

# The Immigration Train:

An Observation of Immigration Stages

Using Chinese Americans in California, c. 1850-1893

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## **Abstract**

The purpose of this research was to develop a five-stage cycle of immigration using the history of Chinese immigrant labor to demonstrate each phase. Immigration is a much debated topic at this time in American history, and this cycle is designed to show America's role in its initiation, promotion, and progression. Enumerated within are the five stages of the "Immigrant Train": (1) invitation, (2) response, (3) replacement, (4) resentment, and (5) restrictions. Chinese immigration was proven to fit within this cycle, and now further analysis of other immigrant groups may be supplemented and synthesized to this research to prove a working five-stage cycle of immigration, with a focus on America's active role its process.

Immigration is a much debated topic at this time in American history. America, from its beginnings, has been a haven for immigrants and one could even argue that America was built upon the support and strength of immigrants. Discussion relating to the positive and negative effects of immigration often confuses the immigration issues. This paper proposes an American cycle of immigration which shows the progression of immigration as desirable in its first stage to undesirable in its last.

The cycle proposed is as follows: (1) invitation — the immigrant comes to America seeking a better life; (2) response — a massive entry of laborers; (3) replacement — the shifting of immigrant workers into the labor market at the "expense" of white citizens; (4) resentment — sparked by the success of the immigrants, and their replacement of white workers due to their willingness to work for low wages; (5) legal restrictions — the government places limits on the number of immigrants able to enter the country and encumbers their activities. California is one state in the spotlight questioning legal and illegal immigration and has been involved in this controversy since the late 1800's. The Chinese immigrants of that time period will be highlighted in this paper to illustrate the cyclical stages proposed in this "Immigration Train."

This research is limited to specific instances which better relate to this topic, concerning the entrance of Chinese immigrants in California, their replacement of American laborers in employment, the general resentment held for these Chinese laborers, and the government restrictions which were subsequently placed on them. Therefore, other reasons for immigration such as political asylum, famine, and restlessness, while not disregarded as legitimate, will not be addressed.

## I. Stage One: The Invitation

The first stage of this "train" was an invitation in the form of promising a new and better life to the immigrants. Gold had been discovered in California in 1948. Chinese immigrants, along with immigrants of other nationalities, began pouring into California. In January 1850, there was a population of 789 Chinese in San Francisco alone (a large jump from the three that had resided there in 1848)<sup>1</sup>, but by the 1852 census, there were 3,886 Chinese registered in Nevada County; 3,019 in Placer County, 2,100 in Yuba County and 804 in Sacramento County — making a total of 9,809 registered Chinese in California.<sup>2</sup> Unfortunately, this calculation does not include the San Francisco (the most Chinese-concentrated city in California), Contra Costa, or Santa Clara census data because the 1852 census records from those regions were either lost or destroyed.<sup>3</sup> However, the total number of Chinese in California was not yet overwhelming the total California population which numbered approximately 260, 949 persons.<sup>4</sup>

Gold was not the only motivation for Chinese immigration. The Manchu dynasty was on the decline, and a corrupt and oppressive government, coupled with heavy taxation and an increasing population put pressure on the Chinese citizens. The population increase was not compensated with an increase of arable land, and the majority of the land was inaccessible to the common man because it was concentrated to the ownership of the elite. During the 1850s, several natural disasters had created food shortages in many areas of China and social unrest provoked many to immigrate to America in search of opportunity.<sup>5</sup>

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<sup>1</sup> Shih-Shan Henry Tsai, *The Chinese Experience in America*, (Indianapolis: Indiana University Press, 1986) 2.

<sup>2</sup> California Secretary of State, "1852 State Census Data," <http://www.learncalifornia.org/doc.asp?id441>, ([LearnCalifornia.org](http://www.learncalifornia.org), 2007).

<sup>3</sup> California State Library Foundation, "Using the 1952 California State Census," <http://www.library.ca.gov/calhist/pdf/StateCensusResearch.pdf>, (State of California, 2007).

<sup>4</sup> "1852 State Census Data."

<sup>5</sup> Tsai, 2,3.

