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Standing Up Against Racial Discrimination: Progressive Americans and the Chinese Exclusion Act in the Late Nineteenth Century

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Abstract

The passage of the Chinese Exclusion Act is a dark chapter in the immigration history of the United States. In contrast to the overwhelming “Yellow Peril” literature of the time, the outcries of mistreated Chinese were few and far between, as they had little recourse against their accusers. This article attempts to identify the rare voices of Chinese Americans and recognizes the bold vision and noble endeavors of some progressive Americans during the Exclusion Era of the late nineteenth century. Throughout the national debates on the Chinese Exclusion Act, a minority of Americans stood up in support of Chinese immigrants, while sturdily condemning injustice against them. They argued that such a discriminatory measure was a direct violation of America’s moral principles of freedom, liberty, and equity for all. Although their calls for justice were engulfed by the anti-Chinese hysteria of the time, they stood on the right side of history, and their brave acts inspired those marginalized people in their continuing march for civil rights advancement in the United States.

Introduction

The discovery of gold in California in the mid-nineteenth century marked the beginning of large-scale Chinese immigration to the United States. Since the 1850s, unwilling to accept a life of poverty and despair, tens of thousands of Chinese laborers embarked on the transpacific voyage and began to work in gold and silver mines in the western

states. They soon became a major workforce during the construction of the first transcontinental railroad and made significant contributions to the expansion of agriculture in the American West (Zhang 2018). However, the economic recession that started in the early 1870s led to rising anti-Chinese sentiment, and Chinese immigrants were blamed as scapegoats of the economic crisis and a source of social evils and moral decline

in America. Politicians such as James A. Johnson began to make racist claims “that the white man is superior to the Chinaman; that our country would be better off peopled entirely with our own kind than if mixed with an inferior and degraded race” (Torok 1996, 89). Finally in 1882, after California implemented a series of discriminatory legislation and following more than a decade of anti-Chinese outcries and lobbying from the western states, Congress unilaterally passed the Chinese Exclusion Act (*Statutes at Large* 1882), prohibiting all immigration of Chinese laborers. Building on the Page Act (*Statutes at Large* 1875), which banned Chinese women from entering the United States, the Chinese Exclusion Act was the first law implemented to prevent a specific ethnic or national group from immigrating, and one of the most significant restrictions on free immigration in American history. The Act not only outlawed all Chinese immigration, but also denied citizenship to those already settled in the country. Its impact upon the Chinese in America was profound and devastating (Chan 1991).

“American objections to Chinese immigration were deeply rooted in economic and social tensions, as well as the prevailing ethnic prejudice in the late nineteenth century. Nevertheless, despite the dominant beliefs in American society and the fact that the Act passed with overwhelming support from Congress, at that time the notorious legislation had been vehemently opposed by some progressive Americans. Who were those people? How did they get involved with Chinese immigrants, and what did they do during the national

debate on the Chinese Exclusion Act? By examining the lives of some notable figures, this essay documents the brave deeds of those Americans in voicing their true convictions and defending Chinese immigrants during a dark chapter of national history. By taking a strong stand against ethnic persecution at a time when racial discrimination was widely accepted, they demonstrated considerable political courage and unbending commitment to American ideals.

Voices of Chinese Americans: Wong Ching Foo and Yan Phou Lee

During the late nineteenth century, most Chinese in America came from southern China. With little education, majority of them were manual laborers in mines and construction sites or living in Chinatowns as factory workers or shopkeepers. Wong Ching Foo and Yan Phou Lee are two exceptions. Both were born in China but educated in the United States. After becoming naturalized citizens, they passionately advocated the cause of Chinese Americans. By speaking out on behalf of their people against disreputable legislation, they provided rare voices for those persecuted and proved that ethnic Chinese had become members of a multicultural American society (Seligman 2013a; Cheung, 2003).

Wong Ching Foo (1847-1898) was a Chinese-American civil rights advocate and one of the most outspoken Chinese voices in the nineteenth century. Born in Jimo, Shandong, Wong came to the United States in 1867 with the assistance of American missionary Sallie Little Holmes and attended the University at

Lewisburg (now Bucknell University) in 1869-70. After a short stay in China, where he was excommunicated from the Baptist Church and became a wanted man for inciting rebellion against the corrupt Qing Court, he returned to America in 1873 and became a citizen a year later (Seligman 2013b). Disillusioned by Western religion, he wrote his most notable essay "Why Am I a Heathen?" to explain his rejection of Christianity in favor of traditional Chinese beliefs (Wong 1887). Declaring himself China's first Confucian missionary to the United States, he launched a cross-country lecture tour to promote Chinese culture and denounce discrimination against the Chinese in America. When he gave a speech in New York, *Harper's Weekly* (1877, 405) praised:

Mr. Wong Ching Foo disclaims the character of missionary, and says he has come only for the purpose of explaining away certain misapprehensions concerning his country and people which prevail among Americans. He is an intelligent, cultured gentleman, speaking English with ease and vivacity, and he has the power of interesting his audience.

A civil rights pioneer, Wong proudly defended Chinese Americans as law-abiding and good-mannered people, and courageously declared that only "character and fitness should be the requirement of all who are desirous of becoming citizens of the American Republic" (Pomfret 2016, 82). As one of the first Chinese immigrants to

be naturalized, Wong dedicated his life to fighting for the equal rights of Chinese Americans. He once famously challenged San Francisco's anti-Chinese agitator and Irish immigrant Denis Kearney to a duel, giving Kearney his choice of weapon: chopsticks, Irish potatoes, or Krupp guns (Seligman 2013a, 161). Wong also established America's first association of Chinese voters and later the Chinese Equal Rights League. As its president, on January 26, 1893, Wong testified in front of a congressional committee to oppose the renewal of the Chinese Exclusion Act (Seligman 2013b). When the Geary Act passed, the League mobilized tens of thousands of Chinese immigrants to defy the discriminatory legislation, one of the first massive civil disobedience cases in U.S. history (Pomfret 2016). Wong was also the first person to introduce the notion of *Chinese American* (Zhang 2018). However, his same-titled newspaper in Chinese language only lasted less than a year for lack of funding. On the occasion of its publication, *Frank Leslie's Illustrated Newspaper* (1883, 435) reported:

The cosmopolitan character which New York has taken on of late years is freshly shown by the establishment of a Chinese weekly newspaper. This new journalistic venture is edited by Wong Chin Foo, an educated man of rank, who graduated at one of our colleges, and is very popular with his countrymen.... Such an enterprise will surprise many people who have always been accustomed to regard the Chinese as illiterate barbarians,

and it certainly shows a degree of advancement which is exceedingly creditable to them.

