THE CHINESE QUESTION: CALIFORNIA, BRITISH COLUMBIA, AND THE MAKING OF TRANSNATIONAL IMMIGRATION POLICY, 1847-1885

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This work examines the nineteenth-century anti-Chinese movement in California and British Columbia and its effects on transnational immigration restrictions in the United States and Canada. Although not directly adjacent, California and British Columbia’s relatively isolated positions on the West Coast fostered economic and cultural ties that kept them closely connected. These connections included unified opposition to Chinese immigrants who challenged the era’s racial ideology of Anglo-American and Anglo-Canadian supremacy. By 1880, California was home to 71% of the Chinese in the United States while 99% of Canada’s Chinese lived in British Columbia. The American and Canadian governments largely ignored Chinese immigration but California and British Columbia implemented local, state, and provincial policies denying the Chinese political participation and equal treatment in the legal system. California and British Columbia embarked on a campaign to convince their federal governments to limit Chinese immigration — a campaign that included the sharp rhetoric of regional politicians and biased government reports painting the Chinese as incapable of grasping the nuances of American and Canadian citizenship. The transnational anti-Chinese effort finally caught the attention of federal lawmakers who reversed longstanding traditions of open immigration and enacted the first national immigration restrictions of either country by specifically targeting the Chinese. These acts ultimately embedded racial characteristics as prerequisites for entry into the laws of both nations.
To the late Dr. David Gugin, whose belief in my scholarly abilities always exceeded my own.
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CHAPTER I:
TRANSNATIONAL HISTORY AND CHINESE IMMIGRATION

In 1882, the United States responded to pressure generated largely from the state of California in passing the Chinese Exclusion Act, a law barring most Chinese from entering the country. Two years later, Canada’s Royal Commission on Chinese Immigration traveled to San Francisco, California, in order to investigate the impact Chinese immigration had on that city over the previous three decades. The Canadian Parliament had tasked the Royal Commission with determining the desirability of passing an immigration measure similar to the one adopted by the American government. The stakes in passing such immigration restrictions were monumental. The implementation of immigration restrictions reversed long standing traditions of open immigration to the United States and Canada, a decisive factor in the population and economic growth of both nations.

During their visit the Royal Commission interviewed a San Francisco-based professional diplomat named Charles Wolcott Brooks. Brooks welcomed the Royal Commission’s inquiries as he believed that the United States and Canada shared an unbreakable bond shaping their past and future. Brooks told the Commission that Americans and Canadians were “two people of Anglo-Saxon blood, who should ever continue the best of friends,” and pressed Canada to join Americans “shoulder to shoulder, in pressing steadily forward as the vanguard of an enlightened and progressive civilization.” In Brooks’ view, the greatness of both countries originated with a shared racial heritage. “Anglo-Saxon blood,” to use Brooks’ words, was the cornerstone of a nexus between Canada and the United States, and the issues of race and Chinese immigration.
“The home of the Chinese race is in Asia,” Brooks continued, “and a great future awaits the Anglo-Saxon branch of humanity upon the continent of North America.”

Based on the recommendation of the Royal Commission, Canada joined the United States in 1885 by passing legislation greatly restricting the ability of the Chinese to migrate to North America. The Canadian law, the Chinese Immigration Act, differed from that of the United States by deterring immigration through a head tax charged on each new arrival from China. The Chinese Exclusion Act and Chinese Immigration Act were separate policy approaches passed by separate nations, yet they shared more than the historical era of their implementation. The two acts had a lasting impact on the future immigration policy of both nations. Not only did they overturn the policy of open immigration, the acts set a precedent by making race a qualification for entry into the two neighboring nations. Once in place, this precedent of race based restriction proved remarkably resilient. Over the next eighty years, United States immigration policy grew to include prohibitions on all Asian immigrants and the creation of nationality quotas giving preferential consideration to central and western European nations. During the same period, Canada too adopted full restrictions against the Chinese and other Asian immigrants, and added restrictions for “any race deemed unsuitable to the climate or requirements of Canada,” a sweeping but vague policy regulating non-Europeans. In essence, the anti-Chinese immigration policies of the 1880s began a long process of legislatively defining characteristics required for citizenship in the United States and Canada, with race, or more accurately, whiteness, one of the chief components.

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Prior to the passage of the Chinese Exclusion Act and Chinese Immigration Act, Canada and the United States placed few restrictions on the arrival of newcomers. Open immigration filled labor needs for rapid economic growth and fueled geographic expansion. The United States had even passed an 1864 law titled An Act to Encourage Immigration that established agencies to make the immigration process *easier*, not more difficult. Most American and Canadian immigrants prior to the arrival of the Chinese came from European nations, often from nations whose populations had long-established migration patterns to North America. The reversal of the open immigration policy came only when the United States and Canada faced immigration from new regions that challenged existing patterns. Nearly four decades of anti-Chinese agitation on both sides of the American/Canadian border preceded the passage of the acts. The geographic proximity of the two countries bound their fortunes together and passage of the American law pressured Canada to act in a like manner. The result was a transnational approach to immigration policy between two nations sharing both geography and similar constructs of national identity.

Despite the national consequences of the Chinese Exclusion Act and Chinese Immigration Act, these were federal policies addressing regional concerns. Chinese migrants came primarily to California in the United States and to British Columbia in Canada by virtue of their exposed positions to China via the Pacific Ocean. Chinese immigration to other states and provinces was drastically smaller. By 1880, there were 105,000 Chinese in the United States of which 75,000 lived in California. No other state had 10,000 Chinese residents. Canada was comparably smaller than the United States in general population and Chinese population. In 1880, the United States had a population of roughly 50 million as compared to Canada’s 4 million. By 1881, Canada had a little over 4,000 Chinese residents, less than 50 of whom lived

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outside of British Columbia, meaning British Columbia had 99% of Canada’s total Chinese population. By 1885 the total Chinese population in British Columbia grew to an estimated 10,000 and comprised roughly 14% of the province’s population.