On July 4, 1864, Congress passed an "Act to Encourage Immigration" which, besides establishing a "Commissioner of Immigration" under the Department of State, gave authorization to "contract labor." This system allowed for American citizens entering into the contract with foreign laborers to pay for the traveling expenses of immigration with the provision that the immigrants "pledge the wages of their labor for a term not exceeding twelve months" to repay said expenses.<sup>6</sup> By its very name, this act encouraged immigration, specifically immigration for labor purposes, and provided incentive to many, including Chinese laborers coming to California. America seemed to be putting out the proverbial "welcome mat" to immigrant laborers

## **II. Stage Two: The Response**

The second stage of the "immigrant train" was response: a massive entry of Chinese laborers in answer to the West's open invitation. The Chinese response and the West's lust for commercial and missional networks into China (which had formerly been a closed country), inspired a series of treaties between the American and Chinese governments. One of the many treaties fostered between the United States and China during the 1800s which sought to further American trade in the lucrative Chinese markets was the Treaty of Tien-Tsin. The Treaty of Tien-Tsin increased the number of ports on the Chinese coast open to Western trade, granted Americans full access to the interior by opening the Yangtze River, provided protection from persecution for Christian missionaries and Chinese converts, and set a low tariff for imported goods which gave foreign trade in China the advantage.<sup>7</sup>

This invitation of "free immigration" was formally made in the Burlingame-Seward Treaty of 1868.<sup>8</sup> Actually a supplement of the Treaty of Tien-Tsin of 1858, the

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<sup>6</sup> Act to Encourage Immigration, (July 4, 1864).

<sup>7</sup> Treaty of Tien-Tsin., (June 18, 1858).

<sup>8</sup> The Burlingame-Seward Treaty, (July 28, 1868).

Burlingame-Seward Treaty followed in the vein of "peace and friendship between the United States of America and the [Chinese] Empire, and between their people, respectively."<sup>9</sup> Anson Burlingame, a lawyer and former Congressman from Massachusetts, became the U.S. Minister to China in 1861. During this time there was an effort in the West to convince China to adopt the Western philosophies of government and foreign diplomacy, which resulted in recommendations made to the Chinese government to send diplomatic missions abroad. Ultimately effective, the Chinese representatives embarked on a tour of the major capitals of the Western world, included Washington D.C., London, Paris, and Berlin, and they requested Burlingame to serve as an aid on their expeditions. Burlingame resigned his position in the United States Government to aid the Chinese in forming a new, more favorable treaty.<sup>10</sup>

While in Washington D.C., Burlingame negotiated with Secretary of State William Seward to revise and expand upon the Treaty of Tien-Tsin. The result was a document no longer in the sole favor of the United States. Article III established the right of the Chinese government to appoint consuls to American port cities. Article V "cordially recognize[d] the inherent and inalienable right of man to change his home and allegiance" in regards to "the mutual advantage of the free migration and immigration of [American and Chinese] citizens and subjects respectively from the one country to the other, for purposes of curiosity, of trade, or as permanent residents."<sup>11</sup> Article VII gave the citizens of each nation access to education while living within the other country. Article VIII provided certain protection from the external influence of the United States on internal matters concerning "domestic administration... or

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<sup>9</sup> U.S. Department of State, "The Burlingame-Seward Treaty, 1868." <http://www.state.gov/r/oa/ho/time/gn/82013.htm>, (USA.gov, 2007).

<sup>10</sup> "The Burlingame-Seward Treaty, 1868."

<sup>11</sup> The Burlingame-Seward Treaty.

other material internal improvements," acknowledging that the decision to begin construction projects and other internal "improvements" was that of the local government to make, not of U.S. or other foreign powers.<sup>12</sup> The Burlingame-Seward Treaty provided China with more rights in its negotiations with the United States, and also opened up the door for free immigration between the two countries — a provision utilized by Chinese immigrants to the full advantage. The California census records showed that in 1880, there were approximately 75,132 Chinese immigrants registered as living within the state.

