattle.

31. "Testimony C. J. Kenny," p. 3, October 26, 1908, Sumas CEA case 996, NARA-Seattle.

32. "Testimony of H.E. Elliott," p. 4–5," October 26, 1908, Sumas CEA case 996, NARA-Seattle.

33. "Testimony of Mrs. Charles A. Moore," p. 10–11, October 30, 1908, Sumas CEA case 996, NARA-Seattle.

34. Lee Nguay was probably referring to Gow's photo on the letter of recommendation to the circuit judge. There is no evidence of a certificate of identity or residence application or certificate number in the file.

35. "Testimony of Lee Gay/Nguay," p. 5," October 27, 1908, Sumas CEA case 996, NARA-Seattle.

36. "Testimony of Wong Guan Que, alias Wah Chung," p. 6–7, October 28, 1908, Sumas CEA case 996, NARA-Seattle.

37. "Testimony of George Key, alias Toy Fook Kee," p. 8, October 30, 1908, Sumas CEA case 996, NARA-Seattle.

38. "Testimony of George Key," p. 8–10," Sumas CEA case 996, NARA-Seattle. The spelling of the names of his classmates is how they were spelled in the document.

39. "Testimony of George Key," p. 9, Sumas CEA case 996, NARA-Seattle.

40. Email from author to William Greene, archivist at NARA-San Francisco, April 06, 2016, on Toy Fook Kee, Immigration Arrival Investigation Case Files, 1884–1944, box 27, file 9343/9.

41. "Letter denying admission," November 6, 1908, Sumas CEA case 996, NARA-Seattle.

42. Lowell, "Chinese Immigration and Chinese in the United States," 1.