

## TEACHING AMERICAN HISTORY PROJECT

### *Lesson Title – Immigration and the Chinese Exclusion Act of 1882* from Cynthia Petrie

Grade – 11

Length of class period – 50 minutes

#### **Inquiry**

1. What were the Chinese immigrants who came to the United States in the 19<sup>th</sup> century like?
2. What did they do here?
3. What were the attitudes of white Americans toward Chinese immigrants during the mid to late 19<sup>th</sup> century?
4. How did the Chinese immigrants feel about life in the United States and the treatment they received?
5. What were the reasons that led Congress to pass the Chinese Exclusion Act in 1882?
6. Was the Chinese Exclusion Act necessary or advisable at the time it was passed?
7. Were there other possible solutions to the perceived problem?

#### **Objectives**

Content:

1. Students will gain knowledge about 19<sup>th</sup> century Chinese immigration and American attempts to exploit as well as exclude them.
2. Students will learn about the cultural and economic impact that Chinese immigrants had on the United States.
3. Students will learn the content of the Chinese Exclusion Act and how it impacted the Chinese in America.

Skills:

1. Students will improve their ability to analyze and interpret personal accounts to determine their historical accuracy.
2. Students will improve their ability to analyze documents and cartoons and place them in a historical context.
3. Students will improve their ability to make inferences by predicting cause/effect relationships.
4. Students will improve their ability to see the historical impact of social/cultural attitudes during a given time period.
5. Students will improve their ability to work cooperatively in groups.
6. Students will improve their ability to support a point of view orally.

## Materials

Excerpts from the writings of the following people on the issue of Chinese immigrations:

1. Mark Twain
2. Mary Cone
3. David Phillips
4. Hinton Helper
5. Constance Gordon-Cummings

Chinese Men's letter to President Ulysses Grant

Political cartoons on Chinese immigration

Transcript of the Chinese Exclusion Act (1882)

**(All materials attached at the end of the lesson)**

## Activities

1. This lesson will come after students will have been introduced to the concept of immigration and they have spent some time studying various waves of immigration. They will have already learned in particular about Irish immigration and conflicts that arose as a result. In introducing Chinese immigration students will be given basic notes on reasons for Chinese immigration and the types of work the Chinese did in the United States. We will also discuss the fact that the United States eventually passed the Chinese Exclusion Act restricting Chinese immigration. The students will be asked to think about why the government would have passed such a groundbreaking and restrictive act. (Notes on the act and a transcript are attached.)
2. The class will then be broken up into seven small groups (2-4 students per group depending on the size of the class). Six of the groups will be given one of the readings (not including the Exclusion Act) and the last group will be given copies of the cartoons. The groups should read and analyze the readings and the cartoons and answer the questions on the attached handout (see below).
3. Once the groups have completed their task the class will discuss the issues related to Chinese immigration. Each group will report on their findings about the Chinese in America and attitudes toward them.
4. Following the group reports, hand out a copy of the Chinese Exclusion Act to each student and read through it as a class. Discuss why the government found it necessary to prevent Chinese immigration. Ask students to recall information from their readings or the cartoons that may have influenced Congress to pass this act. Have students voice their opinion on this act. Was it necessary? Were their

alternatives? Do they see any similarities between concerns about Chinese immigration in the 19<sup>th</sup> century and Americans' concerns about immigration today?

### **Assessment**

1. Students will be given a class participation grade for their group work and class discussion of Chinese immigration.
2. For homework assign the class to write a one page response to the following question.

**Was the Chinese Exclusion Act of 1882 a just and necessary action by Congress for the benefit of the United States? If so, explain why giving specific reasons for your answer. If not, tell why not and explain why allowing Chinese immigration to continue may not have been a negative thing for the United States.**

### **Connecticut Framework Performance Standards**

1. Describe the multiple intersecting causes of events
2. Use primary source documents to analyze multiple perspectives
3. Demonstrate an understanding of the ways race, gender, ethnicity and class issues have affected individuals and societies in the past
4. Initiate questions and hypotheses about historical events they are studying



4. Does the document give a complete picture of the issue of Chinese immigration? Explain your answer. You may want to discuss who the author was or the reasons why the article or cartoons were created to help answer this question.

*In the following excerpt, Samuel Langhorne Clemens, better known as the author Mark Twain, describes Chinese immigrants in California. The excerpt below is taken from his book, [Roughing It](#), originally published in 1872. What was Twain's major point about people opposing Chinese immigration? Do you think Twain agreed or disagreed with the opponents of Chinese immigration?*

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OF course there was a large Chinese population in Virginia--it is the case with every town and city on the Pacific coast. They are a harmless race when white men either let them alone or treat them no worse than dogs; in fact they are almost entirely harmless anyhow, for they seldom think of resenting the vilest insults or the cruelest injuries. They are quiet, peaceable, tractable, free from drunkenness, and they are as industrious as the day is long. A disorderly Chinaman is rare, and a lazy one does not exist. So long as a Chinaman has strength to use his hands he needs no support from anybody; white men often complain of want of work, but a Chinaman offers no such complaint; he always manages to find something to do. He is a great convenience to everybody--even to the worst class of white men, for he bears the most of their sins, suffering fines for their petty thefts, imprisonment for their robberies, and death for their murders. Any white man can swear a Chinaman's life away in the courts, but no Chinaman can testify against a white man. Ours is the "land of the free"--nobody denies that--nobody challenges it. [Maybe it is because we won't let other people testify.] As I write, news comes that in broad daylight in San Francisco, some boys have stoned an inoffensive Chinaman to death, and that although a large crowd witnessed the shameful deed, no one interfered.

