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The Other Great Wall:
A Study of the Enforcement of the Chinese Exclusion Act
1890-1900

Cynthia Y. Li

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I. Introduction

The Chinese Exclusion Act of 1882 and its revisions was the first significant restriction on free immigration in the history of the United States. As the Chinese were deemed racially undesirable, the act excluded Chinese laborers from the country for a period of ten years, permitted those Chinese who were already in the United States as of November 17, 1880 to stay, travel abroad, return and prohibited the naturalization of the Chinese. However, not every Chinese individual was affected by this act. An exempt status was created for teachers, students, merchants, diplomats and travelers.

The main issue that is being investigated for this paper is the enforcement of the Chinese Exclusion Act of 1882 and its revision in New York City for the period of ten years. These ten years consist of the last decade of the 19th Century, from 1890-1900. I intend to compare the enforcement of the Chinese Exclusion Act between the East and the West coast, focusing on California and New York City. In order to reach conclusions regarding the enforcement of the act, working questions have been used throughout my research. These questions were: What were the political, social and economic situation in New York City for immigrants and the attitudes towards the Chinese? What was the status of the Chinese immigrants when they arrived in the United States and after? What was the relationship between the Chinese and other immigrant groups in New York City? How did United States-Chinese relations play a role in Chinese immigration? How did the population of the Chinese in New York City change before and after the Chinese Exclusion Act?

As this is a research paper, it was crucial to use primary and secondary sources to gather pertinent and relevant information. Secondary sources used for my research

include various books and articles from journals. Erika Lee's study, At America's Gates: Chinese Immigration During the Exclusion Era, 1882-1943 provides an excellent social history of the Chinese.¹ Her book focuses on the transformation of Chinese lives, identities and immigration patterns. This book contains a rich resource of primary sources such as immigration records, oral histories, interviews and letters. However there were two problems. Firstly her book mainly focuses on the Chinese population in the West Coast and secondly, the majority of the book contains information not within the timeframe of my research. Xinyang Yang's book, Surviving the City: Chinese Immigrant Experience in New York City 1890-1970 is a useful source to answer questions about race relations between immigrant groups in New York City.² Yang provides an economic background and factors that led the Chinese to their major life decisions. Although his book is fascinating, and a few chapters were crucial to my research, the majority of this book does not fit into the timeframe of my working paper.

The article by Adam McKeown, "Ritualization of Regulation: The Enforcement of Chinese Exclusion in the United States and China," analyzes the techniques that the United States used to enforce the Chinese Exclusion Act.³ McKeown addresses issues of corrupt custom agents and provides statistics on Chinese immigrants during the years of my research. Additionally, it investigates the divided administration of the Bureau of Immigration, the duties of customs collectors and an overview of the courts that were in charge of interpreting the laws.

¹Erika Lee, At America's Gates: Chinese Immigration During the Exclusion Era, 1882-1943 (United States: The University of North Carolina Press, 2003).

²Xinyang Yang, Surviving the City: Chinese Immigrant Experience in New York City, 1890-1970 (New York: Roman & Littlefield Publishers, 2001).

³Adam McKeown, "Ritualization of Regulation: The Enforcement of Chinese Exclusion in the United States and China," *The American Historical Review*. Vol. 108, Issue 2 (April 2003), <http://www.historycooperative.org/journals/ahr/108.2/mckeown.htm>. (14 Feb. 2007).

The majority of the primary sources used for this paper come from the National Archive-Northeast Regional Branch located in New York City. With a database of Chinese immigration and naturalization records and documents dating from 1882-1960, case files documented the entry of Chinese aliens into the United States as well as the reentry of U.S. citizens of Chinese ancestry under the Chinese Exclusion Act. These sources include interviews and testimonies to Chinese immigrants and to witnesses testifying on behalf for the Chinese, court cases, official letters, various official forms for identification, merchant and student forms, photographs and telegrams. Problems with many of these primary sources are that the majority are dated from the early 20th Century. Chinese immigrants applied for a merchant's visa to leave the United States and to return back after visiting China. Therefore their legal status needed to be proven through documentation records and each case files sheds light on their immigration to the United States from the 1890s-1900.