During the exclusion debate in late nineteenth century America, another distinguished Chinese voice belonged to Yan Phou Lee (1861-1938). Born in Xiangshan, Guangdong, Lee came to America in 1873 as a part of the Chinese Educational Mission led by Yung Wing. However, before Lee could complete his study, his fellowship was cancelled by the Qing Court and all students were recalled, a few months before the Chinese Exclusion Act was passed. Despite his young age, Lee had already developed an appreciation of American culture. With missionary assistance in China, he “decided to come back here and make this country his permanent abiding place, for when he left China, against the command of his Government, he could never return except on peril of losing his head” (*New York Times* 1887a, 2). Upon returning, Lee converted to Christianity and resumed his studies at Yale. He wrote for the press, lectured in different cities, and did clerical work to pay for his tuition, while earning the Larned Scholarship and prizes for proficiency in English, history, law, and political economy. In 1887, after graduation from Yale, he married Elizabeth Maud Jerome, which became “the first marriage in New Haven of a native of China to an American lady” (*New York Times* 1887b, 1). During the same year, he also published *When I Was a Boy in China* (Lee 1887a), believed to be the first title printed in English in the U.S. by someone of Asian descent. According to Amy Ling (2002), his writing deserves a

“place of distinction” as a “foundation father” of Asian American literature.

Besides his autobiography, Lee also wrote essays about the ways in which Chinese immigrants were mistreated in the United States. As one of the few American-educated Chinese of the time, Lee spent most of his life advocating for equality for the Chinese American community. In his graduation speech, he claimed that “the Chinese will always preserve the sad record of persecutions and cruelty which they had met in the land where all are equal before the law. How humiliating to think that only a feeble voice here and there has been raised against this enormous wrong!” (*New York Times* 1887c, 8). As a direct response to the popular anti-immigration slogan “Chinese Must Go!” of the Exclusion Era, Lee wrote “The Chinese Must Stay,” in which he first praised the moral principles asserted by the Founding Fathers that “all men are created equal and made this fair land a refuge for the whole world,” and then powerfully denounced “How far this Republic has departed from its high ideal and reversed its traditional policy may be seen in the laws passed against the Chinese” (Lee 1889). In “The Other Side of the Chinese Question,” he strongly condemned the hypocrisy that “Californians prohibited the Chinese from becoming citizens and then accused them of failure to become naturalized” (Lee 1887b). A citizen himself, Lee advocated the assimilationist ideal and argued that Chinese, like European immigrants, were just as capable of becoming good Americans. When Wong published his “Why Am I a Heathen?” Lee responded

with a rejoinder outlining his choice to embrace Christianity in America (Lee 1887c). While his outspoken voice angered many Americans of his time, he also managed to gain a sympathetic understanding from some white middle-class readers. Besides Wong and Lee, Yung Wing, reportedly the first Chinese ever graduated from an American university, also registered his strong opposition to the prejudiced legislation. In a letter to Secretary of State William M. Evarts, Yung Wing (1880) wrote:

But at the present time the Treaty of 1868 is practically a dead letter in one of the States of the Union where tens of thousands of my countrymen are by law deprived of shelter and prohibited from earning a livelihood and are in hourly expectation of being driven from their homes to starve in the streets. Under such circumstances I could not acquit myself of my duty if I did not protest earnestly, but most respectfully, against the wrong to which they have been subjected.

In fact, as early as 1852, when accusations and legislative measures began to emerge to limit Chinese immigration to California, Norman Asing, a naturalized citizen and leader in San Francisco's Chinese community, published a forceful letter challenging the discriminatory policies issued by California Governor John Bigler: "You argue that this is a republic of a particular race—that the Constitution of the United States admits of no asylum to any other than the pale face. This proposition is false in the extreme, and you know it. The declaration

of your independence, and all the acts of your government, your people, and your history are all against you" (Asing 1852). Unfortunately, the press then was largely one-sided; any outcries by persecuted Chinese were few and far between, and were quickly engulfed by anti-Chinese waves.

Support from Members of the Community: Frederick Bee, Otis Gibson, and Others

Since most of the early Chinese immigrants were young males with little education, they could only find employment in mines and railroad construction, and later as factory workers, agricultural laborers, fishermen, grocers, laundrymen, and domestic servants. Because of widespread hostility, many sought shelter in the Chinese communities of large cities, especially San Francisco and New York. While concentrating in insular Chinatowns, they still had to interact with members of local communities, people such as business owners and employers, store customers, government officials, policemen and sheriffs, attorneys, religious leaders, and so on. Owing to these direct encounters, some Americans gained a firsthand understanding of the life experience of those immigrant laborers. During the ensuing debates on the Chinese Exclusion Act, whether out of sympathy, personal conviction, or business interests, they spoke out in support of Chinese immigrants. Frederick Bee and Otis Gibson are two good examples.

Born in Clinton, New York, Frederick Alonzo Bee (1825-1892) was the last

of eight children of John and Mary (Wilson) Bee, who had emigrated from Northumberland, England, in the early nineteenth century. Growing up in Central New York, Bee followed his brother Albert to California in 1849 and went directly into mining, which turned out to be a personally lucrative business. At that time, the Gold Rush attracted both white settlers and Chinese to the American West, but Chinese laborers typically operated in teams organized by district associations and often worked in areas abandoned by others. In this capacity Bee had his first encounter with Chinese immigrants, when he hired twenty Chinese workers on Ledge Bar to extract gold from an underwater pit (*Sacramento Daily Union* 1855). While the difficult operation generated a good profit, the hard-working and productive Chinese miners also left a deep impression on the mind of the capitalist entrepreneur.