### III. Stage Three: Replacement

The third stage was replacement, which refers to the shifting of Chinese workers into the labor market at the "expense" of white citizens. During the gold rush, a typical independent miner would seek new discoveries at the expense of working the claim he had already begun to excavate. Miners hoped to become prospectors with rich claims and big finds. With this mentality, they would abandon their claims after becoming restless or upon hearing of a new "find," and the Chinese miners would take up their abandoned claims and turn a profit — to the chagrin and hostility of their white neighbors."<sup>13</sup> In the early 1860s, mining began to decline and California found itself with an abundant supply of low wage labor. In February of 1865, Charles Crocker of the Central Pacific Railroad hired fifty Chinese laborers. Crocker was astonished by the good results of his Chinese employees, and consequently, hired between two to three thousand Chinese laborers within six months.

The discovery of this seemingly inexhaustible resource was fortunate for the Central Pacific Railroad. The company was beset with labor problems — workers abandoning

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<sup>12</sup> The Burlingame-Seward Treaty.

<sup>13</sup> Ping Chiu, *Chinese Labor in California: An Economic Study*, (Madison, Wisconsin: University of Wisconsin Department of History, 1963) 7-9

construction after news of a gold strike, deserting after their first pay day, and going on strike. The railroad experienced no such problems with the Chinese. Crocker's partner, Leland Stanford, noted that the Chinese workers were "quiet, peaceful, patient, industrious, ready and apt to learn, and soon were as efficient as white workers." Many times when white workers would attempt a strike, their jobs were simply and quickly filled with Chinese.<sup>14</sup> While the wage for railroad construction was low, it was higher than the existing wage for Chinese workers in California at that time. The majority of the Chinese employed by the railroad were unemployed or underemployed ex-miners who already had experience with the English language, and they were prized for their availability, cheapness, and "teamwork" skills. The Chinese were willing to work with rock-blasting and dirt-shoveling, tasks other common laborers avoided. They were easy to manage and did not contribute to the disciplinary problems Central Pacific had experienced among its white workers.<sup>15</sup>

For the most part, Chinese laborers were tolerated by their fellow workers, until the completion of the transcontinental railroad in 1869 released them into the labor market with new skills for similar jobs in mining and state railroad companies. Various railroads in California employed between three to five thousand Chinese laborers in the 1870s, and the number of Chinese miners increased by 2,000 workers in two years to approximately 17,000 in 1870.<sup>16</sup>

Mining had been the reigning industry in California for many years, being the largest source of investment and avenue of employment. All other industry existed as services offered to the miners and the trade. Upon the reduction of gold yield and the consequent decline of the

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<sup>14</sup> Chiu, 44-45.

<sup>15</sup> Chiu, 46.

<sup>16</sup> Chiu, 48, 49.

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mining industry, the new focus of California trade was directed toward agriculture.<sup>17</sup> The mid-1870s was fraught with decreasing prices and increasing industrial costs. The Transcontinental Railroad had been completed in 1869, leaving three to five thousand Chinese workers unemployed, besides opening the West coast commerce to Eastern competition. The Central Pacific Railroad monopolized California's chief system of transportation and was in a position of great political power and economic control. By setting its short-haul rates to the maximum level, the railroad amassed great wealth without threat of competition and endangered agricultural market. California farm producers, left with what seemed no other defense to billowing freight costs, tapped into the abundance of cheap and available Chinese labor.<sup>18</sup>

The larger than average farms in California had their legacy in the Spanish and Mexican land grants of the past. As a coastal state, agriculture prices in California were not determined by local supply and demand but world markets (though this was debatable during the Gold Rush). The size of these large farms required hired labor and product-price controlled profit margin. The amount of labor supply available and the wage rate at which they could be employed were crucial. Chinese workers again provided producers with dependable and affordable labor, though discriminatory laws excluded Chinese immigrants from owning land in California. Chinese laborers were preferred and found work in land reclamation projects and the fishing industry, and many became small business owners in the Chinese communities scattered throughout the state.<sup>19</sup>

The change from mining as California's main source of economic derivation led to the advancement of banking and general economic maturation in the state. All this was fueled by a new working class, born of the individual miners who now required employment. There was now

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<sup>17</sup> Chiu, 52, 53.