It is obvious that with the increasing Chinese-American population in the United States, more literature and research is being produced about the history of the Chinese in the United States. However, these types of literature tend to focus on the mainstream events that the Chinese experienced, mainly of those living on the West coast. Although it is possible to find various articles, dissertations and chapters of books dedicated to the Chinese in New York City during the period of my study, few exist. Only after 1943 when the Chinese Exclusion Repeal Act, also known as the Magnuson Act was passed was Chinese immigration welcomed although it was limited to 105 Chinese immigrants per year. Therefore, it was not until 1965 when the Immigration Act was passed was New York City the focus of academic research as quota systems were abolished and large

scale Chinese immigration began.⁴ Consequently, with the timeframe of my study, location and use of primary and secondary sources, I intend to fill in a very important part of Chinese history within the United States, a history that is often overlooked therefore maintaining this paper's originality.

The hypothesis I am seeking to prove is that the enforcement of the Chinese Exclusion Act of 1882 and its revisions was a regional phenomenon, strictly enforced in the West and loosely enforced in the East, specifically New York City. I will demonstrate that the pressure of officials to enforce the act was greater in the West than in the East and therefore Chinese immigrants started to arrive and build up in New York City.

II. Historical Background Leading to the Chinese Exclusion Act

The Chinese Exclusion Act of 1882 had its roots in the early 19th Century. Historically, it was a result of various treaties between the Qing dynasty and the United States government. Furthermore, social conditions in China and opportunities in the United States increased Chinese immigration which resulted in the hostilities that arose leading to the anti-Chinese movement. These factors combined, led to the first legislation against free racial immigration in the United States.

In 1848, the discovery of gold in California started a movement called the Gold Rush with Americans and people all across the world exploding into California in order to claim their piece of gold. With this Gold Rush, a significant number of male laborers started to arrive from China to California. Their dreams of becoming rich can be noted as

⁴Lee, 245-246.

the Chinese referred to California as Gold Mountain.⁵ Furthermore, the construction of the Transcontinental Railroad in the 1860s and the 1870s brought more employment opportunities to the Chinese as it was a dangerous and an unwanted job among many Americans. This allowed for an increase in Chinese immigrants but also for them to move across the United States wherever the railroad was being constructed.

In China, instability of the Qing dynasty furthers Chinese immigration. The first half of the 19th Century was categorized by economic sufferings due to natural disasters, family feuds, rebellions, government campaigns to smash rebellions and the two Opium Wars against Britain. Corrupt government officials diverted money for agricultural projects and with the death of Emperor Qian Long in 1799, dams were left unfixed and floods occurred. Peasant revolts occurred due to the extended economic sufferings, especially in southern China. The Opium Wars (1834-1843 and 1856-1860) resulted with the British invading port cities in China and with Europeans creating a system of extraterritorial privileges with their own jurisdictions in various port cities. Many Chinese residing at those port cities were relegated to second-class citizenship in their own country. Unfair treaties were signed between China and Britain which contributed to the havoc in the countryside where the Qing government shifted the burden of indemnities owed to the British to the peasants by raising taxes.⁶ However, the heaviest blow to the Qing government was the Taiping Rebellion of 1851-1864. With the help of Western powers, the Qing government was able to suppress the revolt but it set off a motion of a series of local revolts and led to a long lasting internal crisis.⁷

⁵Lee, 25.

⁶ Iris Chang. The Chinese in America. (New York: The Penguin Group, 2003), 12-17.

⁷Wang, 20-22.

In 1868, the Qing government and the United States signed the Burlingame Treaty. By signing this treaty, the Qing government recognized the right of the Chinese people to emigrate to the United States, ending a three hundred year ban on overseas migration. With no fear of punishment, the Chinese came freely and openly. In return, the United States was obligated to allow the Chinese to work and reside within the country.⁸ Thus, many came to escape economic sufferings as well as to take advantage of working opportunities.

In the United States, the Chinese were generally met with racial hostility and violence. A series of violent attacks known as Yellow Peril occurred, mainly in California. As the United States slid into a nationwide depression in the 1870s, the Chinese were accused of taking jobs away from Americans as they worked for lower wages.⁹ As a result, fear and stereotypes arose through mass media and political cartoons were popular, depicting them as the “others,” crafty and dishonest.¹⁰ Furthermore, discriminative racial qualities assigned to African-Americans were used to describe the Chinese, and comparisons were often made, “both were believed to be heathen, inherently inferior, savage, depraved and lustful.”¹¹ Ironically, many African-Americans held the same American stereotypes towards the Chinese. Arnold Shankman, author of the article, “Black on Yellow: Afro-Americans View on Chinese-Americans, 1850-1935,” wrote “Like most whites, Negroes found the Chinese to be a peculiar and

⁸Wang, 19.

⁹Chang, 116-118.

