

The Chinese in America and the Chinese Exclusion Act

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The Chinese first entered the United States in 1848, lured by dreams of quick riches from the California Gold Rush. Thousands more would follow, but legislation by whites in California did everything it could to discriminate, degrade and deny them the right of a decent livelihood. California laws similar to the “Black Codes” enacted by other states against Blacks ensured that Chinese immigrants had no rights to testify in court against whites, to own property, to vote or marry non-Chinese. Forced out of the gold fields by measures as the Foreign Miner’s Tax of 1850 that charged the staggering monthly fee of \$20.00 for the right to mine, the Chinese had no alternative but to accept low-paying menial work where they provided cheap labor whenever there was work others did not want to do.¹

If Chinese ventured into a mining area they did so at their peril. Whites would beat, rob and sometimes kill them. They had as the saying goes, *“Not a Chinaman’s chance.”* A Californian appointed to collect the miner’s tax and later appointed ambassador to Japan by President Grant wrote in his diary, *“Had a China fight. Knocked down some and drewed (sic) out our pistols on the rest....Had a great time. Chinamen’s tails cut off. Down at the little Yuba River shot a Chinaman. Had a hell of a time.”* The Chinese were compared to women because they were small, had delicate features, hairless faces and long braided hair. And like the subordinate class of white women to whom they were mockingly compared, were only good to do laundry and be domestic servants.

But not all whites ignored their plight. In an 1868 article in Lippincott’s Magazine entitled, *“The Chinese in California,”* extolled their virtues. The Chinese toiled without ceasing to save money to return to China with a sum most would consider trifling but could provide a lifetime of support. Although small in stature and muscle, the Chinese were adroit in learning a task; they were not clumsy and accomplished more than whites through their industry and untiring persistence. The Chinese possessed a sense of adventure as they sought work outside of California in other Western states. *“Every Chinaman reads and writes, and figures he is our superior.”* The article concludes with a plea for federal protection of the Chinese. Such support was in the minority as California politicians cursed them and vied with each other to see who hated them the most. Whites despised the Chinese even as they used them for menial work. But more Chinese immigrated to this country after 1858 in response to promises by Chinese merchants in San Francisco of high prices paid for labor. Once here, however, the merchants took a percentage of their pay and a bonus from each worker. It is a sad commentary that

¹ Michael Lind, *What Lincoln Believed* (New York: Doubleday, 2005), p. 242

these Chinese merchants, most likely treated no better by the whites, would then turn around to exploit their own poorer countrymen.²

The Chinese and the Transcontinental Railroad

Shelby Foote, the imminent southern author of "The Civil War- A Narrative" never believed the South had a chance to win the Civil War. *"I think that the North fought that war with one hand bound behind its back. All the time the war was going on, the Homestead Act was being passed, all these marvelous inventions were going on---I think that if there had been more southern victories, and a lot more, the North simply would have brought that other arm out from behind its back."*³

As consuming as the war was on his time and energies, President Abraham Lincoln had a country to govern. The second session of the Thirty-seventh Congress (1861-62) did more than any other session to alter our national life. Legislation passed that addressed our tax and monetary structures to finance the war, disposed of public land for future growth and education and placed steps in motion to both abolish slavery and to build a transcontinental railroad.

Building this railroad had no greater friend than President Lincoln, himself a successful railroad attorney in Illinois and a firm advocate in the Whig and now the Republican Party's belief that government had a role in the promotion of socio-economic development through internal improvements. The transcontinental railroad was seen as the means to tap the wealth of the West, unite further our country, provide jobs and increase the prosperity of all regions throughout the country. These measures passed in large part due to the absence of southerners from Congress during the Civil War. The route of the railroad itself was a contentious issue since the southerners would not approve any route that was not a southern route.⁴

Ironically, the desire for a transcontinental railroad was the first step that set in motion a number of factors that led to the Civil War. In 1853 Stephen Douglas of Illinois sponsored a bill to organize the Nebraska Territory, land purchased by the Louisiana Purchase, north of 36 degrees, 30 minutes, to remain free soil in order to promote a transcontinental railroad that