There are seventy thousand (and possibly one hundred thousand) Chinamen on the Pacific coast. There were about a thousand in Virginia. They were penned into a "Chinese quarter"--a thing which they do not particularly object to, as they are fond of herding together. Their buildings were of wood; usually only one story high, and set thickly together along streets scarcely wide enough for a wagon to pass through. Their quarter was a little removed from the rest of the town. The chief employment of Chinamen in towns is to wash clothing. They always send a bill, like this below, pinned to the clothes. It is mere ceremony, for it does not enlighten the customer much. Their price for washing was \$2.50 per dozen--rather cheaper than white people could afford to wash for at that time. A very common sign on the Chinese houses was: "See Yup, Washer and Ironer"; "Hong Wo, Washer"; "Sam Sing Ah Hop, Washing." The house servants, cooks, etc., in California and Nevada, were chiefly Chinamen. There were few white servants and no Chinawomen so employed. Chinamen make good

house servants, being quick, obedient, patient, quick to learn and tirelessly industrious. They do not need to be taught a thing twice, as a general thing. They are imitative. If a Chinaman were to see his master break up a centre table, in a passion, and kindle a fire with it, that Chinaman would be likely to resort to the furniture for fuel forever afterward.

All Chinamen can read, write and cipher with easy facility--pity but all our petted voters could. In California they rent little patches of ground and do a deal of gardening. They will raise surprising crops of vegetables on a sand pile. They waste nothing. What is rubbish to a Christian, a Chinaman carefully preserves and makes useful in one way or another. He gathers up all the old oyster and sardine cans that white people throw away, and procures marketable tin and solder from them by melting.

He gathers up old bones and turns them into manure. In California he gets a living out of old mining claims that white men have abandoned as exhausted and worthless--and then the officers come down on him once a month with an exorbitant swindle to which the legislature has given the broad, general name of "foreign" mining tax, but it is usually inflicted on no foreigners but Chinamen. This swindle has in some cases been repeated once or twice on the same victim in the course of the same month--but the public treasury was no additionally enriched by it, probably. . . .

They are a kindly disposed, well-meaning race, and are respected and well treated by the upper classes, all over the Pacific coast. No Californian gentleman or lady ever abuses or oppresses a Chinaman, under any circumstances, an explanation that seems to be much needed in the East. Only the scum of the population do it--they and their children; they, and, naturally and consistently, the policemen and politicians, likewise, for these are the dust-licking pimps and slaves of the scum, there as well as elsewhere in America.

<http://memory.loc.gov/learn///features/timeline/riseind/chinimms/twain.html>

*Mary Cone, a resident of Marietta, Ohio, spent two years in California. In 1876, she published [Two Years in California](#), a book she wrote to describe her experiences. One of the topics she develops is that of Chinese immigrants in California. An excerpt from her book appears below. What was Cone's view on Chinese immigration? What were her major arguments concerning the Chinese?*

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JOHN CHINAMAN is too important an institution in California to be dismissed with a mere passing notice. There is no question connected with the development and present condition of the State to which the writer gave more patient and unprejudiced attention than to this. What has been the result of the immense emigration from "Central Flowery Kingdom" upon the material interests of the Pacific coast? Have these almond-eyed laborers been a help or a hinderance? Truthful answers to these questions were sought for with diligence, and every means of gaining accurate information called into requisition. Personal observation and competent testimony were arranged side by side and compared. Among intelligent men there seemed to be no great difference of opinion as to the beneficial results of their labors as railroad builders, as miners, as gardeners, as agriculturists, and as assistants in manufacturing establishments.

As to their employment in any of these capacities, the verdict was almost always in their favor. That without their help in these directions the natural wealth of California could not have reached its present development in a quarter of a century to come, was generally admitted. . . .

R. W. Raymond, United States commissioner on mining statistics, etc., in an official report says: "The Chinese put but little faith in the promises of employers, and are apt to stop if not promptly paid. They are the most reasonable in the matter of wages, and the most unreasonably exact, in the matter of payment, of all our laborers. Chinese skilled miners are quite equal to those of any other race. In some instances they surpass white men employed in the same mines. The greatest superiority of good Chinese miners over European miners is their fidelity. It is certainly true that they are far more earnest and faithful than any other miners. In every department they enjoy the universal reputation of conscientious fidelity. Apart from every other advantage or disadvantage attendant upon their employment, apart from the discrepancy of wages even, this one attribute of fidelity to the interests of the employer will certainly carry the day for the almond-eyed laborers, if our white workmen do not recognize the danger in which they stand, and avert it by more sensible means than they have yet used."

<http://memory.loc.gov/learn///features/timeline/riseind/chinimms/mcone.html>

*David Phillips went to California hoping that a change of climate would help his tubercular son. The following excerpt is from his book, [Letters from California](#) (1877). How did Phillips describe the "Chinese Question?" How did he account for its being a hot political topic throughout the state? What did Phillips think about this question?*

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Among the Chinamen there are many educated and wealthy merchants--men shrewd, honest and capable. They are here and will remain. Gradually they are bringing their families. Under the laws of the United States, their children, born here, are American citizens, and the males, when reaching their majority, will vote. There are some Chinamen here now over 21, and they vote. Chinamen born in China, under our naturalization laws, it has been assumed, can not become citizens. Take them tomorrow, were such a thing possible, and allow them all to become naturalized, not one of them would vote the Democratic ticket. Those born here do not. That may explain why Democrats are opposed to Chinamen coming here, in part. In the next place, Bridget and Pat and John Chinaman can not get along together on the labor question. . .