Because Chinese immigration affected California and British Columbia disproportionately, it followed that the most stringent opposition came from those locations. Outside of the West Coast, the “Chinese question” as the issue became known, drew comparatively little interest. As anti-Chinese advocates in California and British Columbia ramped up their campaigns in the 1870s, the eastern press yawned. In 1876, the California Senate and United States Congress conducted separate investigations on the Chinese question. In response, the New York World remarked that the “anti-Chinese agitation on the Pacific coast has in all likelihood been given more prominence than it deserved.” Meanwhile, the New York Herald argued of California’s immigration issue that “elsewhere the question has no interest.”

The New York Herald was only partially correct. The Chinese question had limited appeal elsewhere in the United States, but plenty of interest existed in British Columbia. Residents of that province watched California carefully knowing the state provided a model for understanding their own situation. British Columbia’s press worried aloud that Chinese immigrants would come to their province if they could not go to California – that “Finding the Golden Gate closed against it, the yellow wave will roll in on our shores in increased volume.”

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This research project analyzes the process by which California and British Columbia influenced the implementation of transnational anti-Chinese immigration policy between 1848 and 1885. It argues that California and British Columbia shared an easy movement of ideas, money, and people between them that facilitated the emergence of a regional racial identity based on whiteness and eroded the intellectual barrier of the international boundary. When Chinese immigration threatened that regional white identity (the “Anglo-Saxon” bonds noted by Charles Wolcott Brooks), white Californians and British Columbians sought to legislatively define their identity through strict regulation of the Chinese presence. That process began at the local, state, and provincial levels, and ultimately grew until it exerted influence on federal lawmakers. Thus at this watershed moment of American and Canadian immigration policy history, it was California and British Columbia that dictated the outcome.

California and British Columbia may seem like unlikely partners to hold sway over such a pivotal moment in binational history. The two places are not contiguous – 800 miles, two states, and a national border separate the capital cities of Sacramento (California) and Victoria (British Columbia). The interceding two states, Oregon and Washington, were also complicit in anti-Chinese actions during the nineteenth century, pointing to a broader anti-Chinese bias throughout the Pacific Northwest. However, Oregon and Washington are not part of this study for several reasons. Washington did not become a state until 1889, after the passage of both the Chinese Exclusion Act and the Chinese Immigration Act. Although Oregon had become a state in 1859, it was California in which the first Chinese immigrants appeared in the United States and California that was the home to over 70% of the nation’s Chinese immigrants.\(^8\) While Oregon had its share of anti-Chinese advocates, it failed to match California in terms of

\(^8\) See note 3.
organized hostility. And, as later chapters demonstrate, California was the American state bound to British Columbia by economic ties and settlement patterns, California from whom British Columbia looked to model its response to Chinese immigration, and California politicians who transformed Chinese immigration into a national issue in the United States.

The nations to which California and British Columbia belong, the United States and Canada, have distinct national histories that do not always run parallel. Both nations have constructed national myths celebrating their status as immigrant nations while whitewashing the impact of legislation such as the Chinese Exclusion Act and Chinese Immigration Act. The United States, for example, identifies itself as a “melting pot,” a place where people of multiple origins “melt” together through an assimilation process eradicating ethnic distinctions. Canada meanwhile points to its roots as a multicultural society – the “Canadian Mosaic” – emphasizing its beginnings as mixture of British, French, and indigenous cultures, where diversity remains prized over assimilation. In addition, many Canadians bristle at historical comparisons to the United States, feeling a “collective need for a national mythology which distinguishes Canada from, and represents her as superior to, the American ‘melting pot’ to the south.”

Emphasizing the key roles of California and British Columbia despite these barriers is one of two primary reasons this study is both important and relevant to the present day. Historians have underestimated the way policy formations in one nation influence policy actions in another. The unit of measurement or analysis of most historical studies is the nation, especially in relation to the formation of federal policy. Thus most such histories fail to consider factors external to the specific nation under examination. Yet historical forces are not immobile,

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11 W. Peter Ward, White Canada Forever, x.
static structures easily boxed by the boundaries of political sub units or international borders.

Historical forces can move between countries rather fluidly, ignoring boundaries and leaving imprints on two sides of a border. Nineteenth-century Chinese migration, the formation of a regional white identity, the resulting anti-Chinese movement, and the creation of related transnational public policies are prime examples of the mobility of historical forces.

The second reason this study is important is that politicians and policy makers who espouse anti-immigrant biases today do so with the same rhetoric and faltering logic of those in the 1800s. Exposing the historical underpinnings of modern-day anti-immigrant bias may aid both in understanding and challenging those perceptions. Misguided fear of immigrants altering society – degrading society – permeates the past and present. Consider the words of Creed Haymond, a California State Senator in 1876 who considered Chinese immigrants “a barrier against which the elevating tendency of a higher civilization exerts itself in vain.”

Are Haymond’s words all that different from those of Steve King, a member of the U.S. House of Representatives from Iowa who in 2013 categorized the impact of Latin American immigration by asking “If you bring people from a violent civilization into a less-violent civilization, you’re going to have more violence right? It’s like pouring hot water into cold water, does it raise the temperature or not?”

From the Canadian perspective, consider the following statement entered into testimony to the Royal Commission on Chinese Immigration in 1884, articulating the perceived differences between white and Chinese citizens: “The Caucasian differs from all other races; he is humane; he is civilized and progresses.” Now compare it with the statement of Ron

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Leech, a candidate for the Provincial Legislature in Alberta in 2012, who argued his qualifications exceeded those of an opponent of Punjabi descent because “as a Caucasian I have an advantage . . . I am able to speak for the whole community and to lift the community up in our region.”

