

Chinese Australians and the Immigration Restriction Act in New South Wales

A guide to finding records

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Introduction

Chinese Australians of the 19th and early 20th century were frequent travellers, making journeys back and forth from Australia to overseas destinations like China, New Zealand and the Pacific Islands. Unlike Australians of British or European background, however, Chinese Australians (along with other 'non-white' Australians) had to follow particular administrative procedures if they wished to return to Australia after travelling overseas. This was because of Australia's racially discriminatory immigration policies, in particular the Immigration Restriction Act, which formed the backbone of the White Australia Policy.

Careful documentation of these administrative procedures by government officials has left a significant group of records about Chinese Australian individuals and families. These records contain a variety of personal information, including photographs.

This guide provides a practical introduction to locating immigration records about Australians of Chinese descent held in the Sydney office of the National Archives of Australia. These records date from the turn of the 20th century to the 1950s.

Although the examples given in this guide relate to Chinese Australians, information about other 'non-white' Australians, such as those of Syrian, Afghan, Indian and Japanese backgrounds, can also be found in the records.

NOTE: Historical records reflect the perspectives and attitudes of the people who made them. The records discussed in this guide may therefore: reflect the biased and racist views of white officials; present contradictory or incorrect information about individuals and their personal circumstances; and contain terms that are derogatory or offensive.

Administrative background

Colonial and then Commonwealth immigration restriction laws had a particular impact on people of Chinese and other Asian backgrounds. In particular, the **Immigration Restriction Act**, introduced in 1901, set out to limit the numbers of non-Europeans entering Australia. Its infamous Dictation Test could be applied to anyone entering the country, even if they were Australian-born or a naturalised British subject.

Chinese who had a right of 'domicile' in Australia – such as Australian-born Chinese, naturalised British subjects, and those who met particular residency requirements – could apply before departure to be exempted from the Dictation Test. If successful they were issued a **Certificate of Domicile** (1902–1905) or a **Certificate Exempting from Dictation Test** (CEDT). A separate but related system of exemptions existed for those entering Australia as temporary residents, for example, students and the wives and children of Chinese already living in Australia. They were issued a **Certificate of Exemption**.

The Immigration Restriction Act (which became the Immigration Act in 1912) was Australia's principal piece of immigration law until the introduction of the Migration Act in 1948 (when the Dictation Test was abolished). The Immigration (Restriction) Act was administered by the Department of Customs and Excise, with offices in various ports in each of the states, and by the Department of External Affairs (and its subsequent agencies) in Melbourne and later Canberra. Customs officers would deal with the day-to-day administration of the Act, with more complex or difficult issues being referred to External Affairs. External Affairs also dealt with policy matters. The Department of Immigration took over responsibility for immigration and naturalisation matters after it was established in 1945.

Details of the administrative processes used in Sydney are given later in this guide. For more information about the general administration of the Immigration (Restriction) Act see the **Resources** section.

Who are the records about?

The records discussed in this guide relate to people who:

- were of Chinese or part-Chinese descent (also Japanese, Indians, Syrians and Afghans, although they appear less frequently in the Sydney records)
- were Australian-born or were migrants already living/settled in Australia
- travelled or planned to travel outside Australia, leaving from the port of Sydney
- arrived in Australia from overseas at the port of Sydney.

Where are the records?

Customs departments in each Australian state had their own recordkeeping systems, and the records they created in the administration of the Immigration (Restriction) Act are now held in National Archives' state and territory offices around the country. This guide describes records held in the Sydney office at Chester Hill. There are similarities between the records held in each state, but unfortunately there is no consistency as to which records remain today or as to how they are arranged and described.

Department of External Affairs records are held in the National Archives' Canberra office. In the early period they are found in series A1. These files relate both to policy matters and to individual cases that required departmental decisions or referral to the Minister. The files in A1 relating to Chinese people can be excellent sources of information, as they often contain ongoing correspondence over many years. You are more likely, however, to find records about particular Chinese individuals and families in Customs records than in External Affairs files. Chinese Australians who travelled had to have contact with local Customs officers, but if their matter was just a routine application it would not have been referred on to the Department.

If you are tracking a particular person, you may need to look in more than one state office to find records about them. For example, someone who lived in Victoria may have landed at Sydney on

their way back from overseas, travelling overland to Victoria. This would mean that there could be records about them in both Sydney (where they landed) and Melbourne (where they departed). If there had been some complication in their case, there could also be an External Affairs file in Canberra.

Getting started

A name

As an absolute minimum you need to know the name of the person you are looking for. This name needs to be the one they used in Australia, which is usually different from a 'proper' Chinese name.

You should try to find out if the person was known by different forms of their name. For example, Dang Leong Chee might have been known as Dang Chee, Dang Ah Chee, Ah Chee or Charley Chee.

You should think about different spellings of names. For example, Dang might also be have been written Tang or Dan, Leong as Long, and Chee as Chie or Chi.

Records also might not appear listed under a person's own name. It was common for applications to be made by family members, particularly when travelling together. You might therefore find relevant documents in a file listed by the name of their parent, sibling or spouse. This is particularly the case for women and children.

A further complication to consider is when very different names referred to the one person or family. Members of the Shun Wah family, for example, appear in records under the names Sam Moy, Ju Yorkee, Yorkee, Shun Wah and Shunwah. And Sydney merchant Yee Wing appears as both Ah You and Yee Wing, and by the first names of Charles and Peter.

Remember that the form of a person's name most familiar to you today isn't necessarily the name used by officials in decades long past.

Other personal information

It is useful to gather other personal information about the person you are looking for. This can be helpful in identifying records relevant to your particular person, especially if they have a common name like Ah Sam or Ah Chee. This information can include:

- dates of birth, death, marriage
- date of arrival in Australia
- date of naturalisation
- names of parents, siblings, spouse, children
- where the person lived
- dates of travel outside Australia (departure and arrival) and the names of ships they travelled on.

Name-based keyword search

The easiest way to begin looking for your person is to do a name-based keyword search in the National Archives collection database, **RecordSearch**.

RecordSearch is available online at <https://recordsearch.naa.gov.au>.

You can search as a guest (which means you don't have to log in or register to do a search) or you can become a registered researcher. Registering means you can save your searches and are able to request to view files in a reading room.

To do a basic name-based keyword search, you go to the 'Basic search' screen, type the name you are looking for into the 'Keywords' box and hit the search button. This will search the whole of the database and you may get results that are not relevant. You can also limit your search by date.

If you get a long list of results, you can also limit the search by location and other parameters. You will need to click on the 'Advanced search' tab, then click on 'Items'. Re-enter the name in the 'Keywords in title' box. To search only for records in the Sydney office, choose 'Sydney' from the 'Location of items' drop-down list.

Viewing records

Some records you locate may already be digitised, in which case you can view them immediately online through RecordSearch.

If the records aren't digitised, you can request that the National Archives make a digital copy (for a fee). This is a good option if you have located files you are sure relates to your person but you don't want to have to make a trip to the reading room. The National Archives will load the digital copy to RecordSearch, meaning that in the future anyone (including you) will be able to see it.

If you want to see the original records, you will need to make a visit to the reading room where the records are held. The location of the record is given in RecordSearch, and you should contact the particular National Archives office beforehand so that they can have the records ready for you when you get there. It can take some time for the records to be retrieved from the repository.