¹⁰Chang, political cartoons taken from the Library of Congress and the Daniel K.E. Ching collection from the Chinese Historical Society of America in San Francisco located within a set of photographs.

¹¹Chang, 27.

superstitious people who were filthy, immoral and licentious-according to our notions of such things.”¹²

This widespread notion of discrimination and hostility towards the Chinese became political. Samuel Gompers, president of the American Federation of Labor, Irish immigrant and leader of the Workingmen’s Party, Denis Kearney and various local and national politicians used an anti-Chinese movement as their platform in order to solve the question of the Chinese problem.¹³

III. Anti-Chinese Legislation and the Chinese Exclusion Act

Threatened by the influx of Chinese immigrants, politicians and citizens believed that the federal government should take some sort of action. In 1875, the gender-based Page Law is passed which excludes Asian contract laborers and women suspected for entering the country on lewd or immoral purposes. This is followed by a domino effect to the United States Congress. In 1880 excessive lobbying succeeds to revise the Burlingame Treaty that once protected Chinese immigration since 1868.¹⁴

Finally, on May 6, 1882 the Chinese Exclusion Act is passed, consisting of various regulations. The act suspended the immigration of Chinese laborers for ten years. Non-laborers who sought entry into the United States were required to obtain certification from the Chinese government, verifying their qualifications to immigrate. The act also placed new requirements on the Chinese who had already entered the country. Unskilled and skilled laborers fell into the category of case laborers as well as the Chinese employed in mining. The Chinese who had left the United States and were seeking

¹²Arnold Shankman. “Black on Yellow: Afro-Americans View Chinese-Americans, 1850-1935.” *Phylon*. Vol. 39. No 1. (1978), <http://www.jstor.org/view/00318906/ap010073/01a00010/0> (14 Feb 2007), 3.

¹³Lee, 26.

¹⁴Lee, 24-30.

reentry, had to obtain certification. This certification stated their name, age, occupation, last place of residency, physical marks of peculiarities and all facts necessary for identification.¹⁵

This benchmark act sparked debate on immigration from Asia, Mexico, Southern and Eastern Europe by nativists. Especially on the West Coast, attention during the years following the act was drawn to the increasing population of immigrants from Japan, Korea, India and Mexico. The Chinese Exclusion Act set a precedent for immigration as Asian and Mexican immigrants faced similar racial problems that the Chinese encountered. However, with other races as targets, the Chinese were still not free from discrimination. Despite the decrease of Chinese immigrants as noted by officials, many Americans believed that the act was a failure. Nevertheless, Californians called on Congress to reform the act.

In 1884 Chinese laborers were excluded from any foreign country. Then in 1888, Congress fine tuned the terms of the exclusion act to only allow Chinese teachers, students, merchants, travelers and diplomats. This class exempt Chinese was known as Section 6, as they had to provide a Section 6 Certificate to be allowed entry. The revision also stated that the law prohibited the return of any Chinese laborer from entering unless he had a lawful wife, child or parent in the United States, or property or debts due to him worth at least \$1000 dollars.¹⁶ That same year, the Scott Act was passed, nullifying 20,000 return certificates previously granted and immediately denying the returning entrance that had been promised by the Chinese Exclusion Act of 1882. The Chinese Exclusion Act of 1882 had a timeframe of ten years and was extended for another ten

¹⁵Transcript of the Chinese Exclusion Act,
<http://www.ourdocuments.gov/doc.php?flash=true&doc=47&page=transcript>.

¹⁶Lee, 45.

years by the Geary Act in 1892. By 1898, the Chinese Exclusion Act extended to Hawaii¹⁷

IV. Demographics of the Chinese in the United States

Chinese immigrants arriving in California in the mid 19th Century in search of gold, employment with the transcontinental railroad, and escape from internal problems in China, resulted in the steady increase of Chinese immigrants decade by decade. According to the U.S. Census Bureau, in 1870 the number of Chinese in California was 49,277. Ten years later the number increased by approximately fifty percent to 75,132.¹⁸ Then, in 1890 the Chinese population decreased to 72,472. This slight decrease coincided with the passage of the Chinese Exclusion Act of 1882. By the year 1900, the Chinese population in California drastically decreased to 45,753, fewer than the amount of Chinese three decades earlier.¹⁹ It is evident that the decrease of the Chinese population in California at the turn of the century coincided with the revisions of the Chinese Exclusion Act and the passage of the Scott and Geary Acts.