From a scholarly perspective, this study fits in the intellectual space created by those who have recently argued for a transnational approach to historical studies. Among these historians is Thomas Bender who used the pages of the Chronicle of Higher Education to call for a new approach, “one that rejects the territorial space of the nation as a sufficient context and argues for the transnational nature of national histories.” Bender’s argument for such an approach is that the “nation is not free-standing and self-contained; it is connected with and partially shaped by what is beyond it.” Such an approach does not demean the importance of the state as a level of measurement. Nations and borders exist and to deny such would be ahistorical. A transnational approach, however, recognizes that historical forces are fluid and transcend national borders – recognizes that one national history is interconnected with histories of other nations. The esteemed migration scholar Mae M. Ngai has echoed these sentiments, writing in an American Historical Association publication that in a transnational approach, “The nation is not effaced but is examined afresh – from different angles, from within and from without, in larger context, and in dynamic relation with myriad social forces, many of which cannot be contained by national boundaries.” The history of immigration policy is by nature transnational, involving governmental reaction to the movement of people from one nation to another. The research here

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17 Mae M. Ngai, “Promises and Perils of Transnational History,” Perspectives on History 50 (December 2012), 52.
is no different, involving the movement of people (and ideas) between China, the United States, and Canada.¹⁸

In addition to Bender and Ngai, a variety of other scholars influence this study. As a research framework, this study draws on the model put forth Marilyn Lake and Henry Reynolds in *Drawing the Global Colour Line: White Men’s Countries and the International Challenge of Racial Equality*. Lake and Reynolds argue self-styled “white men’s countries” engaged in a “transnational circulation of emotions and ideas, people and publications, racial knowledge and technologies.”¹⁹ This intellectual trade included public policy limiting the movement of peoples deemed non-white. Using this framework, this study magnifies the interrelationships between California and British Columbia and the resulting impact on anti-Chinese immigration policy.

Several scholars have previously directly addressed the anti-Chinese movement and anti-Chinese policies from a transnational framework. The first effort dates to 1913 when political scientist Paul H. Clements used a comparative approach to analyze American and Canadian immigration policies. Clements, however, emphasized the differences between American and Canadian policies (exclusion versus prohibitive head tax) while overlooking the similarity in intent.²⁰ Andrew Markus examined anti-Chinese policies in Australia and California, arguing the former used the latter as a case study when preparing their own immigration restrictions, declaring “One can only ignore the impact of the Californian experience on Australian attitudes by erecting artificial, ahistorical barriers.”²¹ Similarly, Charles A. Price showed anti-Chinese responses in nineteenth-century Australia and North America led to policies he refers to as the

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¹⁸ For a brief but useful historiography of transnational history, see Ann Curthoys and Marilyn Lake, eds., *Connected Worlds: History in a Transnational Perspective* (Canberry, AU: ANU E Press, 2005), 7-17.
²¹ Andrew Markus, *Fear and Hatred: Purifying Australia and California 1850-1901* (Sydney: Hale and Iremonger, 1979), xxi.
erection of “great white walls” around various nations.\(^{22}\) While Markus and Price make valuable contributions, neither adequately addresses the unique experiences of California and British Columbia. In addition, both Markus and Price published on this topic in the 1970s and their arguments require consideration of more recent scholarship. More recently, Erika Lee has noted the existence of a “hemispheric orientalism” that “flourished and moved across national boundaries.”\(^{23}\) Lee’s work explores the “transnational consequences” of exclusion policies in the United States on Canada that turned the border into “sites of contest over illegal immigration, race, citizenship, immigration policy, and international relations.”\(^{24}\) The research in this dissertation differs from Lee’s work in that it explores the borders as sites of exchange, not just contest, in forming the ideology behind restrictive Chinese immigration policies.

Lastly, this research draws on the work of historians who have analyzed the anti-Chinese movement from the national or state and provincial levels. On the American side, this historiography dates to 1909 and Mary Roberts Coolidge’s *Chinese Immigration*. Coolidge argued California’s labor movement held tremendous political power in California and opposed Chinese immigrants as economic competitors. California’s working class convinced state politicians that the Chinese represented a menace to the advancement of white labor. Over time that persuasion reached national politicians looking to secure California’s support, resulting in the Chinese Exclusion Act. Coolidge’s argument, the “California Thesis,” remains among the


most popular interpretations for the implementation of the Chinese Exclusion Act in the United States.\textsuperscript{25}

Subsequent studies have added slight modifications without erasing the California Thesis. Elmer Clarence Sandmeyer added a richer historical portrait of California’s anti-Chinese movement (Coolidge trained as a sociologist), and extended the argument to include the anti-Chinese biases of California’s middle class and elites.\textsuperscript{26} Alexander Saxton emphasized the connections between the racism of California’s laborers and that of southern and eastern workers who railed against competition with black workers, both as slaves before the Civil War and as free people after it. Saxton’s most useful contribution is noting how Chinese immigration became an “indispensable enemy” – an issue serving as a common flag at which white working class interests could rally despite their other differences.\textsuperscript{27} The most significant challenge to the California Thesis comes from Andrew Gyory and his study of the political atmosphere in which the Chinese Exclusion Act passed. Gyory notes the even balance in popularity of national political parties by the 1880s, thus securing California’s votes became paramount to electoral victory. In this atmosphere, Gyory argues it was national politicians who seized the Chinese issue from California’s leaders rather than California pushing the issue onto the national stage. By manipulating the Chinese issue, national politicians could mask other concerns facing the working class, such as poverty and unemployment.\textsuperscript{28}

Canadian studies on the subject have tended to avoid the political aspect that dominates the American historiography. An exception is the work of Constance Backhouse who has examined the legal history of Canada’s racist public policies, but her work focuses on twentieth-

\textsuperscript{26} See Elmer Clarence Sandmeyer, \textit{The Anti-Chinese Movement in California}.
\textsuperscript{28} Andrew Gyory, \textit{Closing the Gate}. 
century developments while ignoring the anti-Chinese policies of nineteenth century. More commonly, Canadian historians have focused on how the anti-Chinese movement shaped white identity. W. Peter Ward’s *White Canada Forever* argues that nineteenth-century British Columbians sought racial and cultural homogeneity in their province, envisioning an “Anglo-Canadian British Columbia” that left little room for Chinese immigrants. Moreover, Ward downplays working class tensions, claiming economic competition was “subordinate to psychological tensions as the central locus of racial animosity.” Patricia E. Roy amended this argument by claiming racial and economic concerns over the Chinese presence became mutually reinforcing, resulting in a view that British Columbia was a “white man’s province” which became “part of the provincial identity.” Journal articles by Rennie Warburton and David Goutor have emphasized anti-Chinese agitation as key components of working class identity in nineteenth-century British Columbia and beyond.