Next steps

Not all the individual files held by the National Archives are separately listed in RecordSearch (that is, 'described at item level'). The archives is not like a library where every book is listed in the catalogue. As a rule, the National Archives first describes groups of records (series), then works on describing individual files (items).

The National Archives is continually adding item descriptions and digitised files to RecordSearch, so it is now much easier to locate records through keyword searches than it used to be.

Some records, however, are not listed at item level, and it might be necessary to consult paper item lists and file registers held in the reading room. You might also need to speak to an archivist for help. The administrative systems that documented the lives of Chinese Australians under the Immigration Restriction Act were complex though, so it can take time to do this kind of research.

What if there are no records?

In some cases you will be unsuccessful in locating any records in Sydney about the person you are researching. There are a number of possible reasons for this.

The National Archives does not have records about all Chinese Australians. The Immigration (Restriction) Act records described in this guide usually only relate to people who, after 1901, applied for permission to return to Australia after an overseas trip. Many Chinese Australians simply lived their whole lives in Australia, or they may have left the country without planning to return and so didn't apply for re-entry documents (this is particularly the case for men returning to China in their old age). The person may have travelled before 1901 or used naturalisation papers or a birth certificate, meaning that they didn't apply for a CEDT.

It is possible that the person you are researching travelled out of and into Australia but not from Sydney. Usually if someone lived in New South Wales they would have travelled from Sydney, but this isn't always the case, particularly for those who lived near the Queensland and Victorian borders. You might therefore consider looking for records in other states or territories. Information about other National Archives records relating to Chinese Australians can be found in the National Archives research guides listed at the end of this guide.

It is also possible that records about the person you are researching no longer exist. It was not uncommon for records to be destroyed when they were no longer needed for administrative purposes. This usually occurred before the records reached the National Archives. The series SP42/1, for instance, does not contain every 'C' file that was created by the Collector of Customs as it has been culled. Likewise, the Department of External Affairs series A1 is missing many files related to the travels of Chinese Australians in and out of Sydney. It can be frustrating to locate a file reference in another file, index or register only to discover that the file itself no longer exists.

The administrative process

The following is an outline of the typical administrative process involved when someone wanted to apply for exemption from the Dictation Test in New South Wales during the early decades of the 20th century. It is useful to have an idea of this process, as it relates closely to the records that were created. Each case was unique, and things did change over time, so this outline should be taken as a guide only.

Australian-born

In the first decade of the 20th century, Australian-born Chinese often travelled overseas without completing any real formalities, since they expected to be readmitted on presentation of their Australian birth certificate. However, because of suspicion over the fraudulent use of Australian birth certificates, officials became increasingly vigilant in the identification of those claiming to be Australian-born. This resulted, from 1913, in the recording of details of those travelling on birth certificates.

Some Australian-born Chinese also applied for Certificates of Domicile or CEDTs to make their re-entry to Australia easier. See 'Overseas born' below for a description of that process.

1. The person presented their Australian birth certificate to the Collector of Customs in Sydney for certification. This usually included attaching photographs, perhaps taking a handprint, as well as recording details of the person's departure (such as the name of the ship and date). The person took their birth certificate with them to use as identification on their return.
2. Any correspondence about the person's departure, or other matters while they were overseas, was placed in a 'C' file (which would now most likely be found in SP42/1 if it still exists).
3. From 1913, the Collector of Customs recorded details about the person and their departure in a register (SP726/2).

4. On the person's return to Sydney, their birth certificate (and any other papers) was inspected by Customs officials who decided if the person could enter Australia. Sometimes family members or other 'respectable' people were called on by officials to help in identifying the person if there was some doubt.

5. Customs officials noted details of the person's return on their birth certificate and completed Form 32, which recorded why the person was exempted from the Immigration Restriction Act. They also recorded details of the return in the register (SP726/2).

6. Customs officials took the person's birth certificate and, together with the Form 32, filed them for reference (from 1911 in SP115/1).

7. Any other correspondence relating to the person's return was filed on the 'C' file.

Overseas-born

1. The person completed an application form (Form 22), providing written references and photographs, and submitted it to the Collector of Customs in Sydney.

2. The Collector of Customs processed the application, which sometimes necessitated correspondence with the person, the police, the Department of External Affairs or others. The application form (Form 22), together with any correspondence and copies of photographs, was placed in a 'C' file (which would now be most likely found in SP42/1 if it still exists).

3. The Collector of Customs issued the CEDT (Form 21), recording details of the person's physical appearance, attaching photographs and taking their handprint or, from the early 1930s, thumbprints. Details of their departure from Australia was also noted. One copy of the CEDT was given to the applicant and the other filed (in ST84/1).

4. Details of the application were recorded in a register (SP726/1).

5. Any further correspondence that took place while the person was overseas, such as an application for extension of the exemption period, was filed on the 'C' file.

6. On the person's arrival in Sydney, their papers (usually the CEDT) were inspected by Customs officials who decided if the person could enter Australia. Sometimes family members or other 'respectable' people were called on by officials to help in identifying the person if there was some doubt.

7. Customs officials noted details of the person's return on their CEDT and completed Form 32, which recorded why the person were exempted from the Immigration Restriction Act. They also recorded details of the return in the register (SP726/1).

8. Customs took the person's papers and filed them, together with the Form 32, for reference (depending on the year, papers were filed either in ST84/1 or from 1911 in SP115/1).

9. Correspondence relating to the person's return and identification was filed in the 'C' file. Later correspondence, such as a request for return of personal documents, was also filed there.

10. If a further application was made, a new 'C' file was started and documents from the earlier application were placed on the new file. This process was called 'top-numbering'.

The records

The following describes the main groups of records created in the administration of the Immigration Restriction Act (and earlier colonial legislation) in New South Wales, with examples of the information they contain.

These records relate principally to the travel of Chinese Australians (as well as other non-white Australians) in and out of New South Wales in the early decades of the 20th century.

SP115/10 – INFLUX OF CHINESE RESTRICTION ACT 1881 EXEMPTION CERTIFICATES

Colonial New South Wales first introduced anti-Chinese legislation in 1861 (repealed in 1867), with later Acts introduced in 1881, 1888 and then 1898. Series SP115/10 comprises about 450 exemption certificates issued under the 1881 Act and two certificates and documents relating to the 1861 Act.

The certificates include scant information about the applicants themselves, giving their name, date of issue of the certificate and period of exemption. There may be handwritten annotations on the front and back, some in Chinese, which provide more personal information such as occupation, age and height.

The certificates are not listed individually in RecordSearch and you need to view them in the Sydney reading room. The paper consignment list for SP115/10 gives the names of people whose certificates are held in this series. You can ask a reference officer to show you this list.

AH DOY, 1887 (SP115/10, BOX 4)

Ah Doy's exemption certificate issued under the 1881 Influx of Chinese Restriction Act is no. 2495, dated 9 August 1887.

On the front the certificate is the standard wording with personal particulars filled in:

Whereas Ah Doy a resident in the Colony of New South Wales, being a Chinese, has proved to the satisfaction of the Colonial Treasurer that he was on the 6th day of December, 1881, a bonâ-fide resident of this Colony, and that he desires to be absent therefrom for a temporary purpose only : These are therefore to certify that the said Chinese is exempt from the provisions of "The Influx of Chinese Restriction Act of 1881," for the period of nine months from this date.