<sup>18</sup> Chiu, 50, 51.

<sup>19</sup> Chiu, 69.

capital and labor in California — factors necessary for the development of manufacturing.<sup>20</sup> It took a number of years, but by 1870, employers had discovered and begun utilizing Chinese labor in their factories. A shortage of women laborers restricted the development of what was considered "light industries" (those in which women generally held the positions in other states) initially forced employers to hire from the Chinese residents. By the 1870s, even with the increase of white women and children in California's population, this "fair" demographic who would have under "normal" circumstances been able to obtain employment in these industries, the Chinese remained the preferred personnel. According to employers, substitution of white females for Chinese labor was impractical. There were not enough females to begin replacement on a large scale, and they were too inexperienced to turn a profit.<sup>21</sup>

Furthermore, many employers simply preferred Chinese labor, finding them to require less surveillance and a higher quality end product. One employer claimed that it took a Chinese worker between six to eight months to finish a shirt-making apprenticeship, whereas the white females required one to two years to accomplish the same; and even when these women were paid higher wages for each piece they complete, they still earned far less than their Chinese coworkers. Another employer shared his frustrations concerning the undisciplined nature of the white child laborers under his employ, but praised the "Chinaman," claiming that if you "show him how to do a thing, and if you leave him and come back, if it is a year afterward, you will find him doing the work precisely as you instructed him."<sup>22</sup> *Harper's Weekly*, a political

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<sup>20</sup> Chiu, 50,51

<sup>21</sup> Chiu, 58.

<sup>22</sup> Chiu, 58,59.

magazine based in New York City, recognized the superiority of Chinese labor and workmanship in the following news brief:

Boycotting the products of Chinese workmanship in San Francisco is up-hill business. The wares produced by the Chinamen are cheap, and of excellent quality; and when it comes to the question of paying coin for needed articles, the cheap and excellent is usually preferred to the dear and less conscientiously made.<sup>23</sup>

Colonel William W. Hollister, an important California landowner, believed the Chinese laborers to be superior to all other immigrant groups and found them intelligent, accurate, punctual, eager, and skillful.<sup>24</sup> The Chinese immigrant was not only replacing, but in some cases preempting, the white worker. During the mid-to-late 1800s, the Chinese became the preferred source of labor in California because of their availability, discipline, obedience, adaptability, competence, and willingness to work for low wages.

#### **IV. Stage Four: Resentment**

As the Chinese laborer became the financial preference of employers, Chinese immigration experienced the fourth stage — a general resentment of the Chinese among white citizens, sparked by the success of the immigrants and their replacement of white workers due to their willingness to work for low wages. At first, Chinese immigration had been seen as a positive — ensuring a steady flow of economical Chinese immigrant labor. American industrial leaders celebrated the Burlingame-Seward Treaty as a constructive development for American commerce; however, soon public anti-Chinese sentiment began to rise. An excerpt from an editorial in an 1870 edition in the *New York Herald* stated:

In spite of the Burlingame Treaty, and all the advances which American and European civilization has made toward establishing a friendly feeling with the Chinese, it is evident, from recent events that these people remain as barbarous as ever. Their pagan savageness appears to be impregnable to the mild influences of Christian civilizations.<sup>25</sup>

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<sup>23</sup> *Harper's Weekly*, "Waifs and Strays," (September 3, 1882) 615.

<sup>24</sup> Tsai, 58.

<sup>25</sup> Stuart Creighton Miller, *The Unwanted Immigrant: The American Image of the Chinese, 1785-1882*, (Los Angeles: University of California Press, 1969) 113.

