

Tracing your Chinese ancestors in the administrative files of the Commonwealth Immigration Restriction Act

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The files of the *Immigration Restriction Act 1901* built up from 1901 to the 1950s and beyond held in the National Archives of Australia are largely intact today. In Sydney alone there are over 10,000 individual files containing detailed information about Australians who were born in China and who used the Port of Sydney to travel to and from China. These files offer a variety of personal information, including photographs.

In 1996 the National Archives published Julie Stacker and Peri Stewart, *Chinese Immigrants and Chinese-Australians in NSW* which provides descriptions of the various sets of records which offer information about the Chinese presence in NSW.

This guide focuses specifically on files which can provide details about individuals. Visit the National Archives of Australia website for information about how to use the records.

Minimum you will need

To have any chance of finding an individual you will need the name that they used in English. Before World War Two this was usually the personal name without reference to a family name. Examples are Ah Chee, Jimmy Chuck, and Louie Gay. Spelling might also vary. After World War Two it was more common to use a family name with a European name. Thus Yat Kwan before World War Two became Ken Wong in the 1950s, as far as his files were concerned.

It could also be useful to have the name of a ship and/or the dates of departure and arrival.

Background: The administration of the Immigration Restriction Act

Under the 1901 Commonwealth Immigration Restriction Act people could be refused admission to Australia by being asked to take a 'Dictation Test'. Such a test would be given in a language it was known the person would fail. For those such as Chinese resident before 1901 who were entitled to return to Australia it was necessary to offer an exemption to this test as a form of 're-entry visa'.

In order to travel to China, the Immigration Restriction Act required of Chinese residents with a right of domicile that they apply for a Certificate of Exemption from the Dictation Test (CEDT) (from 1902-7 a Certificate of Domicile). The application required various details: six photographs, a thumbprint (originally a full palm print), two written character references and a £1 fee. The police were used to verify photographs, although this became less common when people applied for subsequent CEDTs.

The CEDT was drawn up in duplicate. One copy was kept on file and the other handed to the person or perhaps a shipping agent by the Customs Boarding inspectors at the ship. The CEDT carried to China was necessary to purchase a

ticket back to Australia. On return, the CEDT was handed in to the Boarding Inspector who compared the photographs and thumbprints with those on the copy held in Australia. If a CEDT expired or was lost, a letter could be sent stating that the person would be 'admitted on being satisfactorily identified'. On return with such a letter a blank CEDT would be issued retrospectively.

For those who were not 'domiciles', a 'Certificate of Exemption' was issued instead. These certificates did not have photographs and the category and period of validity were simply written in. On expiration, they were returned and a fresh one issued.

Every person who applied for a CEDT had to provide at least:

- Name (sometimes including Chinese characters)
- Date of birth (usually a year only)
- Date of arrival in Australia (usually a year only)
- Number of trips out of Australia (length of time in China, dates of departure and arrival)
- Family (wife and children, this question was not asked between about 1905 and 1920)
- Occupation (included past occupations and often lists pre-Federation jobs)
- Location (present and past places of residence including those before Federation)
- File number (this can be used to relate the file to other material)
- Photograph (this is often on the file, and always on the actual CEDT copy)

Not all people who applied for CEDTs were Chinese. However, Chinese people make up the overwhelming majority. The following is written from the perspective of someone seeking their Chinese ancestor.

Files for finding your ancestor

The following files are of particular relevance for researching the details of individuals. For more detailed descriptions and advice on how to access the records consult Julie Stacker and Peri Stewart *Chinese Immigrants and Chinese-Australians in NSW* and the National Archives of Australia website.

SP726/1: Register of Applications for Certificates of Exemption from the Dictation Test

In six volumes SP726/1 is a record of every Certificate of Exemption from the Dictation Test (CEDT) issued in NSW from 1902 to 1959. Each volume is indexed alphabetically by the name of the applicant. The corresponding entry gives the date of arrival and departure, ship's name, file number and CEDT number. With a name, a ship or a date of a trip it is possible to locate the person you are looking for and so obtain a file number and a CEDT number. File numbers will lead you to either SP42/1 or SP1122/1 and the CEDT number to series ST84/1. These series are described below.