There are handwritten annotations on both the front and back of the certificate. The notes on the front were written by officials when Ah Doy arrived back into Australia, including: 5.5 (his height), 28 (his age), Garden Cook (his occupation).

The annotations on the reverse of the certificate are in Chinese and were most likely written in Hong Kong when Ah Doy purchased his passage to Australia. The notes include: a date, his age and where he came from (白土 Baitu in 高要 Gaoyao), as well as his name in Chinese characters (written both as 亞代 Ah Doy and 蔡代 Choy Doy / Cai Dai).

SP11/26: APPLICATIONS FOR CERTIFICATES OF DOMICILE

This small series includes applications for Certificates of Domicile, which were used between 1902 and 1905 before CEDTs were introduced. All the applications in this series are from 1902. The files typically include a completed application in the form of a statutory declaration, with personal information including name, current residence, and residence since arriving in Australia, occupation, age, height, complexion, build, hair, eyes, details of wife and children, and property owned in the state. There are also letters of reference, photographs of the applicant and other correspondence regarding the application.

All 27 items are listed in RecordSearch and can be located using a name-based keyword search. The corresponding Certificates of Domicile can be found in SP11/6, Box 3 or ST84/1.

JAMES KEM YEE, 1902 (SP11/26, J14)

Rev. James Lamont of the Presbyterian Church applied for a certificate of domicile for Chinese missionary James Kem Yee of Newcastle in late 1902. Kem Yee's file contains correspondence about the application, as well as a completed application form and photographs. Kem Yee wrote that he was going to China for six months to give 'my own people an opportunity of hearing the Gospel'. Kem Yee had been resident in Australia for 24 years, living at Ballarat and then Newcastle. He was married with a wife and children in Newcastle. The application was successful and he was issued with certificate no. 11 of 1903. The certificate itself can be found in ST84/1, 1903/11-20.

SP726/1: REGISTER OF APPLICATIONS FOR CERTIFICATES OF DOMICILE AND CEDTS

These registers, dating from 1902 to 1959, record details of Chinese Australians who applied to be exempted from the Dictation Test on return from travelling overseas and were granted Certificates of Domicile or CEDTs. Generally the applications were made before they left Australia. There are six registers, organised by date of application: 1902–10, 1911–18, 1918–25, 1925–34, 1934–59 and one from 1919–24 that records slightly different information.

Entries in the registers generally include: name, certificate number, date of issue, vessel, date and port of departure, vessel, date and port of arrival, general remarks and a Customs file number (from SP42/1).

Each register has its own item number listed in RecordSearch. You need to view the registers in the Sydney reading room.

LEE LIE, 1909 (SP726/1, BOOK 1)

Number of certificate issued: Book 22, No. 76

Date of issue: 3 June 1909

Name: Lee Lie

*Date & vessel of departure: Empire
September 1906*

*Date and vessel of return: Aldenham 28
June 1912*

C&E file number: C09/3213

Remarks: Extension of 06/280

Lee Lie had left Australia on CEDT no. 06/280 in 1906, and applied while still overseas for an extension of the certificate. This entry relates to the successful extension application in 1909.

SP726/2: REGISTER OF BIRTH CERTIFICATES

Australian-born Chinese could travel using their Australian birth certificates as evidence of their right to return, meaning that they did not have to apply for a CEDT. This large register, dating from 1913 to the early 1960s, records basic details of those who travelled in this way.

The information was generally recorded by the Collector of Customs before the person left Australia, with further notes when they returned. The register was introduced in 1913 to keep track of who was travelling on birth certificates – in previous years there had been cases of certificates being sold and used for fraudulent entry.

There is an alphabetical index in the front of the register which can be used to locate entries about particular people, but there is some inconsistency as to whether the index is alphabetical by given name or surname, so check both. The entries themselves are divided alphabetically, and then are listed by date. It is often possible therefore to see members of the same family who were travelling together listed one after another in the register.

The details given in the register include: name, birth certificate number and date of issue, date and place of birth, date and details of departure, date and details of return, general remarks and references to other files (either Customs files in SP42/1, usually written like 'C15/3609', or External Affairs files in A1, written like 'EA 31/3751'). As the register was recorded over a number of decades, there is variation as to what information was recorded for each person. Some of the entries are very minimal.

The register is digitised and can be viewed through RecordSearch.

RACHEL YOUNG WAI, 1915 (SP726/2, WHOLE SERIES)

Name: Rachel Young Wai

Birth certificate number: Sydney 928

Application number: 96/2062

Date of issue of certificate: 27 July 1896

Place of birth: 106 Goulburn Street, Sydney

Date of birth: 21 March 1888

Remarks concerning departure: [none recorded]

Vessel and date of departure: [none recorded]

Vessel and date of return: Eastern 5 June 1915

By whom examined: Messrs JTT Donohoe, FC Bragg

Landed or rejected: Landed

General remarks: Daughter of Rev. John Young Wai

File: [none recorded]

Details of Rachel Young Wai's travels were recorded on her arrival in Sydney in 1915. No details had been taken when she left for overseas. When she arrived she was examined by Customs officers Donohoe and Bragg and was allowed to land. The comment 'Daughter of Rev. John Young Wai' was given as evidence of her satisfactory identification by the Customs officers.

ST84/1: CERTIFICATES OF DOMICILE AND CEDTS

This series contains copies of CEDTs (Form 21) and earlier Certificates of Domicile that were issued in Sydney to Chinese (and other non-white) Australians who wished to be exempted from the Dictation Test when they returned after travelling overseas. They date from 1903 to the mid-1950s. Generally two copies of each certificate were issued – one was given to the traveller to use when booking a return passage and then as identification on arrival, the other (marked DUPLICATE) was filed in this series for reference. In some instances, both copies of the certificates are now held in this series.

The certificates were each issued with a number, at first in the form of year/certificate number (06/258) and then in later years with a book and certificate number (Book 22, No. 6). The CEDTs are filed in the numerical order in which they were issued.

Each certificate contains personal information, as well as details of the person's travel. Personal information includes:

- name
- nationality
- birthplace
- age
- height
- complexion
- colour of hair and eyes
- build
- particular marks.

Travel details include:

- name of vessel
- date and port of departure and of return.

The departure details were completed before the person left Australia and the return details after they re-entered the country.

CEDTs generally include front and side-facing photographs of the person, and on the reverse their handprint or, from the early 1930s, their thumbprints. The earlier Certificates of Domicile do not always have photographs, but include other personal information such as family, occupation and place of residence.

There are many thousands of certificates in this series. The National Archives has listed them at item level in RecordSearch – each item contains a bundle of certificates, and the name of each person is included in the item title. Items can therefore be located using a name-based keyword search. Some are digitised.

NOTE: The first Certificates of Domicile issued in New South Wales in 1902 are not held in this series. They can be found in a volume in SP11/6, Box 3.