The anti-Chinese sentiment rose and frequently exploded into rioting and violence. Twenty-one Chinese immigrants were murdered in the Los Angeles Chinatown massacre, which occurred in 1871. In 1877, the San Francisco riot, involving tens of thousands of rioters, lasted for three days and was put down by the armed forces and local San Franciscans. Hundreds of other similar anti-Chinese incidents occurred, and by the 1880s, these violent acts of resentment had spread to the Midwest.<sup>26</sup>

Several factors contributed to and amplified resentment. First, there was the issue of human nature. Mining was a very coarse and impolite business. Many miners became ill-tempered and highly emotional in reaction to the stress. This disposition, together with the Western man's general suspicion and hostility of persons different from himself and the foreign habits and characteristics of the Chinese, created what seemed to be unavoidable tension between the white and Chinese populations in California. The Chinese immigrants possessed a relatively passive temperament, and they neither belonged to labor unions nor generally patronized the local saloon. Few knew English upon their arrival, and secluded themselves in Chinese communities. These factors contributed to a general feeling that the Chinese immigrants were weaklings, and they were subject to ridicule and a "semilegalized" practice of robbery.<sup>27</sup> It is speculated that resentment was provoked by the jealousy of the white laborer, whose distinguishing laziness and pride prohibited him from any real competition with the frugal immigrant who would take whatever job that was available and lucrative, and was "too industrious and too efficient."

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<sup>26</sup> David M. Brownstone and Irene M. Franck, *Facts about American Immigration*, (New York: The H.W. Wilson Co., 2001), 372.

<sup>27</sup> S.W. Kung, *Chinese in American Life: some aspects of their history, status, problems, and contributions*, (Seattle: University of Washington Press, 1962) 69,70.

While these jealousies were most likely real and viable, it was economic depression and successive unemployment that became the foremost factors fueling the animosity directed at Chinese immigrant laborers. The rise and fall of intensity in anti-Chinese movements throughout the 1800s can be paralleled to the state of California economics at that particular time. The influx of labor in the late 1860s (brought on by the shift from self-employed mining to company mining and the completion of the railroad) created a large class of unemployed workers, resulting in anti-Chinese debate concerning their desirability in the workforce and the repercussions of their employment. Interestingly enough, a majority of urban anti-Chinese propagators were skilled labor and non-factory workers who were non-competitors with the Chinese labor force. The job opportunities of the majority of those participating in anti-Chinese agitation would not have been affected by the discriminatory legislation promoted.<sup>28</sup>

Employers were seemingly ethically unaffected when hiring workers. Preference for hiring one's own race was outweighed by profit opportunity. Employers maintained the infeasibility of substituting white for Chinese labor and the inadequate supply of labor in the state. There was no "army of unemployed... ready and eager to take over any openings made by the dismissal of the Chinese," and even if there was such a multitude, many jobs required certain skills to be performed at a specific wage, not merely "willingness" for employment.<sup>29</sup>

Inevitably, the political field involved itself in the debate, and in 1852, the Democratic Party was compelled by anti-Chinese pressure to adopt Chinese exclusion in its campaign. ~~The Republican Party in 1867 asserted that Chinese labor was "essential, if not indispensable for the economic well-being of the state."~~ California seemed to be divided on the issue, with a clash

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<sup>28</sup> Chiu, 54.

<sup>29</sup> Chiu, 130.

between the white wage laborers — who contended that Chinese laborers lowered wages, replaced white workers, leaving them unemployed, and were generally incompatible to American culture; and the governor, employers, and several important newspapers — who argued that the exploitation of Chinese labor would result in an expansion of job opportunities for all workers.<sup>30</sup>

The editor of the *Los Angeles Herald*, James N. Bassett, summed up the division:

My observation has been that the labor of the Chinese who are here now and are coming here tends to make the rich richer and the poor poorer...Chinese labor, undoubtedly, has been beneficial to a few people and injurious to the masses.<sup>31</sup>

The tension was not just among Chinese immigrants and white citizens, but involved an archetypal conflict between the classes. Wealthy employers were reaping the benefits of cheap labor and high quality products while the common unskilled laborer, who had taken a break from the workforce to seek his fortune in the gold rush, turned back to society and found his former position occupied by the Chinese immigrant.