Such a thrifty, industrious, alien race, ready to work, are objectionable to other foreign populations, of course, as all the others are permitted to become citizens and vote, and thereby are courted and well treated by all demagogues and knaves. Could the Chinaman vote, the ruffian hoodlums and lawless villians, who are now scarcely restrained from assaulting them in the streets in day time, and who think it brave to assail their quiet homes at night with cobblestones and brickbats, would be dealt with in the most summary manner. The Chinaman's only sin is, he will work. If he can not get a high price, he will take a low one, but work he will. And then, he is neat, clean, sober and patient, always submissive, peaceable and quiet. . . .

#### CHEAP LABOR.

That is what California wants, and that is what is developing the agricultural of the State. Take the 70,000 Chinamen out of California, its industries would be ruined, and the lands, now so productive, would be cultivated without remunerative results. They supply, by their toil, nearly all the vegetables and much of the poultry. They are doing a large share of the farm-work, and build all the railroads and irrigating canals and ditches. They do much of the cooking, and nearly all the washing and ironing. It is said they send the money they save back to China. Why? Because they are not safe, either

in person or property, here. Were they protected as citizens are, they would soon own lands, town lots and houses. As it is now, the low, the vile, the idle, brutal hoodlum, in San Francisco, and all other large towns in this State, may attack the Chinaman's house, smash his windows, and break up his furniture and beat him, and he is--only a Chinaman. The

## LEGISLATURE OF CALIFORNIA

Is like that of many other States--pretty well filled with ignorant demagogues. They defer to the ignorant rabble, whose votes they court. The rabble vote--the Chinamen do not; therefore, protect the rabble, and down with the Chinaman! The Democratic party of this State is set against the Chinamen and their cheap labor. They always come in at all conventions with a resolution denouncing the Chinese as a dangerous class, whose coming ought to be arrested at once, and means be employed to remove those already here. You are told by the Democracy that they are heathens, and their coming will demoralize this State, and all other sections, whenever they get a footing. Now and then you will find Republicans talking in this same strain. I think some move, as usual for a number of years past, has been made in Congress this winter to arrest the immigration to this country of these Celestials. Now, in my mind, a Chinaman has the same right to come to this country, find a peaceful home, breathe the free air of liberty, and be protected in his person, his family and property, as any one else. We have boasted, for a century past, that this is a land of refuge for the oppressed and down-trodden of all nations; that under our flag the family of man might gather, assured of "life, liberty and the pursuit of happiness." For a century we have accepted the grand announcement as true, that God has made of one flesh all the nations that dwell on the face of the whole earth, and that all have the same inalienable rights. Let us stand by these grand old truths, and bid the Chinaman, the Japanese and all others, welcome.

But men here are not honest in their utterances on the Chinese question. From what they say, you would infer that they would not hire a Chinaman for any purpose whatever; but when you go to their houses, and on their farms, you find John doing all the work, and these very cheap demagogues living on the profits of his honest toil. If these men could, they would enslave these Chinamen to-morrow. I heard a rather prominent Democrat at Los Angeles declaiming against the Chinamen, and declaring that he was utterly opposed to letting them come here, except under contract, and at rates for their labor which would be merely nominal. I said to him, that it would be rather difficult to enforce such contracts, as the Chinamen would soon find out they could do better, and no damages could be recovered from them for non-fulfillment of the contract. He at once said: "Have a law passed to punish them by flogging, and compel them to live up to their bargains." I suggested that the civilization of the nineteenth century would hardly permit of such harsh and inhuman legislation; and he replied that, then, he was opposed to letting them come here on any other terms. There would not be a word said about cheap labor if these pig-eyed, pig-tailed, saffron-tinted people could be made to work for nothing. . . .

*Hinton Rowan Helper was from North Carolina. In the 1850s, he became controversial in the South because of his opposition to slavery, especially in his book **The Impending Crisis**. In another book, [The Land of Gold](#), from [California As I Saw It, 1849-1900](#), Helper set forth his views on Chinese immigration. An excerpt from that book appears below. What were Helper's major arguments about Chinese immigration? How persuasive were those arguments?*

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According to the most reliable estimates, there are at the present time about forty thousand Chinese in California; and every vessel that arrives from the Celestial Empire brings additional immigrants. From a fourth to a fifth of these reside in San Francisco; the balance are scattered about over various parts of the State--mostly in the mines. A few females--say one to every twelve or fifteen males--are among the number; among these good morals are unknown, they have no regard whatever for chastity or virtue. You would be puzzled to distinguish the women from the men, so inconsiderable are the differences in dress and figure. The only apparent difference is, that they are of smaller stature and have smoother features. They are not generally neat in their outward habit. . .