The conclusions of these American and Canadian scholars tend to ignore or minimize the way in which historical forces flowed between Canada and the United States, especially the nexus between San Francisco and Victoria. California and British Columbia did not act in concert in any official capacity (such as joint resolutions, meetings, or dual endorsed public policies), but they did keep an active eye on one another while mimicking each other’s behavior. Decisions made on one side of the border caused reactions on the other. Anti-Chinese rhetoric in San Francisco repeated itself from the mouths of Victoria’s working class. Policies enacted in California found favor among British Columbia’s law makers. When, for example, an anti-

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30 W. Peter Ward, *White Canada Forever*, ix-x.
Chinese laborer in Victoria spoke of the “painful experience” of California with the Chinese in describing his own reasons for supporting immigration restrictions, the connections become clear.\textsuperscript{33} It is this omission in the historical record that this study seeks to address.

To begin this study, a brief overview of Chinese immigration to California and British Columbia is required. Like most people who migrate from one country to another, the Chinese came to North America as a result of both push and pull factors; push factors being those that “pushed” people away from their homes, pull factors those that “pulled” migrants to a specific destination. Most of the nineteenth-century Chinese destined for California and British Columbia came from the Pearl River Delta region near Canton, an area that experienced a series of developments encouraging migration. The common historical interpretations of Pearl River Delta push factors include overpopulation, a declining agrarian system, natural disasters, famine, and a series of violent conflicts (including the Taiping Rebellion and the Opium War). In addition, the region had characteristics pushing migrants to North America specifically. The Pearl River Delta and Canton enjoyed heavy trade with California, had a history of a market based economy, and exposure to American Christians who operated a variety of missionaries in the region.\textsuperscript{34}

The economic opportunities of North America’s Pacific Coast represented the pull factors. The discovery of gold in California in 1848 brought fortune seekers from the world over to its shores. By the early 1850s, several thousand Chinese were living in California, mostly working the gold fields. California’s total population boomed, growing from just a few thousand prior to the gold rush to nearly 100,000 by 1850. Forty years later, California would exceed a

\textsuperscript{34} For a summary of both new and long-held historical interpretations of Canton’s push factors, see Yong Chen, “The Internal Origins of Chinese Emigration to California Reconsidered,” \textit{Western Historical Quarterly} 29 (Winter 1997), 520-546.
Similar developments occurred in British Columbia, although on a smaller scale. Originally a small fur trading outpost, the non-native population of British Columbia was just a few hundred people before its own 1858 gold rush. By 1881, British Columbia’s population stood at 49,000.

The population explosions created by gold fever led to additional economic opportunities. Businesses popped up to house, feed, supply, transport, serve, and entertain the miners, creating a settled population and additional jobs. To supply the labor demands of these new businesses, employers often turned to the increasing number of Chinese immigrants. Chief among those employment opportunities were the railroads built to connect the Pacific Coast to the population centers of Canada and the United States, massive construction projects with high volume labor demands that employed thousands of Chinese workers. The most important of these railroads were the Transcontinental Railroad that linked California to the east in 1869 and the Canadian Pacific which did the same for British Columbia in 1885. In California, the decision to hire Chinese laborers came first in 1865, when Central Pacific Railroad executive (and former California governor) Leland Stanford brought in the first Chinese workers to aid in completing his sections within the time constraints issued by Congress. By the time of the railroad’s completion, four out of every five railroad workers hired was Chinese. In British Columbia, Chinese employment on the railroad peaked at 6,500 workers in 1883.

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the Chinese also satisfied the labor demands of California and British Columbia in a variety of other fields. They tended fields in the agricultural industry, staffed the floors of factories, prepared food in restaurants and hotels, and served the needs of the region’s elite as domestic servants.\(^{39}\)

When the Chinese first arrived, they did so initially in small numbers posing little threat to the established community; by the end of 1850, California had just 4,000 Chinese immigrants.\(^{40}\) A spirit of optimism greeted the newcomers and many welcomed the Chinese presence. In addition to providing population and addressing labor shortages, the Chinese did their best to ingratiate themselves with white society. In California, Chinese immigrants joined whites in public celebrations of California’s statehood in 1850, marched in Fourth of July parades, and joined solemn remembrances on the death of President Zachary Taylor.\(^{41}\) City leaders in San Francisco welcomed the beginning of steamship service connecting San Francisco directly to China and considered the possibility that the Chinese might someday earn voting rights. California’s second governor, John McDougall, called the immigrants “one of the most worthy classes of our newly adopted citizens.”\(^{42}\) Newspapers outside of California commented

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on the favorable reaction, noting the Chinese “are mixing up with the Anglo Saxons on the Pacific coast finely.”

Ten years later when the Chinese began migrating to British Columbia they received a similar welcome. The fledgling collection of industrialists there demanded cheap labor to grow the economy of what was then a sparsely populated and often ignored British colony, and the Chinese fulfilled that need. The *Daily Colonist*, a newspaper edited by a future British Columbia Premier named Amor De Cosmos, declared the arrival of the Chinese ushered in a “new era, not only in our commercial relations, but as regards the productive population necessary to open up the wealth of our gold fields.” Religious leaders in the region welcomed opportunities to convert new Christians, hoping “we may be enabled to bring the light of truth among them.”

Upon arriving in North America, most Chinese immigrants affiliated themselves with one of the Six Companies – the Ning Yung, Hop Wo, Kong Chow, Young Wo, Sam Yup, or Yan Wo. The Six Companies were not, as the name suggests to modern readers, strictly business entities. More accurately, the Six Companies functioned as immigrant aid societies, although they also held considerable power within the Chinese community. The Six Companies provided room and board for new immigrants, arbitrated disputes, provided medical attention, secured employment, and sometimes arranged for passage between North America and China. In some cases the Six Companies fulfilled labor contracts for large North American employers, securing the workers in China and importing them for use by the business interests. Such contract

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43 “Chinese in California,” *Cleveland Herald*, 12 October 1850, NCUSN, GDC.
45 “Chinese Immigration,” *Victoria (B.C.) Daily Colonist*, 10 May 1860, 3. The forerunner of the British Columbia newspaper today known as the *Times Colonist*, the newspaper had several names during the nineteenth century, including *Daily British Colonist* and *Daily Colonist*. For purposes of unity, all references in this study call the newspaper the *Daily Colonist*.
arrangements sometimes led to inaccurate comparisons of Chinese workers with slaves in the public consciousness, the assumption being the Chinese labored under contract for the Six Companies and not for themselves. The Six Companies also functioned as advocates for the Chinese community to the extent they became “recognized by white society as the representatives of the entire Chinese community in America.”