WILLIE HOON, 1906 (ST84/1, 1906/101-110)

Willie Hoon was granted CEDT no. 06/104 on 16 March 1906. The certificate was good for two years. He was described as follows:

Nationality: Chinese

Birthplace: Canton

Age: 24 years

Complexion: [none recorded]

Height: 5 ft 6 inches in boots

Hair: Dark

Build: Medium

Eyes: Brown

Particular marks: None visible

He planned to travel to China on a 'Japanese ship' in March 1906, and returned to Sydney on the SS *Empire* on 15 November 1907. His handprint is included on the back of the certificate.

SP42/1 AND SP42/2: COLLECTOR OF CUSTOMS CORRESPONDENCE RELATING TO IMMIGRATION RESTRICTION AND PASSPORTS ('C' FILES)

These two series contain the case files of Chinese Australians (and other non-white people) who were applying for exemption from the Dictation Test, as well as files on other immigration matters. Generally, each file relates to a person or family group. The files date from the last years of the 19th century to the 1940s.

These case files (also called correspondence files) can contain a variety of material, including applications for exemption from the Dictation Test (Form 22) and supporting documents such as letters of reference, as well as photographs, letters from the applicant, correspondence with the Department of External Affairs, and police reports.

Applications for exemption from the Dictation Test required the applicant to provide personal information including:

- name
- date and place of birth
- number of years in Australia
- where they had lived in Australia
- details about their family
- details of any property they owned.

They can therefore be excellent sources of personal information.

Some files contain only a few pages, others are much more substantial and document a person's travels over several decades. It was the practice to combine files from previous applications with later ones – this is called 'top-numbering'.

The files are sometimes referred to as 'C' files, because of the file numbering system that was used – file numbers include the prefix 'C', the year, and a sequential number for each file that was raised. For example, C05/4210, which relates to the application for a Certificate of Domicile by Harry Gonn in 1905, was the 4210th file that was raised in 1905. Just to complicate

things, however, the earliest files in SP42/1 have a 'B' prefix instead.

There are around 18,500 files listed in RecordSearch for these two series, and several thousand are digitised. Item titles usually include the name of the subject of the file, so you should be able to locate the one you want using a name-based keyword search.

You may come across 'C' file numbers in other records – they are often written on the top of a CEDT, for example. If you then search SP42/1 by item number and draw a blank, it is possible to consult the paper consignment list in the reading room to check whether the file you are looking for still exists. These series were culled, so there is no longer a file for every person who was granted a CEDT.

WILLIAM LEE, 1909–16 (SP42/1, C1916/26)

William Lee's 30-page file documents his applications for a CEDT in 1909, 1911, 1913 and 1915; he had previously been granted a CEDT in Western Australia in 1906. Each of the four applications includes a completed Form 22 and reference letters from respectable white Australians who knew Lee; the two later applications include police reports as well. The file also includes Lee's photograph and handprint.

Statutory declarations completed by Lee as part of his applications provide personal information about him. His details as given in 1915 were:

Of what nationality are you? Chinese

*Where were you born, and when?
Canton 1878*

*When did you come to Australia? Year
1896*

Where have you lived since you came to Australia? Melbourne 1 year; Fremantle 4 years; Sydney 13 years; Sydney 1 year

Have you ever been absent from Australia since your original arrival? Yes fourth left 1906 ret 1907; s[e]cond left 1909 returned 1910; third left 1911 ret 1911; fourth left 1913 ret 1914

What is your present occupation? Green grocer

What other occupations (if any) have you carried on since you came to Australia? Gardener

The file tells us that William (or Willie) Lee first lived in Sydney at West Botany Street, Arncliffe, where he had a market garden under the name Kong Sing War. He then had a green grocer's shop at 6 Johnstone Street, Annandale. He had a wife and family in China.

The file also gives the certificate numbers of the CEDTs he was granted. His Western Australian CEDT from 1906 was no. 06/150, and it can be found in the Perth series K1145 (K1145, 1906/150). His later New South Wales certificates can be found in the Sydney series ST84/1.

SP1122/1: DEPARTMENT OF IMMIGRATION GENERAL CORRESPONDENCE

This series holds Department of Immigration correspondence files relating to immigration matters for New South Wales. In 1946, after the Department of Immigration was created, it took over control of the Customs 'C' files, so this series is a continuation of SP42/1 and SP42/2. It contains very similar material, just from a later time period. Most of the records in this series do not relate to Chinese, however.

Item numbers for Chinese files in SP1122/1 are in the form of N19YY/24/XXX. The 'N' stands for New South Wales, '19YY' is the year the file was started, '24' indicates that the file relates to 'Asiatics' and 'XXX' is the sequential number given to each subsequent file that was created. For example: SP1122/1, N1951/24/160.

Later item numbers are in the form NYY/XXX ('N' for New South Wales, 'YY' for year and then sequential file number).

The correspondence files in SP1122/1 about Chinese Australians typically contain material such as:

- applications for CEDTs (Form 22)
- personal references
- photographs
- correspondence between the Collector of Customs/Department of Trade and Customs, the Department of Immigration and the applicant
- earlier correspondence about the applicant, usually relating to previous CEDT applications or similar matters
- reports on the applicant from the police or Investigation Branch.

The files can contain material collated over a period of many years, as earlier files were top-numbered into later ones. If you can't locate a 'C' file for someone in SP42/1 or SP42/2 and you know that they applied for a CEDT in the early decades of the 20th century, it may be because the files have been placed together and are now held in SP1122/1.

These files may also contain material relating to naturalisation (when someone became an Australian citizen). Restrictions on the naturalisation of Chinese were lifted in the mid-1950s. These files are sometimes therefore referred to as 'naturalisation files', even though not all of them contain such information.

Items in this series are listed individually on RecordSearch. There is a name index to this series (SP1602/1) and file movement registers (SP143/1), which can help in locating files about particular individuals. The need to use these is less though now, since you should be able to locate files with a name-based keyword search in RecordSearch.

**CHARLIE YET, 1906–1951
(SP1122/1, N1951/24/160)**

Charlie Yet's fat file documents his travels between Australia and China over five decades. Born in China in 1875, he arrived in Australia in 1894 and travelled back and forth in 1906–7, 1909–10, 1918–19, 1923, 1927, 1931, 1938 and 1951. The file includes photographs and handprints, police reports and references, and names of his children born in China. The corresponding CEDTs can be found in ST84/1. There is no record of Charlie Yet's return to Australia after his final trip in 1951, aged 76, suggesting that he died in China.

**SP115/1: PAPERS FOR PASSENGERS
ARRIVING BY SHIP**

When Chinese Australians arrived back in Australia after travelling overseas, they were inspected by Customs officers who decided whether they could land or not under the Immigration (Restriction) Act. They were required to present their papers, usually a birth certificate or CEDT, and if they were satisfactorily identified they were permitted to stay.

In Sydney, the papers they presented were collected by Customs officers and from 1911 were filed by ship of re-entry in this series (see also SP11/6). For each person the files generally contain a CEDT (Form 21), issued in Sydney or elsewhere, or an Australian birth certificate, often annotated and with a photograph attached, as well as a Form 32. Form 32 was used by Customs officers to record the reason why the person was permitted to land. There is sometimes other documentation as well.

The files are organised by the name of the ship and the date of arrival, not by the names of people. To locate records about a particular person, you therefore need to know which ship they arrived on.