In July 1876, at the urging of the Republican National Convention, Congress passed resolutions “to investigate the extent, character, and effect of Chinese immigration” (*Report of the Joint Special Committee* 1877). When the Joint Special Committee held hearings later that year, no attorneys were willing to represent the Chinese immigrants, likely fearing repercussions from nativist mobs. When Committee Chairman Senator Oliver Morton contacted Bee, he accepted the offer with the same entrepreneurial spirit that had made him a friend of the Chinese workers years earlier. On October 21, 1876, at the Palace Hotel in San Francisco, Bee testified in front the joint congressional committee on behalf

of the Chinese immigrants, whom he praised as a “harmless, innocent class of people,” “men of iron,” and “hardy, industrious laborers” (Ibid, 44-45). After pointing out “that legislation has been one-sided,” Bee remarked:

I say it with shame, that these people have no privileges. They do not seem to have extended to them the protection of the law in any particular... We are here to show and controvert the charges against them, and expose the wrongs perpetrated upon them.... It has arrived to this – that their treatment here is such that they have become sick, disappointed, and disgusted, and I am here to show that they are a persecuted people (Ibid, 37-49).

However, despite Bee’s efforts, the Joint Special Committee still concluded that the Chinese population had few desirable characteristics and restrictive measures on Chinese immigration were justified. Bee received death threats in 1877 after his testimony and when raising funds for the Chinese victims of the Chico Massacre (*Inter Ocean* 1877, 5). He was also the constant subject of ridicule and condemnation by racist publications such as *The San Francisco Illustrated Wasp*, once the most-read weekly on the West Coast and a vanguard of the anti-Chinese movement in California (For more information please read the following: “Col. B’s Hobby Horse,” *San Francisco Illustrated Wasp*, Nov. 9, 1878, cover; “Golden Calf Retained,” *Wasp*, March 15, 1879, cover; “New Treaty and the New Politicians,”

Wasp, 6:239 (1881), 144; "Our New Cabinet at Washington," *Wasp*, April 28, 1882, 264-5; "The Chinese Want to Go," *Wasp*, 9:316 (1882); "The Restriction Act Knocked Out,," *Wasp*, August 15, 1885, 8-9; "Easy Work: The Way to Repeal an Act of Congress," *Wasp*, August 10, 1889, cover; "The Joker Makes His Appearance Once More," *Wasp*, August 24, 1889, 16; "A Dangerous Machine to Fool With," *Wasp*, September 28, 1889, 8-9.) Undeterred, he spoke with *The Washington Post* (Chinese in America 1878) to denounce "the sand-lot men and the irresponsible riff-raff population, who vote for the party which yells loudest against the Chinese." His strong support for Chinese laborers not only generated angry protests from members of the Workingmen's Party, but also caught the attention of the newly arrived Chinese Ambassador Chen Lanbin, who after a brief investigation appointed Bee a Chinese Consul in San Francisco (*Sacramento Daily Union* 1878). Bee then devoted himself to representing the interests of the Chinese in America and defending their civil rights against discriminatory measures. A practicing attorney in California, he testified as a witness on behalf of Chinese immigrants in multiple habeas corpus cases. He also appeared before state and federal courts seeking reparations for growing anti-Chinese violence in America, most notably the Rock Springs Massacre in 1885, one of the most ferocious anti-Chinese riots in the nineteenth century (*Harper's Weekly* 1885b, 676). After conducting investigation in Wyoming, Bee vehemently condemned the "low-browed, square-jawed, ignorant and villainously visaged men" for their violent attacks on Chinese

miners (*Daily Alta California* 1885).

For his outstanding work, Bee was awarded the honorable rank of Mandarin of the Blue Button by the Qing Court (*San Francisco News Letter* 1882). When Congress was debating the Chinese Exclusion Act, he wrote a letter to the Senate in protest: "As surely as the path on which our fathers entered a hundred years ago led to safety, to strength, to glory, so surely will the path on which we now propose to enter bring us to shame, to weakness, and to peril" (Bee 1882, 290). As a response to the Board of Supervisors' early report on the condition of the Chinese Quarter in San Francisco and hoping to provide a different perspective on the contentious issue, Bee published *The Other Side of the Chinese Question: To the People of the United States and the Honorable the Senate and House of Representatives. Testimony of California's Leading Citizens* (1886). In 1890, in order to clarify misunderstandings about Chinese immigration, Bee found himself again in front of the Congressional Joint Committee on Immigration and Naturalization, giving lengthy testimony on the Chinese immigrants in America, the Six Companies, the criminal activities in Chinatown, as well as his work as a Chinese consul (*Report of the Committees* 1890-91). He continually spoke out in the news media to condemn the Scott Act and other discriminatory legislation against Chinese immigrants (*Daily Inter Ocean* 1890, 24). In spite of his determination, two weeks before his death, Congress passed the Geary Act to further extend and restrict Chinese immigration. When Bee passed away suddenly in 1892, the flag at the Chinese Consulate and those around Chinatown

in San Francisco were lowered to half-mast to pay tribute to their American ally in civil liberties (*San Francisco Call* 1892). For his steadfast support, Bee had won the respect of the Chinese immigrants he represented and inspired those persecuted people in their continual fight for civil rights in the country.

During the peak of anti-Chinese hysteria, Bee was by no means the only voice of opposition. In *The Other Side of the Chinese Question*, Bee (1886) compiled testimonies of some of California's leading citizens who spoke during the congressional hearings in favor of Chinese immigration to the American West. The list includes a minister, entrepreneur, merchant, rancher, physician, lawyer, and judge, with names such as Augustus W. Loomis, Frederick W. Macondray, Joseph A. Coolidge, Geo. D. Roberts, Solomon Heydenfeldt, Cornelius B. Gibbs, Herman Heynemann, Richard G. Sneath, William F. Babcock, Donald McLennan, Henry C. Beals, Arthur B. Stout, William W. Hollister, David D. Colton, and Charles Crocker. First on his list was Otis T. Gibson, a Methodist minister and community leader in San Francisco.

Otis Gibson (1826-1889) was born on a farm in Moira, New York to Winslow Gardner and Orpha Marsh Gibson. After the death of his brother, young Gibson became a Christian and joined the Methodist Episcopal Church. In 1850, he entered Dickinson College and studied under Professor Erastus Wentworth (1813-1886), Chair of Natural Philosophy and a devout Methodist. Following his graduation with a divinity degree in 1854, he decided to accompany Wentworth on

his trip to China and was appointed as a missionary in Fuzhou, Fujian. After his marriage with Elizabeth Chamberlin, the Gibsons sailed from New York Harbor on April 3, 1855, and reached Fujian four months later.