Is this Chinese immigration desirable? I think not; and, contrary to the expressed opinions of many of the public prints throughout the country, contend that it ought not to be encouraged. It is not desirable, because it is not useful; or, if useful at all, it is so only to themselves--not to us. No reciprocal or mutual benefits are conferred. In what capacity do they contribute to the advancement of American interests? Are they engaged in any thing that adds to the general wealth and importance of the country? Will they discard their clannish prepossessions, assimilate with us, buy of us, and respect us? Are they not so full of duplicity, prevarication and pagan prejudices, and so enervated and lazy, that it is impossible for them to make true or estimable citizens? I wish their advocates would answer me these questions; if they will do it satisfactorily, I will interrogate them no further. Under the existing laws of our government, they, as well as all other foreigners, are permitted to work the mines in California as long as they please, and as much as they please, without paying any thing for the privilege, except a small tax to the State. Even this has but recently been imposed, and half the time is either evaded or neglected. The general government, though it has sacrificed so much blood and treasure in acquiring California, is now so liberal that it refuses to enact a law imposing a tax upon foreign miners; and as a matter of course, it receives no revenue whatever from this source. But

the Chinese are more objectionable than other foreigners, because they refuse to have dealing or intercourse with us; consequently, there is no chance of making any thing of them, either in the way of trade or labor. They are ready to take all they can get from us, but are not willing to give any thing in return. They did not aid in the acquisition or settlement of California, and they do not intend to make it their future home. They will not become permanent citizens, nor identify their lives and interests with the country. They neither build nor buy, nor invest capital in any way that conduces to the advantage of any one but themselves. They have thousands of good-for-nothing gewgaws and worthless articles of virtue for sale, and our people are foolish enough to buy them; but their knowledge of the laws of reciprocity is so limited, that they never feel in any need of American commodities.

Though they hold themselves aloof from us, contemn and disdain us, they have guaranteed to them the same privileges that we enjoy; and are allowed to exhaust the mines that should be reserved for us and our posterity--that is, if they are worth reserving at all. Their places could and should be filled with worthier immigrants--Europeans, who would take the oath of allegiance to the country, work both for themselves and for the commonwealth, fraternize with us, and, finally, become a part of us. All things considered, I cannot perceive what more right or business these semi-barbarians have in California than flocks of blackbirds have in a wheatfield; for, as the birds carry off the wheat without leaving any thing of value behind, so do the Confucians gather the gold, and take it away with them to China, without compensation to us who opened the way to it.

<http://memory.loc.gov/learn///features/timeline/riseind/chinimms/helper.html>

*Constance Gordon-Cumming was an Englishwoman whose far-flung travels included California. [Granite Craggs](#) (1884), from [California As I Saw It, 1849-1900](#), is a volume of her travel letters. In the following excerpt from that book, who did Gordon-Cumming blame for the federal legislation that excluded Chinese immigrants from the United States? What may account for her views? Why did she find this legislation so unjust?*

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A very large section of the city [Oakland, California] is occupied by Chinamen--for the Celestials muster strong in San Francisco; in fact they number about 30,000, and about 70,000 more are hard at work in all parts of California. Their special quarter in this city is known as Chinatown. It is built on hilly ground, and its long steep streets are intersected by narrow alleys and wretched courtyards, where an incredible number of human beings are huddled together in the smallest possible compass. The houses are as crowded and as hopelessly dirty as in many parts of the old town of Edinburgh and other British cities, where the very poor congregate. All precautions being utterly ignored, the district is foul beyond description.

But the miracle is to see what really well-washed, neatly dressed, smiling and shining men come forth from their filthy and miserable homes, to do faithful and honest work at fair wages--not necessarily lower wages than those demanded by white men, but in return for which, work is, as a general rule, more conscientiously done.

The cruel and unreasonable howl against Chinese immigration is raised by jealous men who would fain keep a monopoly of all work, and do it on their own terms and in their own fashion--earning enough in a day to keep them idle for a week. They cannot forgive the frugal, patient, hard-working Celestial, who is content to work cheerfully from dawn till midnight, for wages equal to three shillings a-day (some can earn six shillings a-day), and contrive to save a considerable sum in the course of a few years. The low Irish and the dreadful San Franciscan hoodlums (young roughs) have no sympathy with the self-denial of men who willingly live on rice and vegetables, that they may save up such a sum as will enable them to return to their own homes, there to invest their little capital, first providing for their parents.

The constant cry against the Chinamen is, that they earn money in America, and take it all out of the country--even importing from China their clothes, their rice, and their opium--and so in no way benefit trade. Their detractors do not take into account the good sterling work by which the country is enriched, both at the time, and in some cases permanently. For Chinese labour has been largely employed in all departments of State work--in railway and road making, and wherever else steady and hard and conscientious work is required. Many masters of large factories bear witness to the satisfactory nature of the work done for them by Chinese hands, in contrast with the manner in which it is scamped by white men, when they are tempted to yield to the general howl, and employ only white labour. . . .

So, however little John Chinaman may be appreciated as the representative of the coming race, his departure from California would be bewailed by many, as a serious loss to the Granite State.

*Concluding Note.*

The month of May 1881 was marked by the most extraordinary anomaly which could possibly have arisen, among a people whose national existence is based on the Declaration of Independence, and the assumption of liberty and equality of all men, without distinction of race or colour.

This extraordinary event was nothing less than that the American Legislature should have yielded to the clamours of the low Irish in California, and to their ceaseless anti-Chinese howl, to the extent of actually passing a law prohibiting all Chinese immigration for the next ten years, beginning from ninety days after the passing of the Act, heavy penalties being inflicted on any Shipmaster who shall land any Chinaman of the labouring class at any port in the Land of Freedom. An exception is made in favour of merchants, diplomatists, travellers, and students, provided they are duly provided with passports!

A law has also been passed to prevent any Chinaman from becoming an American citizen--the fear being that so many might wish to avail themselves of that privilege, that the whole white population of the Pacific coast would ultimately find itself a small minority, and that the Chinese "Six Companies" (mysterious but mighty potentates, who

rule all the affairs of their countrymen in California) would actually rule in the Legislature of the State.