Items in this series are listed in RecordSearch and can be located using a keyword search. Use the ship's name and the date of arrival in Sydney in the form of DD/MM/YYYY to do your search.

In cases where there were many non-Europeans arriving on the one vessel, there may be multiple items relating to the one voyage. These are distinguished by PART 1, PART 2, etc, in the item title and control symbol. Birth certificates and paperwork of people not travelling on CEDTs are usually found at in the last part of a file.

**AKI MARU, ARRIVED IN SYDNEY ON
5 JUNE 1916
(SP115/1, AKI MARU - 05/06/1916
[BOX 18])**

The *Aki Maru* arrived in Sydney from Japan, via ports including Hong Kong, on 5 June 1916. Among the dozens of passengers on board were Samuel Gow who landed at Sydney on a CEDT, and Ormond Atkinson who landed on his much-annotated birth certificate.

Samuel Gow's CEDT (Form 21) contains the usual personal and travel information, with additional details. It includes a handwritten reference to his Customs file, C15/6167, and notes that his fee is paid. It is stamped 'USED' and a note has been added that the CEDT has been compared with the duplicate one and found to agree. His Form 32 states that he had been examined and permitted to enter on his CEDT, and is signed by the two Customs officers who inspected him on arrival. His handprint, taken for comparison with the duplicate CEDT, is on the reverse of the form.

Ormond Atkinson's birth certificate has a photograph and handprint on the reverse side, which was certified by Customs officer JTT Donohoe in Sydney before Atkinson left Australia in 1913. His Form 32 notes that he was a 'half-caste Chinese' born in New South Wales in 1897. A copy of his handprint, taken on arrival in Sydney, is on the back of the Form 32.

**SP11/6: PAPERS FOR PASSENGERS
ARRIVING BY SHIP & MISCELLANEOUS**

The documents held in this series are, for the most part, similar to those held in SP115/1. The files contain copies of Form 32 and CEDTs (Form 21) or other identity documents of Chinese arriving into Sydney from overseas.

The files are organised by the name of the ships and their dates of arrival, not by the names of people. To locate records about a particular person, you therefore need to know which ship they arrived on.

Items in this series are all listed in RecordSearch and can mostly be located using a keyword search. Use the ship's name and the date of arrival in Sydney in the form of DD/M/YYYY to do your search. In the reading room you may be issued with boxes instead of just files.

As well as the papers of passengers arriving in Sydney, there are some anomalies in this series, including:

Box 3 contains a volume that has the first Certificates of Domicile (Form 21) that were issued in New South Wales between February and September 1902.

Box 7 contains a file relating to the Cumines family of Sydney.

Box 8 contains a file relating to Hong Yuen & Co. of Inverell.

A1: DEPARTMENT OF EXTERNAL AFFAIRS FILES

The Department of External Affairs dealt with policy matters relating to immigration and made decisions on cases that were referred on by state-based Customs officials. This means that you might be able to find External Affairs records about your person or family in Canberra, as well as Customs records in Sydney.

The series A1 holds the main group of External Affairs records relating to Chinese Australians and most A1 files deal with individual cases or inquiries. The sorts of matters dealt with include:

- applications for CEDTs
- requests for the entry of wives and children
- entry of Chinese students and workers
- prosecution of prohibited immigrants.

The series also includes files on a range of other government activities relating to the Chinese such as alien registration, naturalisation and passports.

The files in A1 are referred to as 'correspondence files', because they document the correspondence that took place on a particular matter. The case files of Chinese Australians vary greatly in their complexity, from one or two to hundreds of pages. There is generally correspondence between the relevant state Collector of Customs and the Department of External Affairs, sometimes also the Minister for External Affairs. There may be photographs and letters written by the individual, reference letters, newspaper cuttings and police reports.

The series is a very large one, with over 75,000 items listed in RecordSearch. Many of these files are now digitised. Most case files relating to Chinese Australians include the person's name in the item title, so can be located by a name-based keyword search in RecordSearch. There are some tricks to locating records, however, as names have not been entered in a standard way – you might need to try searching under variations of the person's name to find what you're looking for.

An alternative way to search is to use the External Affairs file number that you might have found in one of the registers or other records. There were often written in the form 'EA YY/XXX', where EA stands for External Affairs, YY is the year and XXX is the sequential file number. For example, 'EA 24/1499' would refer to the file listed in RecordSearch as A1, 1924/1499.

To search by file number you need to use RecordSearch's 'Advanced search – Items'. Enter 'A1' in the 'Series number' box and your file number in the 'Control symbol' box. Make sure you include the '19' prefix for the year (e.g. 1924/1499 not just 24/1499) or the search will not work.

If you cannot locate the file you're looking for in RecordSearch, either by name or by file number, it may well no longer exist. You can check paper file registers in Canberra, but it's more than likely that the file was culled at some time in the past.

CHONG LEE, 1905–11 (A1, 1911/20085)

The 16-page file about Chong Lee concerns his application for a Certificate of Domicile in 1905, its extension in 1907 and his further request for a CEDT in 1911. It includes his original application for a Domicile Certificate (Form 17) from 1905, on which he stated he was travelling to China for two years to see his wife, that he was a fruit merchant and commission agent at Belmore Markets and that he had been in Australia for 19 years without previously returning to China. He planned to sail on the *Tsinan* on 23 September 1905 and his application was approved by Secretary of the Department of External Affairs, Atlee Hunt, on 22 September.

A request for an extension of his Certificate of Domicile was again granted by Atlee Hunt two years later, in September 1907.

In 1911 Chong Lee wished to return to China once more and so applied for a CEDT. This time the matter was referred to the Department of External Affairs because Chong Lee had, in 1910, been fined for being the keeper of a common gambling house (he was in fact only the lessee of the premises from where the gambling shop was run). The file includes a letter from Chong Lee's lawyer and references from respectable white businessmen. The application was approved once again by Atlee Hunt.

Chong Lee's 1905 Certificate of Domicile and 1911 CEDT can be found in ST84/1 and the Sydney Customs 'C' file in SP42/1.