On the contrary, the 1870 U.S. Census reported only 500 Chinese people were living in New York City.²⁰ Ten years later, in 1880 the population slightly increased to 747 followed by an influx in 1890 to 2,935.²¹ Then in 1900, the Chinese population in New York State increased to 7,170.²² The steady population increase each decade

¹⁷ Lee, 43-47.

¹⁸ U.S. Census Bureau, *Population by Sex, General Nativity and Color 1870-1880*. http://www2.census.gov/prod2/decennial/documents/33405927v1_TOC.pdf (1 Feb. 2007).

¹⁹ U.S. Census Bureau, *Asian and Pacific Islander for the United States, Regions, Divisions and States: 1870-1890*. <http://www.census.gov/population/documentation/twps0056/tabC-11.pdf> (1 Feb. 2007).

²⁰ U.S. Census Bureau, *Population by Sex, General Nativity and Color 1870-1880*.

²¹ U.S. Census Bureau, *Asian and Pacific Islander for the United States, Regions, Divisions and States: 1870-1890*. <http://www.census.gov/population/documentation/twps0056/tabC-11.pdf> (1 Feb. 2007).

²² U.S. Census Bureau, *Asian and Pacific Islander for the United States, Regions, Divisions and States: 1900-1910*. <http://www.census.gov/population/documentation/twps0056/tabC-10.pdf> (1 Feb. 2007).

coincided with the rise of the anti-Chinese movement in the West. As the majority of the Yellow Peril events occurred along the West Coast, the statistics show an inverse relationship with that of California in the year 1900. New York claimed more racial tolerance but less economic opportunities due to the various ethnic groups working in labor sectors.²³ This suggests that Chinese residents relocated eastward, increasing the Chinese population in New York or that Chinese immigration started to come in waves to New York instead of California.

With fewer Chinese in New York, the backlash of the anti-Chinese movement did not affect the small Chinese population in New York as drastically as it did in California. The early Chinese immigrants who arrived in New York in the 1860s had a strong tendency to adopt Anglo American names and marry European-American women. In fact, in the late 1860s, New York City claimed one hundred Chinese men as residents and about fifty had Irish or German wives.²⁴ These unions were often depicted as cartoons in magazines.²⁵ Although some Chinese men assimilated into American society, the Chinese were not free from discrimination within New York City. The *New York Daily Tribune* expressed these feelings as early as 1876 as it wrote, “The English, German, Irish, French and other European immigrants become good citizens and contribute materially to the growth and prosperity of the country. The Chinaman hoards his money in order that he may send it to his native land, and is an unprofitable visitor at best.”²⁶ In

²³Wang, 52.

²⁴Wang, 25-26.

²⁵John Kuo Wei Tchen. *New York Before Chinatown: Orientalism and the Shaping of American Culture*. (Baltimore: The John Hopkins University Press, 1999), 126-127.

²⁶*New York Daily Tribune*, 1 July 1876.

addition, anti-Chinese campaigns were directed at Chinese laundrymen as there was a systematic crusade to rid of them by white men.²⁷

V. The Creation of the U.S. Immigration Bureau-Failures and Accomplishments

With the passage of the Chinese Exclusion Act and its revisions, the government needed to find a way to enforce the law. Therefore, a trained force, consisting of government officials and interpreters, was created to identify and record the movements, occupations and relationships of returning Chinese residents and native-born citizens. A tracking system was developed through the process of registration for documents, certificates of identity and interviews.²⁸

The United States Custom Service was called upon to enforce the exclusion laws because it already trained corps of government officials at the nation's ports and had experience with international steamship companies. However, the department lacked clear instructions from the administration on how to enforce the law. What derived out of this department from the federal government was an official post known as the "Chinese inspector."²⁹ When a ship arrived at the United States, the Chinese inspector was responsible for giving the immigrants the right to enter. The only guide that the Chinese inspector received was a circular informing them the terms of the act and how to handle certificates. As deadlines approached, no further instructions were given. Only three months after the exclusion act did the Treasury Department provide more information to the inspectors. The following years yielded the same result with little guidelines. Also,

²⁷Wang, 52.

²⁸Lee, 41.

²⁹Lee, 49.

differences in the interpretation of the laws between the Bureau of Customs and the court system led to a source of tension as the courts was clogged with cases of habeas corpus.³⁰ As this was the first time exclusion laws had been passed, the United States Custom Service was inexperienced on how to handle immigration situations, leading to weaknesses in enforcing the law.