Headquartered in San Francisco, the Six Companies extended their operations to include British Columbia after 1858 with a presence in Victoria.

Although each Chinese immigrant was unique, broad demographic features were evident between the 1850s and 1880s. The typical immigrant was a young man – Chinese women rarely immigrated, with rare exceptions for the wives of Chinese elites and for women imported as prostitutes. Chinese cultural norms restricted the migration of women who fit neither category.

The number of married Chinese women in British Columbia in 1885 illustrates the lack of traditional families – only 42 of the 10,000 Chinese in the province were married women according to the Chinese Consulate. In the United States, the passage of the 1875 Page Act also inhibited female immigration. The Page Act barred the importation of people against their will or for “purposes of prostitution.” American officials had broad discretion in making such determinations, often leading to the denial of entry to Chinese women who willingly emigrated and were not prostitutes. As for the Chinese men, many had wives in China and regularly sent money home to their families. In addition, most Chinese intended to stay in North America only temporarily, working to save money and then return home permanently.

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That the Chinese did not bring families, did not intend to settle permanently, and sent money home were factors in changing relations between the white and Chinese communities. These traits marked the Chinese as separate from the white communities of California and British Columbia who valued permanent settlers in hopes of building up their populations with long-term residents. As temporary sojourners, the Chinese did not fit this image. Although some Chinese immigrants stayed, temporary residence in North America remained the nineteenth-century norm. In 1853, a California newspaper summarized the changing perception of the Chinese due to their temporary status by claiming “we welcome to our shores the oppressed of every land, who come here to be free and take the chances with us. But the Chinese have no such object; they come here to collect gold and return to their idols, their rats, and their tyrannical rulers. Of what use are they here?”

The initial hospitality that greeted the Chinese arrival quickly faded way, tossed aside by decreasing yields in the gold and souring economies that made Chinese immigrants economic competitors to white workers. So long as the economy flourished and the Chinese worked in ancillary positions in which white laborers refused employment, there was little reason for friction. But as the gold rush booms of California and British Columbia receded, Chinese immigrants and white laborers found themselves competing for the same positions. Compounding the issue, the initial trickle of Chinese immigrants grew into a steady stream. Several thousand new arrivals came each year, increasing the Chinese presence and depressing wages through the laws of supply and demand (additional workers increased the supply and decreased the demand for labor). In San Francisco, for example, between 1852 and 1875,

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214,000 Chinese arrived while 90,000 departed – a net gain of over 100,000. The Chinese community grew from novelty to visible minority, changing the tones in which California and British Columbia discussed the issue dramatically.

A fervent anti-Chinese movement spread throughout California and British Columbia. Multiple lines of argument against Chinese immigration emerged. Canada’s Royal Commission on Chinese Immigration identified the major arguments, summarizing them as follows: The presence of Chinese workers led to the “exclusion of white labor.” The Chinese did not live in compatible ways to Americans and Canadians and had “filthy habits.” The combination of Chinese labor contracts (such as those signed with the Six Companies) and living standards led to “slavery and immorality.” As temporary residents, the Chinese had a “non-identity with the people of the country” and the “withdrawal of capital resulting from their labor” drained resources away from the development of the Pacific Coast. Misunderstandings in language and culture resulted in accusations of Chinese dishonesty and lawlessness. Some in the white community accused the Six Companies of operating a shadow government, enforcing its own laws in the Chinese community in defiance of the state and province.

By 1854, at least one California newspaper was already calling for immigration restrictions. “If the city continues to fill up with these people” wrote the editors of San Francisco’s Daily Alta California, “it will ere long become necessary to make them the subjects of special legislation.” Likewise, many British Columbians began showing a change of heart on the Chinese not long after their arrival. The initially supportive Amor De Cosmos changed his perception, noting that some Chinese were leaving the territory because of the “hostility of white

54 “Chinese,” San Francisco Daily Alta California, 16 February 1854, 2.
miners” and adding his opinion that “Chinamen are not the most desirable population.” As the Chinese presence continued to grow along with animosity towards them in 1860s California, British Columbia took notice. By 1862, De Cosmos warned British Columbia is susceptible “to what is now going on in California, if we do not watch, guide, and control the Chinese immigration from the beginning.”

The anti-Chinese movement spread through negative images perpetuated in popular culture. A striking example of this is Robert Woltor’s sensational novel, *A Short and Truthful History of the Taking of California and Oregon by the Chinese in the Year AD 1899*. Written in the 1880s, Woltor’s novel is set in the near future and depicts increasing waves of Chinese immigrants crowding out the white residents of San Francisco. Meanwhile, China upgrades her military capabilities and makes secret plans with the Six Companies. By the fictional year 1899, Chinese dignitaries poisoned American military leaders during a fleet visit while Six Companies’ operatives burned American armories. With the United States military presence removed, California and Oregon come under control of China. A similar novel, *The Last Days of the Republic*, depicts Chinese immigration fostering a Chinese military invasion by which the “very name of the United States of America was thus blotted from the record of nations.” The thesis of these novels is clear to any reader; contain Chinese immigration now, or Chinese control of the nation is inevitable. The printed word was not the only method by which anti-Chinese sentiment spread. Songs, too, proved a powerful medium by which to convey anti-Chinese feelings. White miners of the 1850s sang their displeasure around the campfire, bellowing out lyrics such as:

John Chinaman, John Chinaman,
But five short years ago,
I welcomed you from Canton, John —
But wish I hadn’t though;  

The anti-Chinese movement also inspired violent attacks and mob actions against the Chinese community. White perpetrators typically received little penalty, giving the appearance of a social condoning of anti-Chinese violence. The most horrific example of pre Exclusion Act violence against the Chinese in California occurred in 1871 in Los Angeles. A Chinese business rivalry turned violent, resulting in the accidental death of a white rancher. Angry whites stormed the city in retaliation, attacking the Chinese indiscriminately. During a thirty minute rampage, eighteen Chinese died, including fourteen lynched in the public streets. The courts convicted eight members of the mob but California’s Supreme Court set them free on a technicality. A committee of the California State Legislature investigated violence against Chinese miners in 1862, determining there were eighty-eight Chinese “known to have been murdered by white people.”