Other records

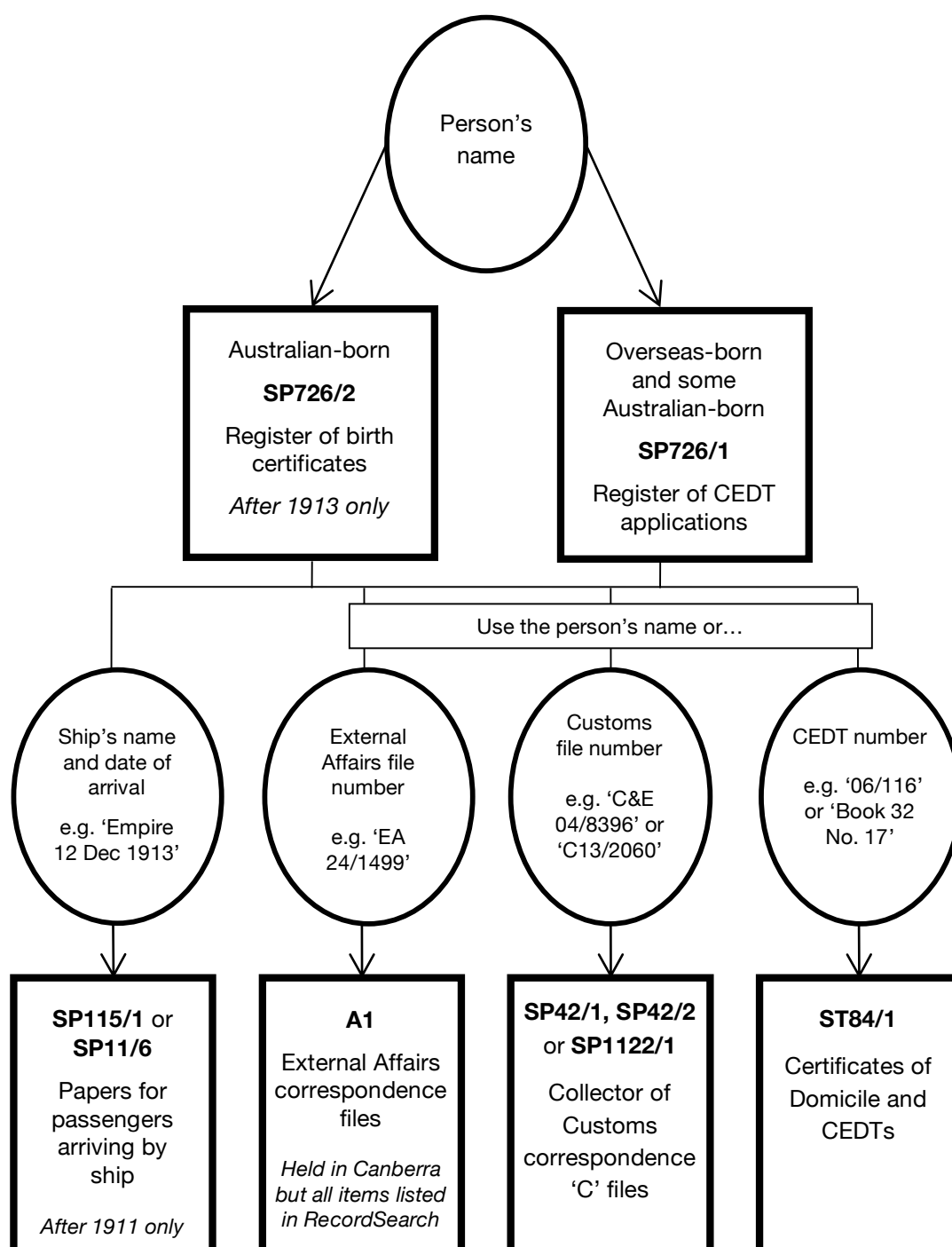
As well as the records listed above, there are other series held in the National Archives that contain information about Chinese Australian individuals and families. These records document various aspects of immigration administration, naturalisation and citizenship, and the regulation of aliens (non-citizens), among other things. More information about these records can be found in the two National Archives research guides listed in the **Resources** section below.

Administrative paper trail for Sydney departures and arrivals

This diagram shows the 'typical' paper trail for Chinese Australians travelling from and to Sydney in the early 20th century. It is designed to help locate a complete set of Immigration Restriction Act records about a person.

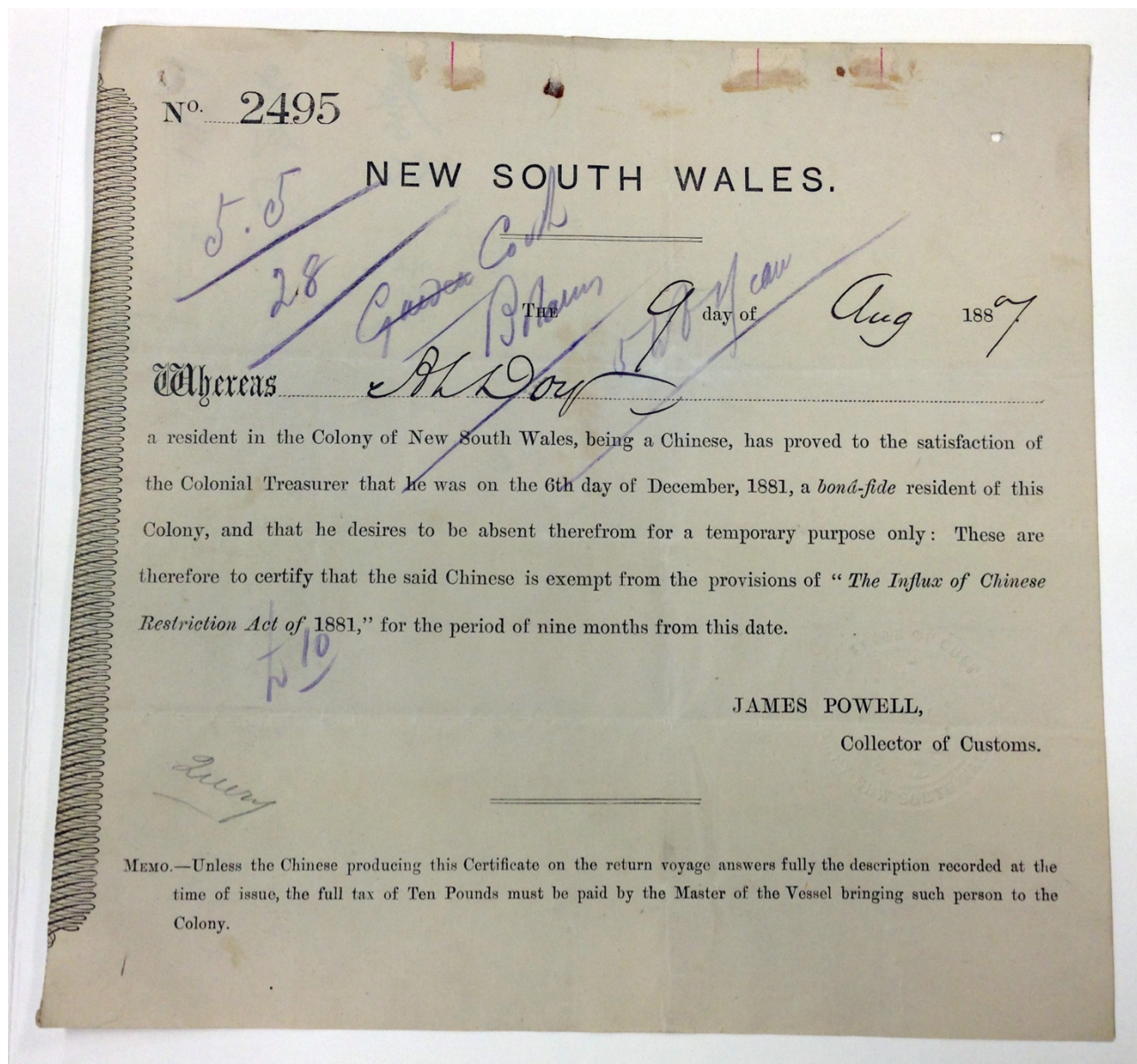
The **bold squares** represent record series held in the National Archives in Sydney, with the exception of A1 which is held in Canberra. You may be able to find relevant records in each of these series.