While in Fuzhou, Gibson labored with his followers to establish the first two Methodist churches in East Asia, the Church of the True God and the Church of Heavenly Peace. He also studied Chinese and helped translate of the Bible and other Christian books into the local dialect. After a decade of missionary work, Gibson returned to preaching in Moira, New York, because of his wife's failing health. However, he was soon reassigned to San Francisco, California, as the head of the Methodist Church's "Chinese Domestic Mission," which was designed to serve the increasing number of Chinese immigrants in the California Conference (Dickinson 2005). Here Gibson proved himself again an effective leader of his community. He quickly established a mission in the fast-growing city that included an impressive building on Washington Street. Since most Chinese immigrants spoke Cantonese, he learned the dialect, compiled a Chinese-English dictionary, and translated the New Testament into Cantonese. In 1870, noting the dire condition of Chinese women in San Francisco's Chinatown, Gibson and his wife launched the Women's Missionary Society of the Pacific Coast, recruiting Methodist women to organize the rescue and protection of exploited Chinese women and girls, teaching them English and other skills so that they could adopt a new life in America (Dickinson *Ibid*). For his diligent service,

Gibson was awarded an honorary degree from Dickinson College in 1877.

An outspoken voice for the Chinese, Gibson frequently protested the unfair and exploitative treatment suffered by Chinese immigrants and made “untiring and courageous efforts in behalf of the poor and the wronged” (Johnston 1898, 480). Published in 1877, Gibson was mostly known for his landmark work *The Chinese in America*. Based on his personal observation and research, he hoped “to give a fair and impartial presentation of ‘The Chinese in America,’ their number, character, habits, and customs; their adaptation or other wise to the condition of things in this country, and the relations of our Christian civilization to this heathen immigration” (Gibson 1877, 4). A rare but powerful defense of Chinese immigrants during the nineteenth century, Gibson concluded his condemnation against the anti-Chinese arguments with a noble reaffirmation of the American ideal:

The doors of our country are open equally for both [White and Chinese]. We have room for all. Ours is the “land of the free, and the home of the brave.” The oppressed and down-trodden from all nations may alike find shelter here, and under the benign influences of our free institutions, and of our exalted faith, with the blessing of Almighty God, these different nationalities and varying civilizations shall, in time, blend into one harmonious whole, illustrating to a wondering world the common Fatherhood of God, and the universal brotherhood of man (279-80).

Benjamin Sherman Brooks (1820-1884) was another brave person in the late nineteenth century who spoke out against discriminatory legislation and the persecution of Chinese immigrants. Born in Bridgeport, Connecticut, Brooks was a pioneer who migrated to the California in 1849 and soon began to practice law. For the next two decades he worked as a land attorney in San Francisco and later represented the interests of local Chinese and the Six Companies in legal matters. In 1876, he testified along with Bee before the congressional committee, where 130 witnesses were cross-examined (*Sacramento Daily Union* 1876). Among them, nearly half who testified supported Chinese immigration, including church leaders, lawyers, doctors, farmers, merchants, and laborers (Paddison 2009). At the congressional hearing on October 21, Brooks proudly proclaimed his progressive principles:

I believe these men have souls. I believe in the common humanity and brotherhood of all men. I do not claim any rights whatever as against a red man, or a black man, or a yellow man. If he can compete with me on a fair footing, let him compete. If he diminishes my earnings, I have no right to complain. He has as good a right to earn a living on God’s footstool as I (Report of the Joint Special Committee 1877, 51).

Criticism from the Literati: Mark Twain and Joaquin Miller

One of America's most beloved writers, Mark Twain (1835-1910) was a novelist, humorist, journalist, and lecturer, best known for novels such as *The Adventures of Tom Sawyer* and *The Adventures of Huckleberry Finn*. Growing up in Hannibal, Missouri, Twain had his initial encounter with Chinese on his first trip to New York in 1853, during which he labeled African Americans, interracial, and Chinese as "human vermin," revealing the crude racism of his provincial youth (Twain 1853, 10). When the Civil War broke out, Twain lost his job as riverboat pilot on the Mississippi, so he followed his brother to Nevada and began to work as a journalist, first at the *Territorial Enterprise* in Virginia City, then *Daily Morning Call*, and later wrote for *Dramatic Chronicle* in California. In this capacity Twain witnessed firsthand the plight of Chinese laborers in the American West, and his xenophobic viewpoint began to change. He once remarked, "I am not fond of Chinamen, but I am still less fond of seeing them wronged and abused" (Foner 1958, 183). His news reports and literary works related to Chinese immigrants include "China Trial," "Opium Smugglers," "Chinese Slaves," "Chinese Railroad Obstructions," "The New Chinese Temple," "China at the Fair," "Coolies for California," "Our Active Police," "What Have the Police Been Doing?" "John Chinaman in New York," and "Goldsmith's Friend Abroad Again."

Throughout his literary career, Twain exhibited considerable sympathies

toward Chinese immigrants. As a young journalist, he observed the dire conditions of Chinese miners:

Of course there was a large Chinese population in Virginia [City, Nevada] - it is the case with every town and city on the Pacific coast. They are a harmless race when white men either let them alone or treat them no worse than dogs; in fact they are almost entirely harmless anyhow, for they seldom think of resenting the vilest insults or the cruelest injuries. They are quiet, peaceable, tractable, free from drunkenness, and they are as industrious as the day is long. A disorderly Chinaman is rare, and a lazy one does not exist. So long as a Chinaman has strength to use his hands he needs no support from anybody; white men often complain of want of work, but a Chinaman offers no such complaint; he always manages to find something to do. He is a great convenience to everybody - even to the worst class of white men, for he bears the most of their sins, suffering fines for their petty thefts, imprisonment for their robberies, and death for their murders (Twain 1891, 391).