The Chinese in British Columbia experienced similar hostilities. A series of incidents featuring white miners murdering Chinese miners plagued the early 1860s. In another incident, a white miner named Copeland cut off one Chinese man’s queue and then shot a revolver indiscriminatingly into a group of Chinese men aboard a ship on which they all were traveling. Copeland never stood trial. In 1884, British Columbia Supreme Court Judge Matthew Begbie told government officials that mining camps near the confluence of the Thompson and Fraser

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59 D.E. Appleton, California Songster (San Francisco: Noisy Carriers Book and Stationary Company, 1855), 44.
rivers had “been the scene of terrible outrages against Chinamen, in all of which the perpetrators have escaped scot free.”

Organizations dedicated to influencing law makers by advocating immigration restrictions appeared on both sides of the border. In California, these clubs included the Anti-Coolie Association, who declared the “vast numbers of Chinese is a serious evil” that “will prove disastrous to the future greatness and prosperity of the entire Pacific slope.” In the late 1870s, most members of the Anti-Coolie Association threw their support behind a political party called the California Workingmen’s Party. The Workingmen proved a potent political force for several election cycles, winning mayoral and legislative races with the rallying cry, “The Chinese Must Go!” A similar organization appeared in British Columbia, the Workingmen’s Protective Association, whose stated purpose was the “protection of the working classes of British Columbia against the great influx of Chinese” and who vowed to use “all legitimate means for the suppression of their immigration.”

Politicians courted the votes of the anti-Chinese crowd with spiteful oratory. Those politicians included California Governor Leland Stanford whose 1862 inaugural speech attacked the Chinese as “an inferior race” and demanded their immigration “be discouraged by every legitimate means.”

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Parliament from Vancouver observed of the Chinese that “No true Canadian having the best interests of his country’s future at heart has ever welcomed them.”

It is this growing antipathy enveloping nineteenth-century California and British Columbia that birthed the first restrictive immigration policies in the United States and Canada. Such policies started with efforts at immigration deterrence, such as specially levied taxes and fees. They grew to include punitive policies punishing the Chinese simply for their cultural differences, such as laws aimed at the way they wore their hair. Eventually Chinese immigration became the dominant political issue in the region, an issue that embodied elements of class distinctions between the working class and elites and defined notions of state, provincial, and national identity.

If the beliefs of anti-Chinese agitators were true, the Chinese robbed the wealth of the region, inhibited its economic growth, depleted the morality of the white population, and threatened the existence of the white majority. Those who supported Chinese immigration countered that Chinese labor drove economic expansion and anti-Chinese sentiment was merely a cynical political tactic used to gain votes. British Columbia coal tycoon Robert Dunsmuir believed the latter, stating “I consider the agitation against the Chinese as largely political, for I have heard no argument against them as yet which convinces me that they are a drawback to this province or this part of the Dominion.” Such arguments, however, did little to temper beliefs that the Chinese, whether economically beneficial to California or British Columbia, were different. For immigration opponents, a multicultural region was no region at all. California and British Columbia were either places where white, European cultures would flourish, or they were places to abandon. In California, political leaders publicly feared the “increasing Chinese

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68 Ibid., 130.
immigration will occupy the entire Pacific Coast to the exclusion of the white population.”\(^{69}\)

Whether the Chinese were a benefit or hindrance to the region’s development, they were not, to the nineteenth-century mind, racially acceptable for the long-term growth of the United States and Canada. Successful futures and racial homogeneity went hand in hand.

It is against this backdrop that this study of the transnational flow of immigration policy between California and British Columbia begins. This dissertation contains seven chapters. It begins in the following chapter with a review of the unique historical trajectories of California and British Columbia, and the economic and cultural ties that bound their interests together. Chapter III addresses nineteenth-century constructs of racial and regional identity, especially as applied to the working class and labor movement, and how those constructs shaped anti-Chinese reaction in California and British Columbia. Chapter IV examines the multitude of local, state, and provincial public policy proposals both debated and enacted, linking notions of white identity to a transnational definition of citizenship. Chapter V follows the political careers of Denis Kearney and Noah Shakespeare, the region’s leading anti-Chinese activists, demonstrating the similarity in tactics and rhetoric used on both sides of the international border. Chapter VI delves into official government investigations of Chinese immigration in both California and British Columbia, where witness responses illustrate conformity in notions of white identity and justifications for immigration restrictions. Chapter VII concludes this study, summarizing the passing of the Chinese Exclusion Act and Chinese Immigration Act and the lasting legacy left by making race an immigration standard in the United States and Canada.

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\(^{69}\) California State Senate, “An Address to the People of the United States,” in *Chinese Immigration*, 55.
Figure 1: The Pacific Coast of the United States and Canada.

Figure 2: Amor De Cosmos.

“Amor De Cosmos,” ca. 1870, BC Archives [C-06116].
Figure 3: An anti-Chinese play.


Figure 4: A Chinese immigrant ca. 1880.