California experienced a mild recession in 1869, substantial downsizing in 1870, a severe depression in 1873, and the first real "industrial" depression in 1876.<sup>32</sup> Economic problems and recession fueled anti-Chinese agitation and by the early 1880s, Chinese exclusion was a part of both the Republican and Democratic campaigns. Chinese immigrants began leaving California en masse, moving to Washington, Nevada, Arizona, Wyoming, Oregon, New York, Colorado, and Louisiana. By 1880, there were 30,333 Chinese living in the United States outside of California, a dramatic increase from the mere 13, 972 recorded ten years earlier.<sup>33</sup>

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<sup>30</sup> Chiu, 54, 55.

<sup>31</sup> Tsai, 59.

<sup>32</sup> Chiu, 55.

<sup>33</sup> Chiu, 65.

## V. Stage Five: Legal Restrictions

Restrictions, the fifth and final stage of the "train," began close to forty years after the first influx of Chinese immigrants. In 1882, the government responded to the overwhelming convergence of Chinese laborers and the California job market with the Chinese Exclusion Act of 1882. In its preamble, it stated that in the opinion of the United States Government, "the coming of Chinese laborers to this country endangers the good order of certain localities."<sup>34</sup> This danger to "the good order" was to be remedied by suspending the entrance of Chinese laborers into the states beginning ninety days after the act was passed. The Exclusion Act was prescribed to expire in ten years, and its exact wording was crucial: "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."<sup>35</sup> Section 14 stated "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."<sup>36</sup> It was at this moment that further Chinese immigration went from simply undesirable to illegal.

The Exclusion Act not only made Chinese immigration illegal but outlined a system of documentation for laborers already within the United States "for the purpose of properly identifying Chinese laborers who were in the United States... or who shall have come into the same before the expiration of ninety days" 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." This record included a registry book to be kept in the custom-house, and certificates containing the name,

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<sup>34</sup> Chinese Exclusion Act, May 6, 1882.

<sup>35</sup> Chinese Exclusion Act

<sup>36</sup> Chinese Exclusion Act.

age, occupation, last place of resident, physical marks or peculiarities, and "all facts necessary for the identification of each" given to each immigrant. The Chinese laborers currently residing in the United States had "the right to demand and receive, free of charge or cost, a certificate of identification" when they wished to leave.<sup>37</sup>

Violations of the act for persons who "knowingly and falsely substitute any name for the name written in such a certificate or forge any such certificate... or falsely personate any person named in any such certificate" included a misdemeanor, a fine not exceeding one thousand dollars, and imprisonment for not more than a five year term.<sup>38</sup> Persons who were found to knowingly aid and abet the illegal person were deemed guilty of a misdemeanor with the same punishment. Vessels whose masters were found to knowingly violate the provision of the act were deemed forfeited to the government and "liable to seizure and condemnation." Any person found unlawfully within the United States was "to be removed there from to the country from whence he came, by the direction of the United States."<sup>39</sup> The practice of deportation, or the lawful removal of an alien whose presence has been deemed illegal or detrimental to public welfare, had begun.<sup>40</sup>

Ten years later, on May 5, 1892 the Geary Act was passed continuing "all laws now in force prohibiting and regulating the coming into this country of Chinese persons and persons of Chinese decent."<sup>41</sup> It too had a ten year term, but its provisions were more stringent. Those Chinese persons found and convicted as illegal immigrants were to be imprisoned for hard labor for a period not exceeding one year and then "removed from the United States." All Chinese

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<sup>37</sup> Chinese Exclusion Act.

<sup>38</sup> Chinese Exclusion Act.

<sup>39</sup> Chinese Exclusion Act.

<sup>40</sup> "Deportation," *Merriam-Webster's Dictionary of Law*, (Merriam-Webster, Inc., 1996).

laborers were to "apply to the collector of internal revenue.., for a certificate of residence" and any who neglected, failed, or refused to comply within one year would be found "unlawfully within the United States" and would be arrested and deported.<sup>42</sup> If by "accident, sickness, or other unavoidable cause" one was unable to produce his certificate, he required "at least one credible white witness" to prove that he was a resident at the time of the passage of the act.<sup>43</sup> The certificates were still free of charge, but those whose had been lost or destroyed were now required to pay the cost for a duplicate and would be detained until such duplicate was made.<sup>44</sup>