That enactments so utterly un-American could have been suffered to pass, appears so extraordinary, that it has been generally assumed to have been brought forward by the Republican party, solely as a means of making political capital by securing the Democratic vote. If such was indeed the secret spring of action, it is so far satisfactory to know that it failed in securing its object, the Democrats having frustrated that move by voting in favour of the bill. Public opinion appears to have been about equally divided on the question, the Eastern States taking part with the Chinamen, the Western States clamouring for his exclusion.

The clamour, however, has carried the day, and for the next ten years no Chinese workman may enter the Golden Gates of the American Paradise.

<http://memory.loc.gov/learn///features/timeline/riseind/chinimms/cummings.html>

*In the following excerpt from [California As I Saw It, 1849-1900](#), several Chinese men write to then-President U.S. Grant about the treatment of Chinese immigrants in the United States. This document was reprinted in a book, [California and the West \(1881\)](#), by L. Vernon Briggs. What were the major points made to President Grant? How persuasive were the arguments the writers made?*

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A MEMORIAL FROM REPRESENTATIVE CHINAMEN IN AMERICA To His Excellency U. S. GRANT, President of the United States of America.

Sir: -- In the absence of any consular representative, we, the undersigned, in the name and in behalf of the Chinese people now in America, would most respectfully present for your consideration the following statements regarding the subject of Chinese immigration to this country:

First -- We understand that it has always been the settled policy of your honorable government to welcome immigration to your shores, from all countries, without let or hinderance. The Chinese are not the only people who have crossed the ocean to seek a residence in this land.

Second -- The treaty of amity and peace between the United States and China makes special mention of the rights and privileges of Americans in China, and also of the rights and privileges of Chinese in America.

Third -- American steamers, subsidized by your honorable government, have visited the ports of China, and invited our people to come to this country to find employment and improve their condition.

Fourth -- Our people in this country, for the most part, have been peaceable, law-abiding and industrious. They performed the largest part of the unskilled labor in the construction of the Central Pacific Railroad, and also of other railroads on this coast. They have found useful employment in all the manufacturing establishments of this coast, in agricultural pursuits, and in family service. While benefiting themselves with the honest reward of their daily toil, they have given satisfaction to their employers, and have left all the results of their industry to enrich the State. They have not displaced white laborers from these positions, but have simply multiplied industries.

Fifth -- The Chinese have neither attempted nor desired to interfere with the established order of things in this country, either of politics or religion. They have opened no whiskey saloons for the purpose of dealing out poison, and degrading their fellow men. They have promptly paid their duties, their taxes, their rents and their debts.

Sixth -- It has often occurred, about the time of the State and general elections, that political agitators have stirred up the mind of the people in hostility to the Chinese; but formerly the hostility has subsided after the elections were over.

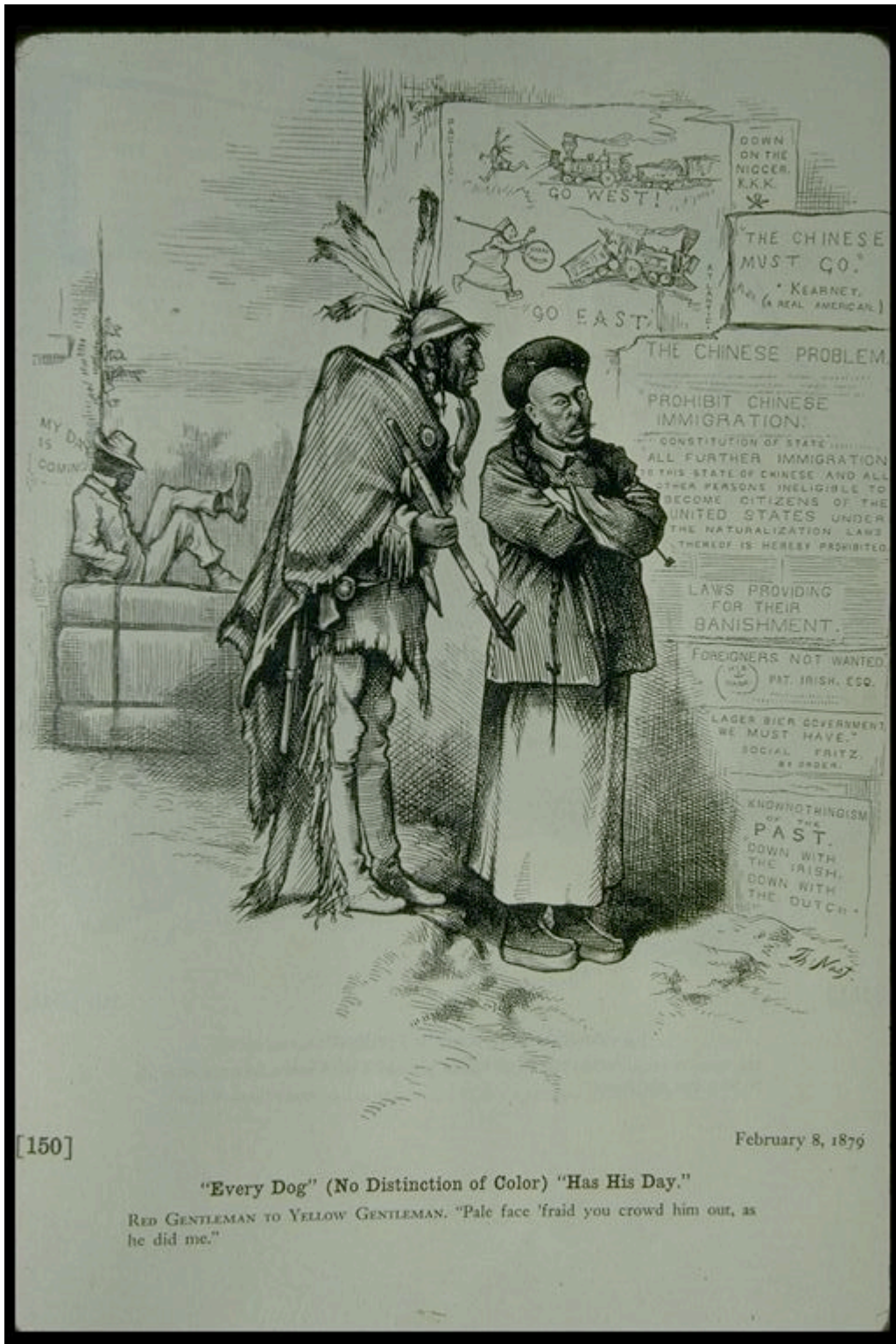
Seventh -- At the present time an intense excitement and bitter hostility against the Chinese in this land, and against further Chinese immigration, has been created in the minds of the people, led on by his Honor the Mayor of San Francisco and his associates in office, and approved by his Excellency the Governor of the State and other great men of the State. These great men gathered some twenty thousand of the people of this city together on the evening of April 5, and adopted an address and resolutions against Chinese immigration. They have since appointed three men (one of whom we understand to be the author of the address and resolutions) to carry that address and those resolutions to your Excellency, and to present further objections, if possible, against the immigration of the Chinese to this country.