In his 1870 "Disgraceful Persecution of a Boy," Twain reiterated his rage at anti-Chinese scapegoatism prevailing in the western states:

A Chinaman had no rights that any man was bound to respect; that he had no sorrows that anyone was bound to pity; that neither his

life nor his liberty was worth the purchase of a penny when a white man needed a scapegoat; that nobody loved Chinamen, nobody befriended them, nobody spared them suffering when it was convenient to inflict it; everybody, individuals, communities, the majesty of the state itself, joining in hating, abusing, and persecuting these humble strangers (Twain 1870a, 722).

Besides his journalistic encounters with Chinese, Twain's worldview was also influenced by Anson Burlingame, the American ambassador to China who later served as a Chinese envoy to the United States. Through his friendship with Burlingame, Twain wrote "The Treaty with China," and later praised Burlingame as one who "had outgrown the narrow citizenship of a state, and become a citizen of the world; and his charity was large enough and his great heart warm enough to feel for all its races and to labor for them" (Twain 1870b). After settling in Hartford, Connecticut, Twain also befriended Yung Wing and supported the Chinese Education Mission; in 1880 he even lobbied for General Grant's support for its continual operation in America (Chiang-Schultheiss 2006, 175; Ou 2011, 62). While serving as vice president of the American Anti-Imperialist League, Twain became an outspoken critic of the imperialist policies of the McKinley and Roosevelt administrations. When commenting on the Boxer Rebellion, Twain noted, "my sympathies are with the Chinese. They have been villainously dealt with by the sceptered thieves of

Europe, and I hope they will drive all the foreigners out and keep them out for good" (Twain 1900, 699). By linking the turmoil in China with the Chinese Exclusion Act in the U.S., he remarked: "As far as America is concerned we don't allow the Chinese to come here, and we would be doing the graceful thing to allow China to decide whether she will allow us to go there" (Geismar 1973, 159). In voicing his disapproval of imperial aggression against China, he further declared: "It is the foreigners who are making all the trouble in China, and if they would only get out, how pleasant everything would be!" (Twain 2006, 69).

Within the American literary cycle of the late nineteenth century, Joaquin Miller was another voice of support for Chinese immigrants. Joaquin Miller was the pen name of Cincinnatus Hiner Miller (1837-1913), a flamboyant American poet, journalist, and frontiersman nicknamed the "Poet of the Sierras," after the Sierra Nevada, about which he wrote in his *Songs of the Sierras* (Online Archives of California 2007). Born in Indiana to Hulings and Margaret Miller, he moved with his family to Oregon and later to California during the Gold Rush. Miller had worked as a mining camp cook, a Pony Express rider, a newspaper writer, a conservationist, and a lawyer and judge, but he was best known as a poet of excessive romanticism, whose work "conveys a sense of the majesty and excitement of the Old West" (*Encyclopedia Britannica* 2019). Self-proclaimed as the "Byron of the Rockies," Miller is remembered for lines from his poem in honor of *Burns and Byron*:

In men whom men condemn as ill

*I find so much of goodness still,
In men whom men pronounce di-
vine
I find so much of sin and blot,
I do not dare to draw a line
Between the two, where God has
not (Miller 1889, 264).*

A gaudy pioneer in the American West, Miller gained his reputation by capitalizing on the stereotypical image of Western frontiersmen (Lewis 2003, 78). Although his poems and books are hardly read and less regarded today, Miller had once been praised as “Whitman without the coarseness” and “the last of America’s great poets” (Peterson 1937, 66; Frost 1967, 112). A lesser-known fact was that he had strongly condemned injustice toward the Chinese of his time. While wandering through the western states and serving as a local judge for four years, he witnessed the persecution and pain suffered by Chinese immigrants. As a poet with a colorful personality, Miller did not hold his tongue. Facing a rising tide of anti-Chinese rhetoric, he wrote a passionate letter to the editor of *the Tribute*, which was later read out loud by George Hoar during the debate on Chinese immigration in the U.S. Senate:

*I know the hardy, honest-hearted
settlers there, and I know that they
protest against this measure which
politicians are trying to compel
through Congress in their name.
And why is this being done? As
early as 1854 this cry against the
Chinese began to be heard along*

*the wharves and about the hotels of
San Francisco. It came from Irish
laborers and porters, but the cry
was equally loud against the negro
and the Mexican.... The China-
man did not vote, and so had no
champion. This is the key to the
whole question. This outcry against
the Chinamen has from that day
been a political shibboleth (Miller
1882, 18-19).*

On March 15, 1879, Miller’s outrage was featured in the pages of *Frank Leslie’s Illustrated Newspaper*, strongly condemning the anti-Chinese “statesmen” who claimed that “These fellows mustn’t be tolerated any longer; they can’t vote, and are of no earthly use to any of us. They must go” (*Frank Leslie’s* 1879, 32). In the same image, Miller was portrayed as a spokesperson for Chinese immigrants: “You are taking a mean advantage of these harmless creatures; you made a treaty with them; they trusted your word, have built your railroads, and washed your dirty linen, and now you propose to kick them out. It is pitiful to see great minds prostituted to such selfish aims” (*Frank Leslie’s* 1879, 32). On the same day, *Harper’s Weekly* also published a different cartoon by its renowned illustrator Thomas Nast, which featured Senator James Blaine welcoming an Irishman with the vote while kicking a Chinese laborer off a platform marked with “Equal Rights to All Men. The Cornerstone of Our Republic.” Denouncing the hypocrisy of American politics, the caricature also quoted Joaquin Miller:

The Chinamen were terribly taxed

by the country authorities; but they always came up promptly, and without a word of complaint paid what was demanded of them.... Let me here say that I never, during all my years of intercourse with this people, saw a single drunken Chinaman. I never saw a Chinese beggar. I never saw a lazy Chinaman.... They are not strikers, rioters, and burners of cities.... No; the Creator of us all opened the Golden Gate to the whole wide world, let no man attempt to shut it in the face of fellow-men (Harper's Weekly 1879d, 216).

In 1886, Miller settled in Oakland, California and became a conservationist. While living in nature, Miller maintained his compassion for Chinese immigrants, writing in 1893:

California needs her Chinamen and she is going to keep her Chinamen; and California is going to protect her laborers in her fruit fields even though she has to shoot down every tramp in the State. I take the responsibility of saying to the 'President and all others in authority' at this Christmas time that the people of California not only will protect the Chinamen now here, but they want the Golden Gates swung wide open to all the world as God made it (Miller 1893, 44).