In 1891 the Bureau of Immigration was established with the secretary of the treasury at the top. Next on the hierarchy was the commissioner general of immigration who headed the Bureau of Immigration. Inspectors were placed at each port of entry but the loose administrative structure and absence of a strong centralized agency allowed for customs officials to develop local policies and interpret the laws in their own fashion, especially in San Francisco.³¹ However Washington D.C. gave a clear direction for the local customs officials as congressmen declared that the surveillance of Chinese immigration was crucial to the development of the country's economy. Anti-Chinese stories reported by newspapers in Washington D.C. and California kept a close eye on the inspectors of the Chinese Bureau, scrutinizing their enforcement policies in order to expose signs of leniency or corruption.³²

Chinese interpreters were hired under the Bureau of Immigration. However, the guidelines and qualifications to hire interpreters were racist and unrealistic for an American society. At first, Chinese interpreters consisted of men of Chinese heritage but with prejudices institutionalized within the Chinese Bureau, they were discharged. For the bureau, the ideal Chinese interpreter was expected to be white and had to possess a

³⁰McKeown, 15.

³¹McKeown, 5.

³²Lee, 49-51.

flawless reputation for honesty.³³ As fluency in Chinese was rare for a Caucasian American, few Chinese interpreters were hired. When they were hired they were unqualified and were extremely busy. Although interpreters of Chinese heritage were later hired to meet the demands of the Chinese applicants and arrivals at America's ports, they consisted of a select few and were considered less reliable than their white counterparts. Nevertheless, the bureau was understaffed. In New York, a group of Chinese merchants were detained because no translator was available to record their testimonies or conduct their interviews. Also, when interpreter Jim Fuey Moy who worked along the East Coast was not available, examinations of Chinese applicants came to a standstill.³⁴

Not only was the public's anti-Chinese sentiment an explanation for the strict interpretation due to public scrutiny, but the personal prejudices played a role on the enforcement of the Chinese Exclusion Act. John H. Wise, a U.S. Collector of Customs at San Francisco was a notorious opponent of Chinese immigration. Not only did he follow the strict requirements of the act but he went beyond it. He required exempt-class Chinese to provide additional information than the Section 6 Certificate. Departing Chinese leaving for China and applied for reentry were required to answer specific questions and were kept on file. Upon their return, if any Chinese answered a question that did not match its previous answer, Wise would refuse the application.³⁵ As a result, San Francisco earned the reputation as the most difficult processing center for newly arriving Chinese immigrants and departing Chinese residents.³⁶ It should be noted that

³³Lee, 60.

³⁴Lee, 62.

³⁵Lee, 52.

³⁶Lee, 47-50.

Wise's actions as a customs agent was extreme and not followed by other collectors at other ports.

The fusion of Wise's racist attitude along with his job is best demonstrated through the case of Wong Fong. Wong, a longtime resident of the United States, was returning from China in 1895 to be reunited with his fiancée after a brief visit to China. Wong was denied reentry by Wise for unspecified reasons and became ill at a holding station. His requests were denied for traditional Chinese medicine and he eventually hired an attorney to reverse Wise's deportation decision. In response to his attorney, Wise wrote a letter which included a poem full of stereotypes, an irresponsible decision for someone of his position. Furthermore, Wise refers to himself within the poem, showing no shame of his actions:

Now poor Wong Fong, he feels quite ill,
As I am told by Ling
And won't eat any nice birds' nests
Nor even will he sing.

So just to make this poor Wong Fong
Feel good and nice
I've sent him back to China
Where he can eat mice.

And poor Wong Fong, he had to leave
Behind his fiancée
And go back to China
Across the dark blue sea.

And Mr. Ling was left behind
And did'nt [sic] get his fee
Because the cruel Collector
Sent Wong across the sea.³⁷

In 1899, Chief Inspector James R. Dunn followed Wise's commitment to keeping the Chinese away from Californian soil. He channeled his energy to cover up loopholes

³⁷ Lee, 53-55.

of the enforcement of the Chinese Exclusion Act. Upset by various court decisions to overrule an official's decision to deny entry, Dunn took it upon himself to enforce the exclusion laws and regulate them to the limits of technicality. He instituted new rules to Chinese applicants and went as far as to misrepresent the testimonies of many Chinese applicants and their witnesses. He often claimed to lose important papers and documents.³⁸ He was eventually removed from the bureau at San Francisco.