Eighth -- In this address, numerous charges are made against our people, some of which are highly colored and sensational, and others, having no foundation in fact, are

only calculated to mislead honest minds, and create an unjust prejudice against us. We wish most respectfully to call your attention, and through you the attention of Congress, to some of the statements of that remarkable paper, and ask a careful comparison of the statements there made with the facts in the case. . . .

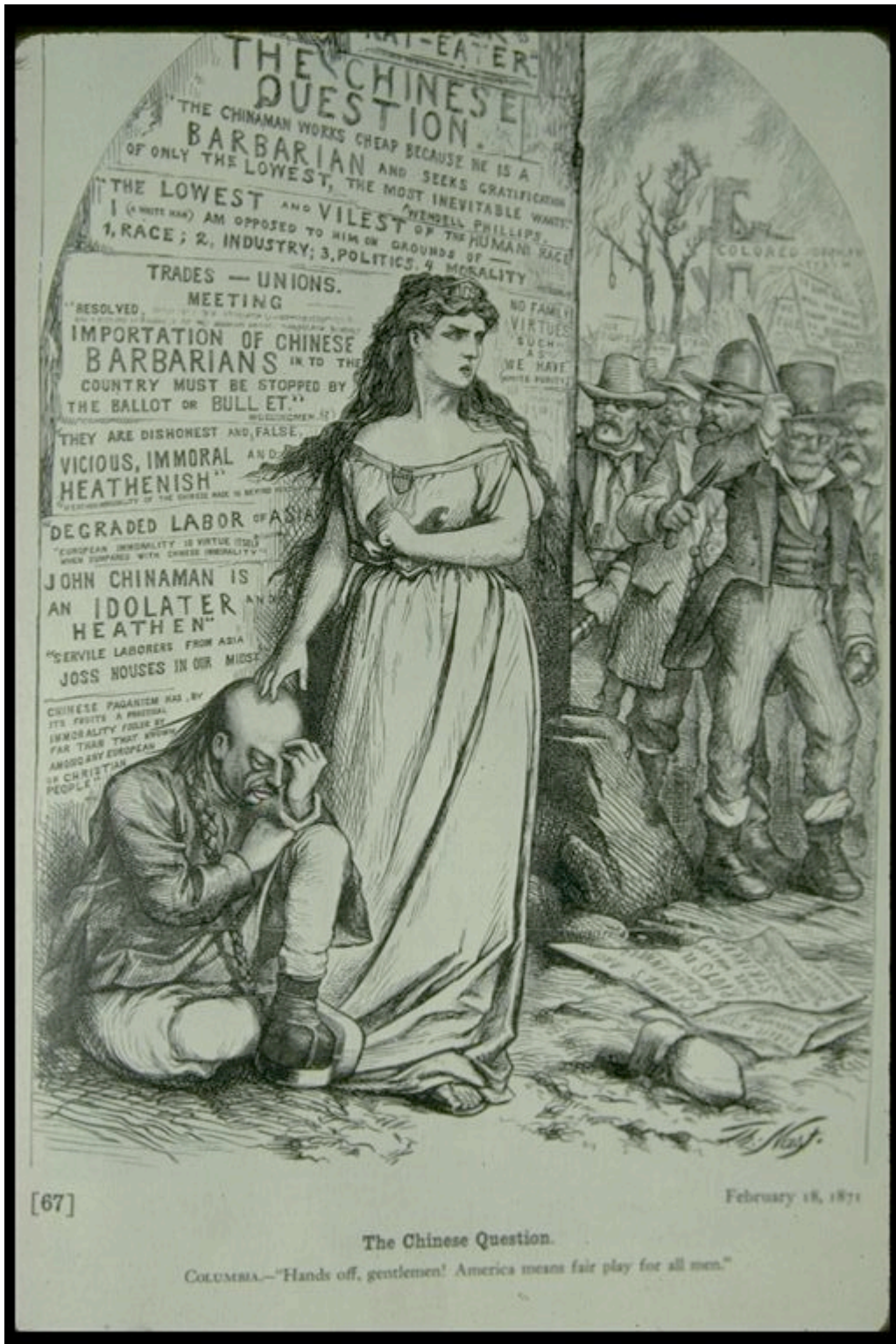
With sentiments of profound respect, LEE MING How, President, Sam Yeep Company . LEE CHEE KWAN, President, Yung Wo Company . LAW YEE CHUNG, President, Kong Chow Company . CHAN LEUNG Kox, President, Wing Lung Company . LEE CHEONG CHIP, President, Hop Wu Company . CHANG KONG CHEW, President, Yan Wo Company . LEE TONG HAY, President, Chinese Y. M. C. A.