While praising the "silent laboring men on the firing line, the men of the forest, the field, the miners of the frontier," not the "noisy city 'laborer'" as "main Americans," he pointed out, "It is

but equity that the Chinaman shall come here if we go there. This land is too great and too good to forget equity" (Miller 1901). Six years before his death, even after Congress made the law permanent, Miller was still calling for the repeal of the Chinese Exclusion Act (Miller 1907).

Visual Condemnation by Thomas Nast

Thomas Nast (1840-1902) was a German American caricaturist and editorial cartoonist who worked for *Harper's Weekly* from the early 1860s to mid-1880s. He was known for the creation of the political symbol of the elephant for the Republican Party, and his artworks helped popularize the images of Uncle Sam, Columbia, and the Democratic donkey. Nast's role in American politics was well recognized, as he was considered a president maker and the father of the American cartoon (*New York Times* 1908). According to Albert Boime (1972, 43):

As a political cartoonist, Thomas Nast wielded more influence than any other artist of the nineteenth century. He not only enthralled a vast audience with boldness and wit, but swayed it time and again to his personal position on the strength of his visual imagination. Both Lincoln and Grant acknowledged his effectiveness in their behalf, and as a crusading civil reformer he helped destroy the corrupt Tweed Ring that swindled New York City of millions of dollars. Indeed, his impact on

American public life was formidable enough to profoundly affect the outcome of every presidential election during the period 1864 to 1884.

Immigrating from Germany at a young age, Nast grew up in New York and began to work as an illustration craftsman for *Frank Leslie's Illustrated Newspaper* at fifteen. His drawings began to appear in *Harper's Weekly* in 1859, and he later gained fame for his artistic depiction of Civil War scenes. "Thomas Nast has been our best recruiting sergeant," praised Abraham Lincoln. "His emblematic cartons have never failed to arouse enthusiasm and patriotism, and have always seemed to come just when these articles were getting scarce" (Paine 1904, 69). As a radical Republican influenced by Lincoln, Nast strongly condemned slavery while supporting civil rights and equality for all men. His political cartoons firmly advocated the abolition of slavery, condemned the violence of the Ku Klux Klan, and backed the causes of African and Native Americans. Nast not only opposed racial segregation, but also was one of the few editorial artists who took up the interest of the Chinese in America (Ibid, 412-13). Among more than two thousand cartoons of his career, he had several dozen drawings devoted to Chinese immigrants. In the years leading to the passage of the Chinese Exclusion Act, his China-related artworks demonstrated considerable political courage in an age of racial prejudice.

Although Chinese began to arrive New York in the 1850s, their community

remained small until the later decades of the nineteenth century, and it is unclear whether Nast had any direct interaction with Chinese immigrants in the city (Tchen 1999, 211). Nonetheless, inspired by the Burlingame mission, Nast published his first Chinese-related cartoon in 1868, which featured Columbia holding Prince Gong and introducing China to the world powers. In this image, Nast depicted China as an ancient and civilized nation entitled to the full respect of the international community. In the voice of America: "Brothers and Sisters, I am happy to present to you the oldest member of the Family, who desires our better acquaintance" (*Harper's Weekly* 1868, 460). In "Uncle Sam's Thanksgiving Dinner" a year later, he presented a utopian illustration of an all-inclusive America of "Come One Come All" and "Free and Equal" after the Civil War, where Chinese immigrants were warmly welcomed along with people from all over the world. This drawing also makes reference to the 15th Amendment to the U.S. Constitution, which prohibits the federal and state governments from denying a citizen the right to vote based on "race, color, or previous condition of servitude" (*Harper's Weekly* 1869b, 745). An immigrant himself, Nast cherished the American legacy as a country of people with heritages from around the world. In his 1870 drawing "Throwing Down the Ladder by Which They Rose," which mocked the hypocrisy of some new Americans and their willingness to oppress others, Nast forcefully denounced the anti-Chinese nativism of the late nineteenth century (*Harper's Weekly* 1870, 480).

Nast in his works created the no-

ble “John Confucius” character, which stands in sharp contrast to what he believed to be morally corrupt politicians such as James Blaine, Senator from Maine and unsuccessful presidential candidate from the Republican Party. In “The Civilization of Blaine,” Nast criticized Blaine’s willingness to compromise the Republican principles and the fundamental rights of minorities in America in order to win the party nomination (*Harper’s Weekly* 1879b, 181). In “A Matter of Taste,” John Confucius was disgusted by Blaine and other presidential hopefuls who dined on “Hoodlum Stew” from “A Mess of Sand Lot Pottage” (*Harper’s Weekly* 1879c, 212). Capitalizing on the popularity of Bret Harte’s 1870 poem, “Plain Language from Truthful James,” Nast in “*Blaine’s Language*” again voiced his support for Chinese immigrants while continuing his condemnation of Blaine’s hypocrisy and his deplorable breach in Republican values (*Harper’s Weekly* 1879d, 216). The same disingenuousness is also vividly exposed in “Blaine’s Teas(e),” which portrays the American statesman reading the headline “Chinese Must Go” while enjoying his Chinese tea from Chinese porcelain (*Harper’s Weekly* 1880, 192).

Most of Nast’s Chinese-related drawings center on the national debates of the Chinese Exclusion Act during the 1870-1880s. In his “Pacific Chivalry,” Nast openly sympathized with Chinese immigrants by denouncing discrimination against them (*Harper’s Weekly* 1869a, 512). In his “Every Dog (No Distinction of His Color) Has His Day,” he expressed the same sentiment toward both Chinese laborers and Native