Furthermore, newly appointed Commissioner General of Immigration, Terence Powderly began a program of administrative reform to systemize the enforcement procedures.³⁹

Thus Chinese immigrants found it extremely difficult to enter at California's ports at the turn of the 20th Century as the bureau was composed of, "...ignorant, narrow-minded men whose idea of effective enforcement was simply to shut out more Chinamen, no matter what class, by greater severity, suspicion, and intimidation."⁴⁰

The situation of enforcement in New York was vastly different than on the West Coast. Chinese immigrants arrived at New York via different locations than China. The Treaty of Amity and Commerce signed in 1899 by China and Mexico increased Chinese immigration into Mexico and influenced the number of Chinese border crossings into the United States.⁴¹ Considering the distance from China to the West Coast, the Chinese stopped over at third countries. They included Canada, Mexico, Cuba and other Caribbean countries. These countries are documented as the starting points for many Chinese immigrants arriving on boats and trains.⁴² For instance, Wong Moup arrived in San Francisco from China. From San Francisco he traveled by train to New Orleans and

³⁸McKeown, 5.

³⁹McKeown, 5.

⁴⁰Lee, 58.

⁴¹Lee, 157.

⁴²Chang, 144-145.

onward by steamer to Havana, Cuba. After receiving a Section 6 Certificate from the Chinese Consulate at Cuba, he came to New York in 1895.⁴³

According to various transcripts of interviews and letters of cases, it was common for many Chinese to stay at the departing countries for a period of years before traveling on to New York or other locations within the United States. In Joe Jung's case, he arrived at New York on September 28, 1896 from Cuba at the age of 17. According to his testimony, he lived at Havana, Cuba for one or two years before coming to the United States.⁴⁴ Similarly, Wong Muk entered the United States from Havana, Cuba in 1895, and worked at Sun Sing Lung Firm as a salesmen and a partner for a few years before entering the United States.⁴⁵ Not only did these immigrants arrive from a third country, but they established connections with other Chinese communities in the Western Hemisphere.

In order to obtain a Section 6 Certificate to be allowed entry into the United States, many Chinese disguised themselves as one of the exempt-class Chinese. The Chinese Consulate at Havana, Cuba issued many student certificates to the Chinese.⁴⁶ This seemed to be an easier alternative than attempting to enter illegally at San Francisco. On more than one occasion, some Chinese were denied entry into New York as a student. However, many returned back to Cuba and were able to receive a different type of certificate from the Chinese Consulate to the United States. For instance, the records for Wong Jung show that he first arrived in New York from Havana as a student in 1895. He

⁴³ National Archives-Northeast Regional NYC location. Wong Moup Testimony Transcript, New York, September 6, 1919, File 61/930.

⁴⁴ National Archives-Northeast Regional NYC location. Joe Jung Testimony Transcript, New York, July 14, 1928, File 6/944.

⁴⁵ National Archives-Northeast Regional NYC location. Wong Muk, Testimony Transcript, New York, June 6, 1923 File 61/9030

⁴⁶ National Archives-Northeast Regional NYC location. Passport of Vu Lin Tuk issued by the Chinese Consulate in Havana, Cuba, August 15, 1896, File 6/60.

was denied admission and returned to the United States one month later to be admitted as a merchant.⁴⁷

After entering the United States, many of the Chinese that first entered under Section 6 were found to be merchants or involved in different trades twenty years later. This is discovered decades later at the office of the Chinese inspector in New York City when many of these Chinese went through the process of applying for a return certificate in order to visit China and be allowed to reenter the United States. Such is the case of Gee Too Shaw who claimed to be a missionary working at a Brooklyn Church when he first came to New York. After applying for a Merchant's Return Certificate in 1924 and undergoing the process of interview for identification, careful investigation concluded that he was a laborer at the Wing Sing laundry located in Elmhurst, Long Island.⁴⁸

VI. Ritualization of Interviews and Verification Procedures

The process of applying for a return certificate to leave the country and to be allowed reentry was specific and lengthy for the Chinese in the United States. It verified a person's identity and legal status into the country making it the perfect tool to study how many Chinese first immigrated to the United States. Furthermore, since the process of identifying a person was the same, it ritualized interviews and verification procedures.

After applying for a return certificate a Chinese person had to go through a process that included interviews, testimonies of two white witnesses, testimony of a Chinese witness, background checks that verified the place of residence, occupation and identification. Forms to be filled out requested a person's personal information including

⁴⁷National Archives-Northeast Regional NYC location. Wong Jung Testimony Transcript, New York, September 6, 1919, File 61/898.