The **circles** represent the information needed to locate relevant records within these series. You can use a person's name to begin your keyword search in RecordSearch. Other necessary information can be found in the registers or in the records themselves. For example, CEDTs often have the Customs file number written on them and usually also record the ship's name and date of arrival.



Document examples

Exemption certificate under the Influx of Chinese Restriction Act 1881



Exemption certificate under the Influx of Chinese Restriction Act 1881 for Ah Doy, 1887
(NAA: SP115/10, BOX 4)

Certificate of Domicile (Form 21)

Duplicate

No. 03/11

COMMONWEALTH OF AUSTRALIA.
Immigration Restriction Act 1901 and Regulations.

CERTIFICATE OF DOMICILE.

I, Nicholas Lockyer Collector of Customs at
the port of Sydney New South Wales in the said Commonwealth,
hereby certify that James Kem Yee, hereinafter
described, has satisfied me that he is domiciled in the Commonwealth, and is leaving the
Commonwealth temporarily.

Date 3 February 1903 W. J. Yee
Collector of Customs

DESCRIPTION.	
Nationality <u>Chinese</u>	Birthplace <u>Canton</u>
Age <u>43 years</u>	Complexion _____
Height _____	Hair <u>Dark</u>
Build <u>Thin</u>	Eyes <u>Brown</u>
Particular marks _____	

(For impression of hand, see back of this document.)

Family Wife & 2 Boys Where resident Newcastle NSW
Date of arrival in Australia Year 1878
Place of residence in Australia Newcastle NSW
Occupation Presbyterian Missionary Property Int

Date of departure 5 Feb 1903 Destination China
Ship Manand Maru

Residences in Australia (names and addresses) Rev James Lamont
Presbyterian Church Office Sydney

Form No. 21.

Certificate of Domicile (Form 21) for James Fong Kem Yee, 1903 (NAA: ST84/1, 1903/11-20)

Application for Domicile Certificate (Form 17)

Form No. 17. File No. 256048
 State N.S.W.

APPLICATION FOR DOMICILE CERTIFICATE.

Name Choy Lee
 Length of residence in Commonwealth 19 yrs (never away)
 Proceeding to China for (period) 2 yrs
 Purpose of journey Seeing wife &c
 Occupation Fruit Merchant
 Family Wife only Where resident China
 Whether naturalized No.
 Interests in Commonwealth Business Commission Agent
& Fruit Merchant at Belmore near
back of 200 & Book debts of 100
 Intended length of stay in Commonwealth Permanently
 Recommended by Mgr Bk of N.S.W.
& several others (including Clerk Belmore
Market who says applicant has been a
holder there for more than 15 yrs
 Police and Customs Reports state applicant is a
very respectable class of man.
He desires to sail by Isman
on 23rd Sept

Action taken—
app
22-9-05

C. 9829.

Application for Domicile Certificate (Form 17) for Choy Lee, 1905 (NAA: A1, 1911/20085)

Certificate Exempting from Dictation Test (Form 21)

Form No. 21 No. *Me/104*
 COMMONWEALTH OF AUSTRALIA.
 Immigration Restriction Acts 1901-1905 and Regulations.

CERTIFICATE EXEMPTING FROM DICTATION TEST.


I, *William Bethune Act* the Collector of Customs
 for the State of *New South Wales* in the said Commonwealth,
 hereby certify that *Willie Hoon*
 hereinafter described, who is leaving the Commonwealth temporarily, will be excepted
 from the provisions of paragraph (a) of Section 3 of the Act if he returns to the Com-
 monwealth within a period of *Two years* from this date.

Date *March 16 1906* *W. Bethune*
 Collector of Customs.


DESCRIPTION	
Nationality <i>Chinese</i>	Birthplace <i>Canton</i>
Age <i>27 years</i>	Complexion <i>Dark</i>
Height <i>5' 5 1/2 in Boots</i>	Hair <i>Dark</i>
Build <i>Medium</i>	Eyes <i>Brown</i>
Particular marks <i>None visible</i>	

(For impression of hand see back of this document.)

PHOTOGRAPHS



16/3/06



16/3/06

CANCELLED

Date of departure *March 06* Destination *China*
 Ship *Japanese Suis*
 Date of return *15th November 1907* Ship *Empire*
 Port *Sydney* *W. P. D. Mohor*
 Customs Officer
Wm. H. ...

By Authority: ROBT. S. BLAIR, Government Printer, Melbourne.

CEDT (Form 21) for Willie Hoon, 1906 (NAA: ST84/1, 1906/101-110)

Application for Certificate Exempting from Dictation Test (Form 22)

COMMONWEALTH OF AUSTRALIA

STATUTORY DECLARATION.

CUSTOMS & EXCISE
 N.S.W.
 C 07447
 31-12-14

(1) Name of declarant. I, ⁽¹⁾ Yee Wing Ah You
 now residing at 215 Thomas Street
 do solemnly and sincerely declare that the answers to the following questions are true:—

1. Of what nationality are you? ...	1. <u>Chinese</u>
2. Where were you born, and when? ...	2. <u>Wentou May 1862</u>
3. When did you come to Australia? ...	3. <u>1877</u>
4. Where have you lived since you came to Australia? <small>(State places and period of residence in each.)</small>	4. <u>New South Wales</u>
5. Have you ever been absent from Australia since your original arrival? If so, state—(a) on how many occasions; (b) for what period on each occasion, giving date of departure and return.	5. <u>Yes left July 1893 returned April 1895 left July 1895 returned Sept 1896 left Oct 1911 returned May 1912</u>
6. What is your present occupation? ...	6. <u>Fruit merchant</u>
7. What other occupations (if any) have you carried on since you came to Australia?	7. <u>Gardner</u>

And I make this solemn declaration by virtue of the *Statutory Declarations Act 1911* conscientiously believing the statements contained therein to be true in every particular.

(2) Signature of declarant. ⁽²⁾ Yee Wing (Ah You)
 Declared at Sydney the 29th day of December 1914.

(3) Person before whom declaration is made. ⁽³⁾ Henry D. Palou
 Before me, Justice of the Peace

(4) Title of person before whom declaration is made (a). ⁽⁴⁾ Justice of the Peace

(a) This Declaration may be made before a Police, Special, or Stipendiary Magistrate; a Justice of the Peace; a Commissioner for Affidavits; or a Commissioner for Declarations.

NOTE.—Any person who wilfully makes a false statement in a Statutory Declaration is guilty of an indictable offence, and is liable to imprisonment, with or without hard labour, for four years.

Statutory Declaration page of application for CEDT for Yee Wing (Ah You), 1914 (NAA: SP42/1, C1914/7447)

Landing form (Form 32)

No. 32.

IMMIGRATION ACT 1901-1912.

We certify that we have this day examined Ormond Atkinson
of Half-Caste Chinese nationality, ex SS Aki Maru
and have permitted him to land for the reason that he has satisfied us:—

1. That he is the person named in Certificate exempting from the Dictation Test, No. _____ issued at _____ on _____ 19____
2. That he is a naturalized citizen of Australia, and is the *bona fide* holder of Certificate No. _____ in the State of _____ presented by him and indorsed by us.
3. That he was born in Australia in the State of New South Wales on 21 March 1897
4. That he is the *bona fide* holder of Exemption Certificate No. _____ of _____
5. That he is the *bona fide* holder of Passport No. _____ duly visé by _____
6. _____

NOTE—Strike out all reasons except that on which landing allowed.