<http://memory.loc.gov/learn///features/timeline/riseind/chinimms/briggs.html>



"Every Dog" (No Distinction of Color) "Has His Day."

RED GENTLEMAN TO YELLOW GENTLEMAN. "Pale face 'fraid you crowd him out, as he did me."



The Chinese Question.

COLUMBIA.—"Hands off, gentlemen! America means fair play for all men."

## Chinese Exclusion Act (1882)

In the spring of 1882, the Chinese Exclusion Act was passed by Congress and signed by President Chester A. Arthur. This act provided an absolute 10-year moratorium on Chinese labor immigration. For the first time, Federal law proscribed entry of an ethnic working group on the premise that it endangered the good order of certain localities.

The Chinese Exclusion Act required the few nonlaborers who sought entry to obtain certification from the Chinese government that they were qualified to immigrate. But this group found it increasingly difficult to prove that they were not laborers because the 1882 act defined excludables as “skilled and unskilled laborers and Chinese employed in mining.” Thus very few Chinese could enter the country under the 1882 law.

The 1882 exclusion act also placed new requirements on Chinese who had already entered the country. If they left the United States, they had to obtain certifications to re-enter. Congress, moreover, refused State and Federal courts the right to grant citizenship to Chinese resident aliens, although these courts could still deport them.

When the exclusion act expired in 1892, Congress extended it for 10 years in the form of the Geary Act. This extension, made permanent in 1902, added restrictions by requiring each Chinese resident to register and obtain a certificate of residence. Without a certificate, she or he faced deportation.

The Geary Act regulated Chinese immigration until the 1920s. With increased postwar immigration, Congress adopted new means for regulation: quotas and requirements pertaining to national origin. By this time, anti-Chinese agitation had quieted. In 1943 Congress repealed all the exclusion acts, leaving a yearly limit of 105 Chinese and gave foreign-born Chinese the right to seek naturalization. The so-called national origin system, with various modifications, lasted until Congress passed the Immigration Act of 1965. Effective July 1, 1968, a limit of 170,000 immigrants from outside the Western Hemisphere could enter the United States, with a maximum of 20,000 from any one country. Skill and the need for political asylum determined admission. The Immigration Act of 1990 provided the most comprehensive change in legal immigration since 1965. The act established a “flexible” worldwide cap on family-based, employment-based, and diversity immigrant visas. The act further provides that visas for any single foreign state in these categories may not exceed 7 percent of the total available.

## **Transcript of Chinese Exclusion Act (1882)**

An Act to execute certain treaty stipulations relating to Chinese.

Whereas in the opinion of the Government of the United States the coming of Chinese laborers to this country endangers the good order of certain localities within the territory thereof: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the expiration of ninety days next after the passage of this act, and until the expiration of ten years next after the passage of this act, the coming of Chinese laborers to the United States be, and the same is hereby, suspended; and during such suspension it shall not be lawful for any Chinese laborer to come, or having so come after the expiration of said ninety days to remain within the United States.

SEC. 2. That the master of any vessel who shall knowingly bring within the United States on such vessel, and land or permit to be landed, any Chinese laborer, from any foreign port or place, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than five hundred dollars for each and every such Chinese laborer so brought, and maybe also imprisoned for a term not exceeding one year.

SEC. 3. That the two foregoing sections shall not apply to Chinese laborers who were in the United States on the seventeenth day of November, eighteen hundred and eighty, or who shall have come into the same before the expiration of ninety days next after the passage of this act, and who shall produce to such master before going on board such vessel, and shall produce to the collector of the port in the United States at which such vessel shall arrive, the evidence hereinafter in this act required of his being one of the laborers in this section mentioned; nor shall the two foregoing sections apply to the case of any master whose vessel, being bound to a port not within the United States, shall come within the jurisdiction of the United States by reason of being in distress or in stress of weather, or touching at any port of the United States on its voyage to any foreign port or place: Provided, That all Chinese laborers brought on such vessel shall depart with the vessel on leaving port.

SEC. 4. That for the purpose of properly identifying Chinese laborers who were in the United States on the seventeenth day of November eighteen hundred and eighty, or who shall have come into the same before the expiration of ninety days next after the passage of this act, and in order to furnish them with the proper evidence of their right to go from and come to the United States of their free will and accord, as provided by the treaty between the United States and China dated November seventeenth, eighteen hundred and eighty, the collector of customs of the district from which any such Chinese laborer shall depart from the United States shall, in person or by deputy, go on board each vessel having on board any such Chinese laborers and cleared or about to sail from his district for a foreign port, and on such vessel make a list of all such