Americans (*Harper’s Weekly* 1879a, 101), and his empathy for African Americans and Chinese immigrants are outlined in “Difficult Problems Solving Themselves” and “The Nigger Must Go and the Chinese Must Go” (*Harper’s Weekly* 1879e, 256; 1879f, 101). Moreover, his “Celestial” reinforces the stereotype of Chinese as peaceful, docile members of society (*Harper’s Weekly* 1881, 96), and his “Let the Chinese Embrace the Civilization and They May Stay” effectively derides the erroneousness of the anti-Chinese movement then (*Harper’s Weekly* 1882a, 176). As America’s great strength comes from her diversity, the Latin phrase *E pluribus unum*—One out of many—was considered a *de facto* motto of the United States. By ridiculing the irony of the Chinese Exclusion Act, Nast’s in his same-titled caricature revealed his strong conviction that the country should be a safe haven for those of all different cultures, national origins, and belief systems (*Harper’s Weekly* 1882b, 207). As his “Justice for the Chinese” (*Harper’s Weekly* 1886, 208) clearly demonstrated, Nast with his creative drawings was one of the few Americans of his time voicing firm opposition to the persecution of Chinese immigrants. After the Rock Springs Massacre, he made a moral argument with his “Here Is a Pretty Mess! In Wyoming” on who were the real barbarians in the notorious riot (*Harper’s Weekly* 1885a, 623). His “The Chinese Question” depicts an anguished Chinese immigrant chased by odious white hooligans, with Columbia’s voice: “Hands off Gentlemen! America Means Fair Play for All Men!” Nast avowed his personal belief that all humans are equal before the law while

unequivocally denouncing the anti-Chinese hysteria prevailing at the time (*Harper's Weekly* 1871, 149).

Through his passionate contribution to the national debate on immigration and racial politics, Nast brought attention to the predicament of Chinese immigrants. Nevertheless, in the process he also reiterated racist stereotypes of the time, especially with his negative views toward Irish Americans and Catholics. As a radical Republican with progressive ideals of equal rights for all, Nast was much more motivated against those who persecuted the Chinese than he was to speak on behalf of the Chinese in America. Still, most art historians and scholars agree that he as a pro-minority artist contributed a rare, positive voice for Chinese Americans during the Exclusion Era (Walfred 2014). His pro-Chinese artworks effectively advocated the cause of Chinese immigrants, setting him apart from many of his peers, such as George F. Keller, notorious for demonizing the Chinese in his numerous cartoons for *The San Francisco Illustrated Wasp*.

Standing Alone in the Senate: George Hoar

George F. Hoar (1826-1904) was a long-serving United States senator from Massachusetts and a prominent American politician in the late nineteenth century. Hoar was born to a leading family in Concord, MA. His grandfather, Roger Sherman, was one of the original signers of the Declaration of Independence and the United States Constitution, and his father, Samuel Hoar, was a successful attorney and a member of the U.S.

House of Representatives. Hoar graduated from Harvard College in 1846 and from Harvard Law School three years later. Deeply influenced by his mother Sarah Sherman, who founded a school to teach reading and sewing to African American children in Connecticut, Hoar believed that people of different races were equal, and slavery was immoral. In 1852, he was elected to the State House and in 1857 to the State Senate. Twelve years later, he became a member of the U.S. House of Representatives and after four terms was elected to the U.S. Senate in 1877. There he served for another four terms until his death in 1904 (Haynes 1943).

As a republican, Hoar believed in capitalist principle of private enterprises competing in free markets and co-authored the Sherman Antitrust Act to outlaw monopolistic business practices. On social issues Hoar was very progressive. He campaigned for the rights of African Americans and Native Americans, supported the right of workers to form labor unions, and argued before the Senate in favor of the Women's Suffrage Movement. Comparing imperialism to slavery, he condemned the annexation of the Philippines, convinced that American colonization of the islands violated the fundamental principles of the Declaration of Independence. An idealist at heart, Hoar disliked partisanship in politics and was not afraid to criticize his party for what he believed were erroneous policies. For his radical, progressive stand, Hoar was known as a "Half-Breed Republican" (Welch 1971). Hoar was also an outspoken opponent of the American Protective Association, the largest anti-Catholic, anti-immi-

grant organization in the late nineteenth century. He was long noted for his proclamation that the Chinese Exclusion Act was un-American, describing it as “nothing less than the legalization of racial discrimination” (Daniels 2002, 271). On March 1, 1882, during a congressional debate, Hoar bravely stated:

Nothing is more in conflict with the genius of American institutions that legal distinctions between individuals based upon race or upon occupation. The framers of our Constitution believed in the safety and wisdom of adherence to abstract principles. They meant that their laws should make no distinction between men except such as were required by personal conduct and character.... What argument can be urged against the Chinese which was not heard against the negro within living memory? (Hoar 1882, 6-14).

After condemning the prejudice and hatred toward African Americans, Native Americans, Irishmen, and Jews, Hoar courageously declared: “For myself and for the State of Massachusetts, so far as it is my privilege to represent her, I refuse consent to this legislation. I will not consent to a denial by the United States of the right of every man who desired to improve his conditions by honest labor—his labor being no men’s property but his own—to anywhere on the face of the earth that he pleases” (Ibid, 9).

In late April 1882, the Senate held final deliberations on “An Act to Execute Certain Treaty Stipulations Relating to Chinese,” during which Hoar had heated

exchanges with James Farley of California and other Democratic senators. While denouncing the proposed legislation, Hoar again affirmed his fundamental liberal beliefs: “It is impossible, it is incredible that a blow at the dignity of human nature a blow at the dignity of labor, a blow at men, not because of their individual qualities or characters, but because of the color of their skin, should not fail to be a subject of deep regret and repentance to the American people in the nineteenth century” (*Congressional Records* 1882a, 3265). However, despite his strong objections, and after several attempted amendments in the Senate, the bill finally passed on April 28 with 32 yeas, 15 nays, and 29 absents (*Congressional Records* 1882b, 3412). The other 14 objections all came from Hoar’s fellow Republican colleagues, while 21 Democrats, 9 Republicans, and one Independent supported the legislation (Gold 2012, 216). On May 3, the House of Representatives passed H.R. 5804 with a voice vote, and three days later President Chester Arthur signed the Chinese Exclusion Act into federal law, which noted that “the coming of Chinese laborers to this country endangers the good order of certain localities within the territory thereof: Therefore, ... the coming of Chinese laborers to the United States be ... suspended ... That hereafter no State court or court of the United States shall admit Chinese to citizenship; and all laws in conflict with this act are hereby repealed” (*Statutes at Large* 1882, 58-61).