The hand-print of Ormond Atkinson is on back hereof.

J. J. Donohoe
H. Bragg

Customs and Excise Office,
Place Pydney
Date June 5th 1916

4.220/D 14.—C.11670.

Form 32 for Ormond Atkinson, 1916 (NAA: AKI MARU - 05/06/1916 [BOX 18])

Certificate of Exemption (Form 2)

Form No. 2.

COMMONWEALTH OF AUSTRALIA.

Immigration Act 1901-1912.

Number 4
513

State of New South Wales Port of Sydney

Date of Issue 17th December 1914

CERTIFICATE OF EXEMPTION.

This is to Certify that Look See
(Mrs Charlie Dickson)

who is described hereunder, is exempted from the provisions of the *Immigration Act*
1901-1912 for a period of three months from the twenty-second
day of December 1914

Nationality China Birth-place China Age 35 years

Particular Marks _____

Occupation _____

Signature of Person exempted _____
W. D. King
Collector of Customs.

64/7194

[SEE OTHER SIDE.]

Certificate of Exemption for Look See (Mrs Charlie Dickson), 1914
(NAA: SP42/1, C1930/11129 PART 1 OF 2)

Application for Certificate of Exemption (Form 16)

FORM No. 16.

CUSTOMS & EXCISE
N.S.W.
C 04912
21-AU-14

COMMONWEALTH OF AUSTRALIA.

IMMIGRATION ACT 1901-1912.

S&C Empore Sydney
22 June 1914

SIR,

I beg to apply for a Certificate of Exemption from the operations of the Immigration Act 1901-1912 for a period of *6* ~~12~~ *months* from this date.

My Address while in Australia will be
C/- my husband, of the firm of Lee Chong & Co., Crown St Sydney

I also append particulars as hereunder regarding my age, etc.:-

Age *35 years*
Nationality *Chinese*
Birthplace *Canton*
Occupation *Wife*
Arrived by s.s. *S&C Empore*
At the Port of *Sydney*
On *22 June* 19 *14*

I have the honour to be,
Sir,
Your obedient Servant,
Mrs Charlie Dickson
Witness S. M. M. M.

The Collector of Customs,
Sydney

Application for Certificate of Exemption for Mrs Charlie Dickson, 1914
(NAA: SP42/1, C1930/11129 PART 2 OF 2)

Resources

RecordSearch

RecordSearch contains descriptions of records in the National Archives collection, as well as information about the agencies that created the records. It also has digital copies of many records.

The National Archives website has information about using RecordSearch, and there is also a Help function within RecordSearch itself.

<http://www.naa.gov.au/collection/search/>

National Archives records

FINDING CHINESE FAMILY CONNECTIONS IN THE NATIONAL ARCHIVES

By Kate Bagnall

A brief, general overview of the various sorts of records about Chinese Australians in the National Archives collection.

<http://www.naa.gov.au/collection/publications/papers-and-podcasts/family-history/chinese-family-connections.aspx>

GUIDE FOR TRACING A CHINESE ANCESTOR: USING AUSTRALIAN ARCHIVES (NSW) FILES OF THE IMMIGRATION (RESTRICTION) ACT

By Michael Williams

A short and straightforward how-to guide, similar to this one, that outlines how to trace someone in the Sydney Immigration Restriction Act files.

<https://cahsociety.files.wordpress.com/2015/07/archives-guide.pdf>

CHINESE AUSTRALIANS: RECORDS OF SETTLEMENT AND TRAVEL

A digital showcase that highlights National Archives records about Australians of Chinese descent.

<http://www.naa.gov.au/collection/snapshots/chinese-australians/index.aspx>

'WOULD THIS NOT HELP YOUR FEDERATION?'

by Michael Williams

(In *After the Rush: Regulation, Participation and Chinese Communities in Australia 1860–1940*, edited by Sophie Couchman, John Fitzgerald and Paul Macgregor, Otherland, Melbourne, 2004)

A more detailed exploration of the Immigration Restriction Act records held in Sydney, with many examples of the material that is available in the files.

<https://cahsociety.files.wordpress.com/2017/07/help-federation.pdf>

A LEGACY OF WHITE AUSTRALIA: RECORDS ABOUT CHINESE AUSTRALIANS IN THE NATIONAL ARCHIVES

by Kate Bagnall

A paper that discusses records created during the White Australia period, with examples taken from the Poon Gooley deportation case of 1910–1913.

<http://www.naa.gov.au/collection/publications/papers-and-podcasts/immigration/white-australia.aspx>

THE SHUN WAHS: A CHINESE-AUSTRALIAN FAMILY

By Annette Shun Wah

The story of how Annette Shun Wah traced her family's history in the National Archives – a history that goes back to 19th-century Darwin and travels between China and Australia.

<http://www.naa.gov.au/collection/family-history/case-studies/shun-wah/index.aspx>

CHINESE–AUSTRALIAN JOURNEYS: RECORDS ON TRAVEL, MIGRATION AND SETTLEMENT, 1860–1975

by Paul Jones

The most comprehensive guide to Chinese records in the National Archives. It provides lists of relevant records in all states and territories, but does not explain in detail how to access the records or of their connections to each other. The guide is an excellent reference tool.

<http://guides.naa.gov.au/chinese-australian-journeys/>

CHINESE IMMIGRANTS AND CHINESE– AUSTRALIANS IN NSW

by Julie Stacker & Peri Stewart

This was the National Archives' first research guide, and provides an introduction to records located in the National Archives Sydney office in Chester Hill. Like *Chinese–Australian Journeys* it is a listing of relevant record series rather than a how-to guide. Good for reference.

<http://guides.naa.gov.au/chinese/>

Immigration (Restriction) Act and its administration

Much has been written about the White Australia Policy. The following is a selection of texts that focus particularly on the Immigration (Restriction) Act and its administration.

- Madokoro, Laura, 'Handprints in the archives: Exploring the emotional life of the state', *Histoire sociale/Social History*, vol. 48, no. 96, May 2015, pp. 25–43, doi.org/10.1353/his.2015.0002.
- Palfreeman, AC, *The Administration of the White Australia Policy*, Melbourne University Press, London, 1967.
- Yarwood, AT, *Asian Migration to Australia: The Background to Exclusion, 1896–1923*, Melbourne University Press, Melbourne, 1964.
- York, Barry, *Exclusions and Admissions: The Chinese in Australia, 1901–1946*, Centre for Immigration & Multicultural Studies, Research School of Social Sciences, Australian National University, Canberra, 1994.
- Bagnall, Kate, 'Anglo-Chinese and the politics of overseas travel from New South Wales, 1898 to 1925', in Sophie Couchman and Kate Bagnall (eds), *Chinese Australians: Politics, Engagement and Resistance*, Brill, Leiden, 2015, http://katebagnall.com/wp-content/uploads/2016/02/Bagnall_Anglo-Chinese_Chapter-7_Brill.pdf
- Jones, Paul, 'Alien Acts: The White Australia Policy, 1901 to 1939', PhD thesis, University of Melbourne, 1998.