Chinese laborers, which shall be entered in registry-books to be kept for that purpose, in which shall be stated the name, age, occupation, last place of residence, physical marks of peculiarities, and all facts necessary for the identification of each of such Chinese laborers, which books shall be safely kept in the custom-house.; and every such Chinese laborer so departing from the United States shall be entitled to, and shall receive, free of any charge or cost upon application therefore, from the collector or his deputy, at the time such list is taken, a certificate, signed by the collector or his deputy and attested by his seal of office, in such form as the Secretary of the Treasury shall prescribe, which certificate shall contain a statement of the name, age, occupation, last place of residence, persona description, and facts of identification of the Chinese laborer to whom the certificate is issued, corresponding with the said list and registry in all particulars. In case any Chinese laborer after having received such certificate shall leave such vessel before her departure he shall deliver his certificate to the master of the vessel, and if such Chinese laborer shall fail to return to such vessel before her departure from port the certificate shall be delivered by the master to the collector of customs for cancellation. The certificate herein provided for shall entitle the Chinese laborer to whom the same is issued to return to and re-enter the United States upon producing and delivering the same to the collector of customs of the district at which such Chinese laborer shall seek to re-enter; and upon delivery of such certificate by such Chinese laborer to the collector of customs at the time of re-entry in the United States said collector shall cause the same to be filed in the custom-house anti duly canceled.

SEC. 5. That any Chinese laborer mentioned in section four of this act being in the United States, and desiring to depart from the United States by land, shall have the right to demand and receive, free of charge or cost, a certificate of identification similar to that provided for in section four of this act to be issued to such Chinese laborers as may desire to leave the United States by water; and it is hereby made the duty of the collector of customs of the district next adjoining the foreign country to which said Chinese laborer desires to go to issue such certificate, free of charge or cost, upon application by such Chinese laborer, and to enter the same upon registry-books to be kept by him for the purpose, as provided for in section four of this act.

SEC. 6. That in order to the faithful execution of articles one and two of the treaty in this act before mentioned, every Chinese person other than a laborer who may be entitled by said treaty and this act to come within the United States, and who shall be about to come to the United States, shall be identified as so entitled by the Chinese Government in each case, such identity to be evidenced by a certificate issued under the authority of said government, which certificate shall be in the English language or (if not in the English language) accompanied by a translation into English, stating such right to come, and which certificate shall state the name, title or official rank, if any, the age, height, and all physical peculiarities, former and present occupation or profession, and place of residence in China of the person to whom the certificate is issued and that such person is entitled, conformably to the treaty in this act mentioned to come within the United States. Such certificate shall be prima-facie evidence of the fact set forth therein, and shall be produced to the collector of customs, or his deputy, of the port in

the district in the United States at which the person named therein shall arrive.

SEC.7. That any person who shall knowingly and falsely alter or substitute any name for the name written in such certificate or forge any such certificate, or knowingly utter any forged or fraudulent certificate, or falsely personate any person named in any such certificate, shall be deemed guilty of a misdemeanor; and upon conviction thereof shall be fined in a sum not exceeding one thousand dollars, and imprisoned in a penitentiary for a term of not more than five years.

SEC.8. That the master of any vessel arriving in the United States from any foreign port or place shall, at the same time he delivers a manifest of the cargo, and if there be no cargo, then at the time of making a report of the entry of the vessel pursuant to law, in addition to the other matter required to be reported, and before landing, or permitting to land, any Chinese passengers, deliver and report to the collector of customs of the district in which such vessels shall have arrived a separate list of all Chinese passengers taken on board his vessel at any foreign port or place, and all such passengers on board the vessel at that time. Such list shall show the names of such passengers (and if accredited officers of the Chinese Government traveling on the business of that government, or their servants, with a note of such facts), and the names and other particulars, as shown by their respective certificates; and such list shall be sworn to by the master in the manner required by law in relation to the manifest of the cargo. Any willful refusal or neglect of any such master to comply with the provisions of this section shall incur the same penalties and forfeiture as are provided for a refusal or neglect to report and deliver a manifest of the cargo.

SEC. 9. That before any Chinese passengers are landed from any such line vessel, the collector, or his deputy, shall proceed to examine such passenger, comparing the certificate with the list and with the passengers; and no passenger shall be allowed to land in the United States from such vessel in violation of law.

SEC.10. That every vessel whose master shall knowingly violate any of the provisions of this act shall be deemed forfeited to the United States, and shall be liable to seizure and condemnation in any district of the United States into which such vessel may enter or in which she may be found.

SEC. 11. That any person who shall knowingly bring into or cause to be brought into the United States by land, or who shall knowingly aid or abet the same, or aid or abet the landing in the United States from any vessel of any Chinese person not lawfully entitled to enter the United States, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined in a sum not exceeding one thousand dollars, and imprisoned for a term not exceeding one year.

SEC. 12. That no Chinese person shall be permitted to enter the United States by land without producing to the proper officer of customs the certificate in this act required of Chinese persons seeking to land from a vessel. And any Chinese person found unlawfully within the United States shall be caused to be removed therefrom to the

country from whence he came, by direction of the President of the United States, and at the cost of the United States, after being brought before some justice, judge, or commissioner of a court of the United States and found to be one not lawfully entitled to be or remain in the United States.

SEC.13. That this act shall not apply to diplomatic and other officers of the Chinese Government traveling upon the business of that government, whose credentials shall be taken as equivalent to the certificate in this act mentioned, and shall exempt them and their body and household servants from the provisions of this act as to other Chinese persons.

SEC. 14. That hereafter no State court or court of the United States shall admit Chinese to citizenship; and all laws in conflict with this act are hereby repealed.

SEC.15. That the words "Chinese laborers", wherever used in this act shall be construed to mean both skilled and unskilled laborers and Chinese employed in mining.

Approved, May 6, 1882.