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This historic book may have numerous typos and missing text. Purchasers can usually download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1915 edition. Excerpt: ... greater weight as evidence, and therefore should raise even a stronger presumption than a certificate of admission, in favor of his lawful entry. Department regulation 19-J, above mentioned, seems to clearly contemplate that certificates of identity establish that a Chinamans entry was presumptively correct. I am, for these reasons, of the opinion that notwithstanding the ultimate burden of proof rests upon the defendant to establish his lawful right to be and remain in this country, nevertheless when he introduced and identified his certificate of identity No. 1144, he thereby established a prima facie case, and it thereupon became incumbent upon the government to overcome the legal effect of the certificate by clear and convincing evidence. This it has failed to do. The government also urged that, even should it be held that the defendant lawfully entered the United States, he lost his status thereafter by laboring within the meaning of Sec. 2 of the act of November 3, 1893, and should for that reason be deported. Cases have been cited on both lines of this question. The weight of authority, however, and especially the rules laid down in the latter cases, hold, in brief, that where a Chinaman has once lawfully entered the United States as a member of an exempt class under the Exclusion laws, his performance of manual labor, even to the extent of becoming a laborer within the purview of said act, does not disqualify him as a member of such exempt class and cause him to become subject to deportation. I so hold, A number of collateral questions have been raised in the briefs submitted, the determination of which I do not believe is necessary to the proper disposition of this case. The defendant urged that his discharge in 1897, by...

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