Anti-Chinese sentiment was still an issue among Californians, but many Americans in the Mid-West and Eastern states did not comprehend the gravity of the issue. In the House of Representatives in Washington, D.C., the Honorable Samuel G. Hilborn of California delivered a speech on the topic of Chinese Exclusion for the purposes of considering a bill to amend the Geary Act. Apparently, the eastern perception of the opposition to Chinese immigration was that it was confined to the lower class citizens of the Pacific states. Mr. Hilborn suggested, however, that "The people of the State of California were practically unanimous in opposition to this class of immigration."<sup>45</sup> He stressed that Californians were unanimous in their opposition to further Chinese immigration to the point that they had ceased discussion on the policy of Chinese restriction simply because the popular vote had already decided the matter. Hilborn explained the issue was not confined to a political party or a class of people, and he offered statistics

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<sup>41</sup> Geary Act, May 5, 1892.

<sup>42</sup> Geary Act.

<sup>43</sup> Geary Act.

<sup>44</sup> Geary Act.

<sup>45</sup> Hilborn, Samuel G., "Chinese Exclusion: speech of Hon. Samuel G. Hilborn, of California, In the House of Representatives, Saturday, October 14, 1893," (Washington: s.n., 1893).

on the vote, as given by William Irwin, the current California Governor, showing that of the 161,405 votes cast, only 883 were "For Chinese immigration" while 154,638 were "Against Chinese Immigration (the remaining 5,884 counted were "Voters who did not express any wish on the subject").<sup>46</sup>

During the discussion, a representative from New York asked Hilborn why, considering the majority of Californians disapproval of keeping the Chinese there, Californians continued to "hire them and feed them and enable them to stay." Mr. Hilborn's response gave the key to the conundrum:

We know that capital is soulless and selfish, and that it will employ cheap labor, although it may pull down the fabric of the Government... If we could eliminate the principle of selfishness from the human mind we could get rid of the Chinese and all other undesirable immigrants, but so long as selfishness abounds so long will they be employed... I think by [means of a "boycott" they could be driven out, but that is not an American method.<sup>47</sup>

During the continuance of his speech, Mr. Hilborn discussed the inherent "evils" of Chinese immigration. To him, "it is a misnomer to call them immigrants; it is an invasion" and if it were allowed to continue "they [the Chinese] could overrun us like an army of locusts."<sup>48</sup> When asked if he would class the Chinese as a civilized people, he agreed that they had a civilization much older than ours, but "the Chinese laborers in the United States come from the lowest grade of the Chinese people."<sup>49</sup> He held that the white laborer could successfully compete with the Chinaman, but only "if he can and will go down to his level and live as he does."<sup>50</sup> American

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<sup>46</sup> "Chinese Exclusion."

<sup>47</sup> "Chinese Exclusion."

<sup>48</sup> "Chinese Exclusion."

<sup>49</sup> "Chinese Exclusion."

<sup>50</sup> "Chinese Exclusion."

laborers would not be able to "live and support families and educate their children on the wages that satisfy the Chinaman" and this "glorious corner stone of our civilization" could not be maintained.<sup>51</sup>

When forced into competition with the Chinaman for jobs in manufacturing, the white man must accept reduced wages until he has to leave because he can no longer support his family. The Chinese, if allowed to do so, could "monopolize [the] labor fields... and destroy [America's] great middle class."<sup>52</sup> While the Chinese population in California had decreased (75,132 in 1880; 72,472 in 1890), the total number of Chinese in the United States had increased. Hilborn warned the House that "it would not be long before the Chinese question would loom up in dangerous proportions in our Eastern cities and suburbs." He concluded with the following imperative:

If we would preserve the American laborer from ruin, if we would preserve our civilization itself we must exclude this peculiar people... But experience has taught us this lesson: The civilization of the Orient and the civilization of the Occident can not exist side by side in America. One or the other must go down. Which shall it be?<sup>53</sup>

The speech was met with loud applause.<sup>54</sup>

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<sup>51</sup> "Chinese Exclusion."

<sup>52</sup> "Chinese Exclusion."