² Stephen F. Ambrose, *Nothing Like It in the World* (New York: Simon & Schuster Paperbacks, 2000), pp. 149-152; The pigtail (queue) "is sacred. Never can a Chinaman be persuaded that he can survive the loss of that emblem of dignity.", p. 152

³ Geoffrey C. Ward, Ric Burns and Ken Burns, *The Civil War; An Illustrated History* (New York; Alfred A. Knopf, 1990), p. 272

⁴ James M. McPherson, *Battle Cry of Freedom; The Civil War Era* (New York: Oxford University Press, 1988), pp. 121-125; 450-453

would enrich both his land holdings and his state. This proposed route would connect Chicago to San Francisco. The six southern senators whose votes were needed to pass this bill demanded a heavy price. The Missouri Compromise of 1820 that restricted the spread of slavery to 36 degrees, 30 minutes, had to be repealed. Without being burdened by the moral issues of slavery, Douglas agreed to this deal. His Kansas-Nebraska Act would allow both slaveholder and non-slaveholder settlers in the new territories of Kansas and Nebraska to decide for themselves whether or not slavery was to be allowed. The repeal of the Missouri Compromise enacted by his political hero, Henry Clay of Kentucky, was cited by Lincoln as the factor that brought him back into politics that led to the series of debates between him and Stephen Douglas in 1858 that gave Abraham Lincoln national recognition as a potential presidential candidate in the 1860 elections.⁵

Two companies, the Union Pacific and Central Pacific Railroads, would build the transcontinental railroad. From the West the Central Pacific line would originate out of Sacramento, CA and from the East, the Union Pacific out of Omaha, Nebraska, with both meeting at Promontory Summit in Utah.

“They Built the Great Wall of China Didn’t They?”

With government funding and land grants in place, the next monumental task was to find laborers to build the railroads, the last great building project to be built by hand. The physical labor would be backbreaking and tedious from excavating dirt for cuts by shovel and removing each load by single handcart or to filling a gorge some hundreds of feet high and a quarter a mile or more long with a cartload at a time. There were no jackhammers or dynamite to blast through mountains, only black powder, and the indentations to pack the power in, had to be made by hand drills and sledgehammers. The workforce needed would be enormous, up to 15,000 men at the height of construction on each of the two lines, equal to the divisional levels of Civil War armies or the number of Confederates who made “Pickett’s Charge” at Gettysburg. Those who headed this vast enterprise would later comment that without the Civil War veterans, directing daily operations, who were taught to think on a grand scale, to organize and direct armies of men and to persevere through hardships, the railroads would not have been build.⁶

The Union Pacific line was built mainly by the Irish and others who served in the Union and Confederate armies and the California Pacific line by the Chinese. When work began on the California Pacific line in January 1863, the workforce was white but many deserted to try their fortune prospecting for gold. The call to replace these losses in labor to maintain the levels

⁵ *Battle Cry of Freedom: The Civil War Era*, pp. 192-195

⁶ *Nothing Like It in the World*, pp. 18-19; 21

needed was a continuing and fruitless effort. Out of desperation the question of hiring Chinese laborers was raised. James Strobridge, the head of construction, objected, saying they had no idea how to build railroads and that they were not physically capable, averaging 120 pounds and four feet ten inches in height, to do the work needed. Charles Crocker, one of the four railroad directors in charge of construction, responded, *"They built the Great Wall of China, didn't they? Who said laborers have to be white to build railroads?"*

Strobridge agreed to hire fifty Chinese laborers for a month on a trial basis. After the month was over, he begrudgingly admitted that the Chinese were excellent workers. He saw that the Chinese worked as teams, took few breaks, learned how to blast rocks, stayed healthy and on the job. By the end of 1865, 7,000 Chinese would make up the workforce with less than 2,000 whites. The whites, however, would monopolize the skilled work as installing bridge trestles, masonry and laying rails, while the Chinese were relegated to grading, making cuts and fills, falling trees and to the strenuous and most dangerous work of drilling the holes, packing and lighting the black powder to blast through the rock to create tunnels through the mountains, where progress was measured by the inch as crews worked in shifts around the clock, advancing only between 6 to 12 inches in a twenty-four hour period.⁷