⁴⁸National Archives-Northeast Regional NYC location. Letter from B. Reynolds to the Immigration Office in NYC, April 29, 1924, File 56/907.

one's date of birth, family name, the name and number of children and the name one's wife. It described a person's physical features and reported the amount of debt owed to them as the revised Chinese Exclusion Act allowed for reentry if one could prove that he had a lawful wife, child or parent in the United States, or property or debts due to him worth at least \$1000 dollars.⁴⁹ The purpose of a white witness was to obtain an outsider's view on verification of the applicant's job and status. This was usually a neighbor, friend or business contact that one worked with. Chin Toy, an applicant for a return certificate enlisted Harry Gilbert, an insurance agent and George Randles, a salesman of laundry supplies to be his white witnesses.⁵⁰ In some cases where one's illegal status was shaky, white witnesses were paid to testify. This is seen through Ng Mon Mee and Yung Pok's court case. During a cross examination of a white witness, the witness confirmed that he has been a witness several times to similar Chinese cases and that he had been compensated for his traveling expenses to be able to testify at court.⁵¹

When a red flag was spotted on a person's file, memos and telegrams were sent to various Chinese inspection offices around the country asking for advice or briefing other officials on the events that just occurred. In a letter dated December 21, 1909, a commissioner in Canada wrote to the inspector in charge in New York about the status of Li Dick, "I beg to acknowledge receipt of your letter of the 17th instant, No.2420/162, and note that you are unable to verify admission of Li Dick at Malone, NY in the year 1894."⁵²

⁴⁹ Lee, 45.

⁵⁰National Archives-Northeast Regional NYC location. Chin Toy Testimony Transcript, May 17, 1922, New York, File 580/6/1158.

⁵¹National Archives-Northeast Regional NYC location. Court Case, USA vs. Ng Mon Mee & Yung Pok, April 21, 1900 File 19/174.

⁵²National Archives-Northeast Regional NYC location. Letter from the Commissioner in Canada to the Inspector in Charge in New York, December 21, 1909, File 20/162, Folder 2.

When it was time to interview the applicants, inspection officials used the technique of asking the same questions during different parts of the interview in order to verify that they gave the correct answer every time. The information requested by the inspection officials was so specific that only a certain person would know. This included the dates of births of their family members, description of the applicant's job, if one's wife had bound or unbound feet and specific information about their village in China. They also compared photographs.⁵³ As various Chinese communities were connected, word spread of the detailed questioning one would be subjected to. Eventually many were able to beat the system by being informed in advance of many of the questions that would be asked of them. For example, F.W. Berkshire, a Chinese inspector in Chicago noted, "The most striking fact which has impressed itself upon me...is that the Chinamen are fully informed in advance, concerning each case, before my investigations are begun."⁵⁴ Preparation schools were established throughout the United States, Hong Kong and China to teach prospective immigrants and returning residents how to memorize correct answers and how to behave during the interview. Many of the guides the schools used taught the Chinese how to explain Chinese culture ranging from home ancestral worship to dialogue at funerals and weddings to their written letters to officials.⁵⁵

Preparing returning and new immigrants for their interviews with officials allowed for reentry or entry of many Chinese into the United States. On the other hand, many were unable to handle the pressure of the tedious interview. Li Dick attempted to reenter the United States after a brief visit to China from the United States-Canadian border. He

⁵³National Archives-Northeast Regional NYC location. Lee Yen's Application for Merchant's Reentry Form, August 2, 1897, File 14/730.

⁵⁴McKeown, 12.

⁵⁵McKeown, 12.

was caught and arrested. According to a letter from the Bureau of Immigration from Montreal to New York, Li Dick was arrested for crossing the international boundary in an automobile with two white men, whom he paid and three Chinese men at an unknown point of entry. When interviewed on the reasons for attempting to reenter the United States illegally, he told officials that he was scared that he would meet the same fate as his friends who have been turned down.⁵⁶ His fear of failing the interview haunted him as many of his friends who tried entering legally were rejected as well as his belief that he would be unable to pass an interview given by officials.

A relaxed environment in New York contributed to the shorter timeframe an applicant would have waited for a response to their application than in California. It was also a process that was fast and reliable. Thomas J. Conroy, the Chinese Inspector in New York, personally wrote letters to many of his applicants explaining the correct procedures and steps they had to take in order to complete an application.⁵⁷ An example of this relaxed pressure on applicants in New York can be viewed through the favoritism of a former Chinese interpreter named Warren Wong. As an applicant for a laborer's return certificate, H.R. Sisson, an inspector in charge sent a telegram to all U.S. officials introducing Wong. The telegram states:

This will introduce to you Mr. Warren Wong a U.S. Chinese Interpreter assigned to this office who has been granted six months leave of absence in order to visit China, and any courtesies extended to him will be appreciated by me.⁵⁸

⁵⁶National Archives-Northeast Regional NYC location, Court Case, 2.