“Portrait of a Chinese Man Standing Next to a Table,” ca. 1880, Wallace B. Chung and Madeline H. Chung Collection, University of British Columbia [CC-PH-00174].
CHAPTER II:
THE METROPOLIS OF THE WEST COAST

In 1881, Lloyd Tevis, recently named president of the Wells Fargo Company (already famous for its express and financial services in California during the gold rush years), addressed the American Bankers Association. During the address, Tevis declared “San Francisco is not merely the metropolis of the State of California, it is also the metropolis of the greater part of this vast region.”¹ Tevis’ comment illustrates the regional role of San Francisco during the latter half of the nineteenth century – it was the largest and single most important city in western North America. San Francisco’s population in 1880 stood at 234,000 people, the ninth largest city in the United States. Nothing else west of the Mississippi River came remotely close in terms of population; only two other cities made the list of the fifty largest American cities (excluding those cities situated directly on the Mississippi), Kansas City at 56,000 and Denver at 36,000. Even more telling, Oakland (essentially a San Francisco satellite located less than ten miles away and visible to each other across the San Francisco Bay) ranked fifty-first on the list.²

Tevis’ purposeful use of the word *metropolis* indicates something more than San Francisco’s size. Although the term’s common usage today denotes any large city, its historical meaning comes from the system of colonization used by ancient Greek city-states. A *metropolis* was the mother city of a foreign colony. San Francisco was indeed the mother city to a vast collection of colonies in the form of smaller cities, towns, and outposts throughout the Pacific Coast region, the epicenter not just of population but also of commerce, communications, travel,

and culture. Connected to the eastern states after the completion of the Transcontinental Railroad in the late 1860s, and connected by sea to the rest of the world, San Francisco’s influence stretched south to Mexico and north to British Columbia. As early as 1854, a San Francisco newspaper accurately bragged that the city “is the center, the focus, the heart of California. All that the State contains is represented here. The city is the store-house, the trading-post for the State and for the rest of the North Pacific besides.”

If San Francisco was indeed a *metropolis* in the ancient Greek sense of the word, then British Columbia’s largest nineteenth-century city, Victoria, was a San Francisco colony. From a historical perspective, San Francisco’s presence dominated much of Victoria’s activity between the late 1850s and the late 1880s. British Columbia’s entire population in 1881 was 49,000 people; its capital Victoria had a population of just 6,000. Cut off from the eastern portion of North America by mountain ranges that made overland travel nearly impossible, Victoria relied on San Francisco as a conduit to the world beyond. People and goods traveling to Victoria first traveled to San Francisco before finding passage onward to British Columbia.

Despite their separation by Oregon, Washington, and an international border, California and British Columbia existed as part of a single region at least until the Canadian Pacific Railroad linked British Columbia to the rest of Canada in 1885. The term *region* is elastic, bending and changing according to various scholarly disciplines. As Joseph A. Amato notes, the word has different meanings among anthropologists, linguists, and geographers, while historians

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expand the term to include “temporal grids over political borders and historical processes.”

California and British Columbia represented a region under this conception as well as interpretations of region that acknowledges elements such as “culture, economy, politics, and geography . . . transcend the border or blur in the border zone.” The definition of a region as it applies to California and British Columbia changes over time; the term does not accurately describe the relationship between California and British Columbia in all eras. Yet until 1885, the bonds between the state and province exceeded the bonds connecting them to other states, provinces, territories, or British North American colonies.

Geography kept British Columba tied to California during the nineteenth century. The distance between Jamestown, Virginia (the first permanent English settlement in what became the United States) and San Francisco covered nearly 3,000 miles; likewise, the first permanent Canadian settlement at Quebec was 3,000 miles from Victoria. Even after California became a state and British Columbia a province, they remained isolated as their respective capital cities were over 2,000 miles from their national capitals in Washington, D.C. and Ottawa. At statehood in 1850, no other state bordered California; likewise, when British Columbia joined Canada in 1871, it touched no other province. The Rocky Mountains further isolated the region by creating a barrier to overland transportation stretching from British Columbia to New Mexico. No rivers traversed the width of the continent in an east/west direction, thereby limiting water travel to the West Coast to a circuitous sea route around the southern tip of South America – a trip that took five months from England in the mid-1800s. The completion of the Transcontinental Railroad in

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1869 shortened travel time between New York and California to less than two weeks, but without a railroad of its own, British Columbia remained isolated but for its proximity to California. In the words of former Canadian Secretary of State J.A. Chapleau:

so far as direct communication was concerned, [British Columbia] remained isolated from the life and commerce of the greater portion of the continent. Between her and all that is meant by “western civilization,” rose two immense chains of mountains. More than this there are vast tracts of but partially settled land between the mountains and the Missouri.\(^8\)

The importance of San Francisco to Victoria during these formative years has not been lost on British Columbia’s historians. Marcus Lee Hansen has written that at the time it joined Canada in 1871, “British Columbia . . . was in commerce and population a part of the Pacific region which had its center at San Francisco.”\(^9\) The collection of scholars contributing to *British Columbia and the United States* declared “The metropolis of the Pacific Coast was San Francisco; and Victoria, the capital and chief port of British Columbia, was only its northern outpost. . . . British Columbia was part of the great hinterland of San Francisco, a hinterland which included Oregon and Washington, Nevada, Utah, and Idaho as well as California.”\(^10\) Most recently, and most succinctly, Jean Barman declared San Francisco as “British Columbia’s Gateway to the world” during this era.\(^11\)

This chapter addresses the links connecting nineteenth-century British Columbia to California. These links include settlement patterns through the migration of California residents to British Columbia, in addition to economic, cultural, and intellectual connections. These connections form the foundation for the exchange of public policy initiatives driving Chinese

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\(^11\) Jean Barman, *The West Beyond the West*, 94.
immigration restrictions. The seeds for these links began long before California statehood and
British Columbia’s admission to the Dominion of Canada. The historical development of
California and British Columbia ran parallel, moved by vastly different forces than found in the
standard version of American and Canadian history. To place these historical ties into proper
perspective requires a brief summary of California and British Columbia history prior to the
arrival of Chinese immigrants.

Most versions of the story of the birth of the United States begin with the American
Revolution. Prior to the Revolution the border separating the United States and Canada did not
exist. In its place stood a series of colonies and territories that all were part of British North
America. In 1776, the representatives of the Second Continental Congress formally dissolved
their ties to Great Britain by issuing the Declaration of Independence. In the American origins
myth, the signing of the Declaration of Independence and the American Revolution are a self-
contained narrative. However, that nationalist perspective tells only half of the story. As scholars
like Seymour Martin Lipset have noted, “Americans do not know but Canadians cannot forget
that two nations, not one, came out of the American Revolution.” The American Revolution
marked the first geopolitical distinction between what became Canada and the United States.\(^{12}\)

That narrative does not apply to the histories of all states and provinces. Canada and the
United States have, over time, become large nations geographically. Both nations are among the
five largest in the world but not all of the territory in their combined land mass figured into the
American Revolution. For example, the thirteen original American colonies today comprise just
9% of the geographic territory of the fifty American states and the District of Columbia. In
addition, the Dominion of Canada did not officially form until 1867, and then only with the

\(^{12}\) Seymour Martin Lipset, 
*Continental Divide: The Values and Institutions of the United States and Canada* (New
York: Routledge, 1989), 1; see also Alan Taylor, 
*The Civil War of 1812: American Citizens, British Subjects, Irish
Rebels, & Indian Allies* (New York: Alfred A. Knopf, 2010), 5-10.
initial four provinces of Ontario, Quebec, Nova Scotia, and New Brunswick (today there are ten
Canadian provinces). Clearly the standard narrative omits the historical trajectory of the majority
of the United States and Canada.