Throughout his political career, Hoar remained a progressive voice in the Senate and consistently registered his objections to discriminatory legislation against Chinese immigrants. His role

during the national debate was well documented in Martin Gold's research, *Chinese Exclusion and the U.S. Congress: A Legislative History*, which was dedicated to the "steadfast champion of America's founding principles" (Gold 2012). Because of his liberal stand on this issue, Hoar also became subjected to ridicule by anti-Chinese media, such as *The San Francisco Wasp* (1889). In 1902, two years before his death, the U.S. Congress held another debate to further extend the Chinese Exclusion Act. Hoar became the only person who voted against it in either chamber of Congress, and his lone, heroic stand was recorded in American legislative history:

I hold that every human soul has its rights, dependent upon its individual personal worth and not dependent upon color or race, and all races, all colors, all nationalities contain persons entitled to be recognized everywhere they go on the face of the earth as the equals of other men.... As this bill violates that principle, in my judgment, I am bound to record my protest, if I stand alone (Congressional Records 1902, 4252).

Although he was alone, Hoar was standing on the right side of history. Four decades later, in a letter to Congress on the appeal of the Chinese Exclusion Act, Franklin Roosevelt declared: "Nations like individuals make mistakes. We must be big enough to acknowledge our mistakes of the past and to correct them" (*New York Times* 1943, 1). Finally, in 2011, the U.S. Senate passed unanimously Resolution SR201 apologizing for the shame-

ful legislation, 129 years after its original passage (Margolis 2011).

Conclusion

The passage of the Chinese Exclusion Act is one of the darkest chapters in the history of the United States. In sharp contrast with the overwhelming "Yellow Peril" literature of anti-Chinese immigration in late-nineteenth-century America, the voices of persecuted Chinese were few and far between, as they had little recourse against their accusers in the public debate. Since most of the early immigrants were Chinese villagers with little education, they clustered in Chinatowns of large cities and formed clan and district associations to help and protect one another, most notably the Six Companies of San Francisco. As neighborhood groups, they helped immigrants travel to and from the U.S., settle disputes among residents, and arrange communal care of the sick or poor; however, as community organizations they were not very effective in communicating with the media and mounting forceful opposition to discrimination. Only after an umbrella organization, the Chinese Consolidated Benevolent Association, was established, did the Chinese community begin to play an active role in defending their political rights and legal interests in America (Lai 1987). Nevertheless, despite the lack of strong leadership in community advancement among early Chinese immigrants, there were still numerous legal challenges launched by Chinese during the Exclusion Era, including twenty appeals before the U.S. Supreme Court and 9,600 corpus cases between 1880 and 1900 (Lin

2013). Rulings from high-profile litigations such as the *United States v. Wong Kim Ark* and *Wong Wing v. United States* had a profound impact on not only the Chinese community, but also the larger American society. Through their courageous actions, Chinese Americans have demonstrated that they are equal citizens of the United States.

During the national discourse about Chinese immigration, besides a few valiant writings by Chinese Americans such as Wong Ching Foo and Yan Phou Lee, elite Chinese diplomats, including Wu Tingfang and Ho Yow, also vigorously defended the interests of Chinese immigrants while pointing out the adverse impacts of discriminatory legislation on local business and international commerce (Wong 1998). At the same time, a few American scholars with extensive knowledge of China also expressed their concerns about restrictive measures. For example, in *The Oldest and the Newest Empire: China and the United States*, published in 1870, William Speer, a former missionary to China, tried to calm American fears about the growing Chinese presence in the United States (Speer 1870). George Frederick Seward (1881), upon returning from his four-year ambassadorship to China, wrote *The Chinese Immigration: Its Social and Economical Aspects* to criticize the country's immigration policy, and he remained an outspoken critic of the United States' treatment of Chinese until his death.

In the late nineteenth century, most of the vocal opposition to the Chinese Exclusion Act came from Americans with strong progressive ideals: ordinary citizens, community members, religious

leaders, journalists, and intellectuals. Some of them resided in western states, where they had frequent encounters with Chinese. Through those transactions they gained firsthand understanding of the life experience of those immigrant laborers. For instance, in the spirit of capitalism, a few entrepreneurs testified on behalf of Chinese workers including Charles Crocker, president of the Southern Pacific Railroad. Crocker was known for hiring a large number of Chinese immigrants for the construction of the first transcontinental railroad, once conspicuously claiming, "Make Masons out of Chinamen? Did they not build the Chinese wall, the biggest piece of masonry in the world?" (*Congressional Serial Set* 1888, 3660). In front of a congressional committee, Crocker stated that "without Chinese labor we would be thrown back in all the branches of industry, farming, mining, reclaiming lands, and everything else" (Hoar 1882, 21). During the hearing, he also argued to hire Chinese for manual labor so that white Americans could focus on "an elevated class of work" (Bee 1886, 47). This view, which by itself is racist, was shared by others of his era. Meanwhile, it is perplexing that some critics of Chinese oppression also held strong opinions of other minority groups in America, such as Nast's negative portrayals of Irish Americans and Gibson's stand against Catholics. Only through a comprehensive examination of the prevailing racism of that time, can one begin to have a better understanding of their stereotypical viewpoints and complicated actions. Nevertheless, despite their limitations, by voicing opposition to discrimination against the Chinese,

they provided rare and valuable support to a victimized group who had no political allies of the time.

What happened more than a century ago is still very relevant today, as the country engages in renewed debates about possible immigration reforms. Those who do not learn from history are doomed to repeat it. In our multicultural society of the twenty-first century, we should not only condemn any form of racial discrimination, but also recognize our forerunners for their vision and courage during that difficult time. It is remarkable that throughout the debates on the Chinese Exclusion Act, a minority of Americans, who had limited interchange with Chinese but still developed an empathy for these persecuted people, spoke out in support of Chinese immigrants while sturdily condemning injustice against them. Out of personal conviction, they argued strongly that such a discriminatory measure was a direct violation of the moral principles established by our Founding Fathers, namely, the American democratic ideals of freedom, liberty, and equity for all. By comparing Chinese immigrants with other mistreated groups, they sought equal treatment for all, and boldly defended the civil rights of the Chinese in America. Although their calls for justice were quickly engulfed by the anti-Chinese hysteria of the time, they stood on the right side of history, and their brave acts have inspired a persecuted people in their continuing struggle for civil rights advancement in the United States.

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