<sup>53</sup> "Chinese Exclusion."

<sup>54</sup> "Chinese Exclusion."

## VI. Conclusion

Restrictions continued well into the 20th century, but complete Chinese exclusion found its end in the Magnuson Act of 1943.<sup>55</sup> The Magnuson Act repealed the Exclusion Act of 1882, the act barring all further Chinese immigration into the United States for a period of ten years, and which had been extended with successive exclusion acts until it was made indefinite in 1904. The Magnuson Act established a quota of 150 Chinese immigrants allowed into the United States each year, and made Chinese immigrants eligible for citizenship — a privilege they had not been able to enjoy since the 1790 racial bar on citizenship.<sup>56</sup>

The Immigration and Nationality Act of 1965 established a national immigrant quota that would end racial discrimination, which had particularly targeted Asian immigrants. Race, national origin, and ancestry were no longer considered in the selection process; selection was instead based upon (1) the applicant's occupational skills, with preference given to those with special abilities or training needed in the United States, and (2) applicants related to U.S. citizens or permanent resident aliens, with preference given to immediate family for the purposes of reunification.<sup>57</sup>

Though anti-Chinese sentiment continued, even so far as the segregation of Chinese schoolchildren and restrictions on Chinese workers holding public employment in some states, the vestiges of anti-Chinese discrimination were gradually removed from California after World War II. Some anti-Chinese factions may be still in existence today, but those who would subscribe

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<sup>55</sup> The Magnuson Act, (December 17, 1943).

<sup>56</sup> Tsai, 116.

<sup>57</sup> The Immigration and Nationality Act, July 1, 1968.

to such ideals would most likely be considered "racists." The general "white" population does not view Americans of Chinese descent as an imminent threat to their livelihoods. Although, as a point of interest, remnants of America's history of Chinese exclusion does still remain in the United States Code, under Title 8 (Aliens and Nationality), chapter seven — entitled "Exclusion of Chinese." The sections within have either been repealed or omitted, nevertheless, it is the only chapter of Title 8 devoted entirely to a particular nationality or ethnic group.<sup>58</sup>

Chinese exclusion is definitely an interesting issue to discuss, as many wonder today if Chinese immigration was as harmful as the Californians in the late 1800s alleged it to be, and what would have been the result of immigration had restrictions not been made. It is obvious that the Chinese labor issue was cited as the source of most of the economic problems in California during that period, when other factors could have contributed as much to the instability, if not more. Factors such as the outdated technology and machinery, archaic business organizations, and inefficient sweat shops so prevalent in the California industry at the time were never fully addressed.<sup>59</sup>

Proposed here was a five-stage cycle of immigration, entitled "The Immigrant Train," which focuses on America's role in creating the distinction between the "desirable" and the "undesirable" immigrant. Chinese immigrant labor from 1850 to the turn of the 19<sup>th</sup> century was used to illustrate this sequence, as Chinese immigration was traced through (1) America's *Invitation* with the 1864 Act to Encourage Immigration and Burlingame-Seward Treaty of 1868; (2) the Chinese enthusiastic and overwhelming *Response*; (3) the subsequent *Replacement* of

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<sup>57</sup> The Immigration and Nationality Act, July 1, 1968.

<sup>58</sup> *The United States Code*, "Title 8: Aliens and Nationality, Chapter 7: Exclusion of Chinese," (United States House of Representatives: Office of the Law Revision Council, 2006).

<sup>59</sup> Chiu, 131.

white workers with Chinese laborers, specifically in the areas of mining, agriculture, and manufacturing; (4) growing *Resentment* among the working class and the anti-Chinese movement which weaved its way through the California economic and political scene; and finally ( 5 ) *Restrictions* on Chinese immigration, preventing Chinese laborers from entering the United States legally for over sixty years.

## **VII. Recommendation**

This paper indicates a need for further research using other ethnic groups to effectively demonstrate this cyclical "Immigrant Train." The author proposes that additional analysis be done with Japanese and Mexican immigrants in California as auxiliary subjects to verify the furtherance of this cycle.

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