⁵⁷National Archives-Northeast Regional NYC location. Thomas J. Conroy, Chinese Immigrant Inspector to the Department of Labor of Immigration Services, New York, July 14, 1928. File 6/944.

⁵⁸National Archives-Northeast Regional NYC location. Telegram from H.R. Sisson to U.S. Officials, November 3, 1911. File 12/1015.

Contrary to the sentiments of the inspectors in California, the New York branch of the bureau extended a helping hand to many Chinese residents, reaffirming the relaxed local politics in New York.

According to the *Annual Report of the Commissioner General of Immigration, 1903-1924*, in 1895, 24 percent of cases for Chinese immigration at the U.S. ports were rejected. For the next few years, the number rejected decreased steadily until it hit a low of 3.7 percent in 1898. However in 1899 it increased to 14.2 percent followed by 15.5 percent in 1900.⁵⁹ The number of cases at U.S. ports was relatively stable over the years, demonstrating that the toughest phase of the enforcement of the Chinese Exclusion Act occurred in 1895. From then on, officials appeared to be more lenient, allowing more people to pass through ports. These statistics show that with the ritualization of interviews and verification procedures, the last half of the 1890s was the period when Chinese immigrants and reentering residents were able to pass entrance exams.

VII. Conclusion

The enforcement of the Chinese Exclusion Act was more successful in California than in the New York. As the eyes of the nation looked upon California to uphold the Chinese Exclusion Act, a new agency was established to keep the Chinese out of United States' soil. This pressure came from discrimination and violence towards the Chinese, and was reinforced by the mass media's scrutiny of the actions of inspectors and tough administration within the local bureau. Since significantly fewer Chinese residents were located in New York, the anti-Chinese movement did not escalate to the level it did in California. Without the heavy pressure of the public, mass media and local politics of the

⁵⁹McKeown, 9.

bureau, law enforcement officials in New York were more lenient than those in California.

Additionally, requiring the Chinese to apply for certain forms to legally leave and return to the United States, made the interviewing and identification process redundant by making a ritual out of it. Many Chinese were able to beat the system by predicting the questions that would be asked of them. In order to fulfill the requirement for identification verification, the Chinese had to enlist two white witnesses, forcing many merchants to forge ties with businessmen, neighbors and even landlords. These relationships occurred not only out of necessity for verification, but it was practiced before the passage of the Chinese Exclusion Act. It was not unheard of for Chinese men in New York City to marry Irish or German women in the mid 19th Century.

According to the database at the National Archives, Northeast Regional NYC location, the number of Chinese relocating from California to New York City increased, outnumbering new Chinese immigrants arriving at New York from other countries⁶⁰. These American-born Chinese in California made their way to New York in search of employment and a less hostile environment. Furthermore, reentering Chinese who were rejected from California's ports turned to New York as a port of entry, as it was easier to pass through. This is reinforced by statistics by the U.S Census Bureau stated earlier that show that New York City's Chinese population increased in the 1900s, while the population in California decreased in the same year.

The information provided in primary and secondary sources used to answer my working questions, shed light on the history of the Chinese during the 1890-1900. The

⁶⁰National Archives-Northeast Regional NYC location. Chinese aide to immigration database, compiled by Betty Lee Sung

incorporation of these sources into this research paper proved that the enforcement of the Chinese Exclusion Act and its revisions was a regional phenomenon. As with each new study, there are new questions to be answered for other scholars and students. These questions allow for further research on this topic generating questions such as: How different were the lives economically of the Chinese that migrated from California to the New York? If the methods of interviews to the Chinese entering or reentering the United States became ritualized, is it possible to discover how many actually beat the system? With the Chinese Exclusion Act setting the precedent for further immigration of different races, how did U.S. policy over the years change? What were the terms of the relationship between the white witnesses and the Chinese applicants? Were favors exchanged or were they done solely on a friendship basis?

These questions provide a good foundation for new areas of study within Chinese-American history as they would further advance the literature already written by scholars and students. Furthermore, the study of the Chinese Exclusion Act as an immigration precedent provides a basis to understand the development of the history of immigration law as other ethnic groups were affected throughout the history of the United States.

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