ST84/1: Certificates of Exemption from the Dictation Test, 1904-1951

This series contains copies of CEDTs (and Certificates of Domicile) issued by through Sydney throughout the life of the *Immigration Restriction Act 1901*. They are arranged in Certificate number order. The certificates provide the following details about the applicant: name, nationality, age, height, build, particular marks, birthplace, complexion, colour of hair and

eyes. Photographs and a hand or thumbprint of the applicant are attached to the certificate.

SP42/1: Correspondence of the Collector of Customs relating to immigration restriction and passports, 1891-1948

SP1122/1: General Correspondence, c.1901-1967.

The files relating to individuals created by the administration of the *Immigration Restriction Act 1901* are contained mainly in these two series. The first is the 'C' or correspondence series, SP42/1. Each new application or file was given a 'C' for correspondence, followed by the year, followed by a consecutive number. For example the National Archives of Australia (NSW) file, SP42/1; C33/6496, Mew Get, is a file created in 1933 for Mew Get and was the 6,496th file or item of correspondence of that year. As people made subsequent applications or had other contact with Customs, their previous files were removed and added to the new file, called 'top numbering'. Thus Mew Get's 1933 file also contains his applications for CEDTs of previous years.

When the Immigration Department was formed in 1947-8, the filing notation was changed and the files on individuals are in the series, SP1122/1. In NSW the 'C' was replaced by 'N' for NSW. For example, National Archives of Australia (NSW), SP1122/1; N53/24/2504, Lee Man Dick (Man Duck), is a file created in 1953, the /24/ being a reference to the category 'Asiatics'. The series SP1122/1 is a continuation of SP42/1 and Lee Man Dick's file contains similar material. His file ended because he returned permanently to China while many similar files end when they do because a person became naturalised. This feature has led many researchers to refer to such files as 'naturalisation' files.

If the CEDT Registers produce a blank...

If a look at the CEDT Registers has only revealed a blank (namely no file or CEDT number) then there are two choices. To ask the archives staff to view the *Card Index SP1602/1* or to try to trace the file number movement using the *File movement Index*.

SP1602/1: Index Cards to Correspondence Files, 951-1974

If the file was active in the 1960s or thereafter, especially if you think the person you are looking for may have been naturalised, then the card index may give you the correct file number. As this index includes information more recent than 30 years ago, only Archives staff can look at it. Do remember that names were often written in various ways so give the staff as many variations as you think possible. For example: Lee Man Dick, Lee Man Duck, Man Dick Lee, etc.

SSP143/1: File Movement Register s, c.1932-1948

These registers trace the placing of older files into newer ones. Thus a file number found in the CEDT register can be traced through one or more movements until its final resting place from where you can access it.

Looking for those who did not use CEDTs

CEDTs were for people who had a right of 'domicile' in Australia. This meant that they were already resident in Australia before the *Immigration Restriction Act* was passed in 1901. Many people of Chinese origin came to Australia after 1901 and for these the File Movement Registers (SSP143/1) are the best starting place. Of course many people were also born in Australia and these people sometimes used their birth certificates as a kind of travel document instead of a CEDT. For such people the Register of Birth Certificates (SP726/2) is worth looking at.

SP726/1: Register of Birth Certificates

This is a register kept of the Birth Certificate details of people of Chinese origin born in Australia who travelled outside Australia. There is an alphabetical index at the front with the entries by date. Most of the entries were made on an individual's return to Australia. The details entered: name, date and place of birth, certificate number, date and port of departure, vessel and date and port of return, file number, and remarks. Occasional remarks were made such as, 'Charlie Hoy Kee Lee/born in Sydney 1 May 1891/left when 10 months old with parents/returned 31 October 1913/Father died in China, mother in China and brother George.' The majority of entries, however, contain only basic details of dates.