Construction of the railroad was set up as a competition between the two railroad companies; the more that was built and track laid, the more money the government would give. Urgency of time and speed go hand in hand with work safety. One can only guess at the number of Chinese who died, lost fingers/limbs or froze to death in the mountain ranges in the race to be first. But the Chinese proved to be ideal workers, cheap, did as they were told with few complaints or strikes. They were skilled in carrying out a task after something was either shown or explained to them and most importantly, the Chinese willingly did what others were not willing or able to do. Grenville Dodge, a Union general under both Grant and Sherman and the chief engineer of the Union Pacific Railroad, had this to say, *"The Chinese are very quiet, handy, good cooks and good at almost everything they are put at. Only trouble is, we cannot talk to them."*⁸

Completion of the transcontinental railroad in April 1869 along with the outcome of the Civil War and abolition of slavery was the great achievement of the American people in the 19th century. Dodge in closing his construction department concluded saying, *"Closing the accounts is like the close of the (War of) Rebellion."*⁹

⁷ *Nothing Like It in the World*, pp. 99, 21; 148-153; 160-161

⁸ *Nothing Like It in the World*, pp. 20; 162; 349

⁹ *Nothing Like It in the World*, pp. 17; 355

The 1882 Chinese Exclusion Act

However, during the 1870's an economic downturn caused serious unemployment in California. The Chinese, who worked for low wages were accused of taking jobs away from white workers. The Chinese again became convenient targets. In 1877 Denis Kearny, an Irish-American, organized the Workingman's Party with the slogan, "*The Chinese must go!*" His campaigns and rallies encouraged anti-Chinese pogroms. The parallel between "coolie" labor and black slavery as threats to white workers and farmers in the West played to their worst fears and prejudices.

In 1882 Congress passed the Chinese Exclusion Act, making the Chinese the only nationality ever singled out and prohibited from freely migrating to the United States. This act prevented them from becoming citizens and made it difficult, if not impossible, for those already in this country to obtain permission to bring their families here. This act basically froze the Chinese population at 1882 levels. In 1860 there were 19 males for every single female. In 1890 the ratio became 27 to 1. Chinese men essentially lived a "bachelor's society" where old men always outnumbered the young.¹⁰

Although the Exclusion Act was to last only for a ten-year period, amendments were added in 1884 to further restrict provisions that allowed previous immigrants to leave and to return and clarified that the law now applied to all ethnic Chinese regardless of their country of origin. The Scott Act in 1888 prohibited reentry into the country after leaving it. The Act was renewed by the Geary Act of 1892 with no termination date and required each Chinese resident to register and to obtain a certificate of residence or face deportation. The Immigration Act of 1924 restricted immigration even further by excluding all classes of Chinese immigrants and extended the restrictions to other Asian immigrants. These laws were driven solely by racial considerations, as immigration of other races and nationalities was unlimited during this time period. The Chinese Exclusion Act was finally repealed in 1943 only because of the embarrassment our government suffered in enforcing a law to exclude the Chinese who were now our allies during World War II. However, only 105 Chinese were allowed to legally enter this country each year. Exclusion of the Chinese still continued, in a sense, until the passage of the 1965 Immigration Act that gave the Chinese parity with other countries. Because of decades of exclusion, the population of Chinese in America is far smaller than other nationalities, minimizing their voice and influence in the political process of this country.¹¹

¹⁰ *What Lincoln Believed*, pp. 242-243; www.anglisland.org/immigr02.htm1, "Immigration Station;" www.library.thinkquest.org.org, "Immigration: The Chinese"

¹¹ Irving David Moy, *An American Journey- My Father, Lincoln, Joseph Pierce and Me* (Raleigh, NC: LULU Press, Inc., 2010) pp. vi-ix; Wikipedia, "The Chinese Exclusion Act"