Consider what was happening in the pivotal year of 1775. In April, skirmishes in
Massachusetts at Lexington and Concord launched the Revolutionary War. As the year
progressed, additional conflicts occurred at Fort Ticonderoga in New York and Bunker Hill near
Boston. The Continental Congress dispatched a delegation (including Benjamin Franklin) to
Montreal in a failed effort at securing the colony of Quebec’s support. On New Year’s Eve, an
American attack on Quebec City failed, driven back by British troops, local militia, and a fierce
winter storm. All of the action described above happened in a relatively confined geographic
area along the East Coast of North America. On the West Coast, vastly different events were
occurring. Spain founded Mission Dolores at San Francisco just a week before the signing of the
Declaration of Independence, bringing the first European settlers to Alta (upper) California.
Meanwhile, Spanish mariners explored the British Columbia coastline for the first time during
1774 and 1775. Three years later explorer James Cook claimed British Columbia for Great
Britain. From these beginnings far removed from the conflict on the other side of the continent,
California and British Columbia began to develop in ways similar to each other while dissimilar
to the developments in the east.¹³

Indigenous cultures lived and thrived along North America’s West Coast for thousands of
years. An estimated 275,000 people lived in California’s multiple climates and diverse

¹³ On the history of California, see Walton Bean, *California: An Interpretive History* (San Francisco: McGraw-
Hill, 1968); Warren A. Beck and David A. Williams, *California: A History of the Golden State* (Garden City, NY:
1976); Patricia E. Roy and John Herd Thompson, *British Columbia: Land of Promises* (Toronto: Oxford University
Press, 2005).
geography, roughly 30% of the native population of the continental United States prior to European contact.\textsuperscript{14} California’s mountains and deserts (in addition to the Pacific Ocean) limited interaction between these civilizations, creating a variety of distinct and unique cultures. British Columbia’s indigenous cultures were equally as diverse, speaking over 30 different languages. Roughly 80,000 native peoples lived in British Columbia, nearly half of the native population of Canada.\textsuperscript{15} Geographic constraints kept the indigenous cultures of California and British Columbia isolated longer than the civilizations of the East Coast who were more accessible to European voyages of New World exploration. By the time of the American Revolution, European nations and their colonists had developed more than a hundred years of knowledge of the Atlantic Coast’s geography. On the Pacific Coast, however, European exploration was just getting started.

By the early 1520s, the Spanish had conquered indigenous Aztecs and established a colonial foothold in Mexico. Spanish expeditions explored the American West, lured by rumors of plentiful gold and hopes of discovering the Northwest Passage, a water route traversing the width of North America. Sailing for Spain in 1542, Portuguese sailor Juan Rodriguez Cabrillo commanded the crew of the first Europeans to venture up the California coastline. Cabrillo got as far north as Point Reyes near San Francisco, but missed the opening to the San Francisco Bay. Reports of Cabrillo’s voyage apparently inspired little enthusiasm as Spanish exploration of California remained sporadic until the 1700s. A rival to Spain’s claim to California came in 1579, when the explorer (and sometime pirate) Sir Francis Drake landed north of San Francisco, proclaiming the area “New Albion” on behalf of Great Britain.

\textsuperscript{14} Walton Bean, \textit{California}, 6.
\textsuperscript{15} Jean Barman, \textit{The West Beyond the West}, 14.
Despite the formal claim of Spain and the nominal claim of England, European settlement in California was initially slow to develop. When European settlement did begin in California, it came from Spain. Beginning in 1769 the Spanish began sponsoring settlements in California through the creation of Catholic missions that established a colonizing presence. The Spanish created twenty-one missions within California, all within thirty miles of the coastline. The sites of these missions later grew into important California cities, including San Diego, Santa Barbara, San Luis Obispo, San Jose, and San Francisco. The missions never became self-sufficient and financially drained the Spanish monarchy. When rebellions in Spain’s colonies turned into the Mexican War of Independence in 1821, Spanish government support for the missions ended, leading to rapid deterioration of the properties.

In 1778, the English explorer James Cook reached Nootka Sound near Vancouver Island, becoming the first known European to set foot in British Columbia. By the middle of the 1780s, both Spain and Great Britain established trade relations with British Columbia’s First Nations population within the area of Nootka Sound. When Spain tried to exert exclusive control over the area by seizing British ships and sailors in 1789, the two nations nearly went to war. The crisis ended with the Nootka Conventions, a series of agreements between Spain and Great Britain that opened the region to additional colonial development.

While Spain was integral in European settlement of California and British Columbia, by the 1820s they had abandoned their West Coast interests. California came under the control of Spain’s former Mexican colonies in 1821. That same year, the British fur trading companies of the North West Company and the Hudson Bay Company (HBC) merged under the HBC’s banner. When Spain withdrew from British Columbia, it left the European presence there in the hands of the HBC. Founded in 1670, the HBC established fur trading posts across the continent
with the blessing of the British government. The activities of the HBC gave the British a physical presence in sparsely populated areas, strengthening their territorial claims. In some cases, the HBC even acted as a *de facto* government on behalf of Great Britain, including in British Columbia, where the native population vastly exceeded the number of European fur traders. During the 1820s, the HBC began making occasional forays into present day California.

Between 1841 and 1842, the HBC had a trading post at a small former Spanish settlement named Yerba Buena (a settlement absorbed in later years by modern San Francisco), foreshadowing the later connections between British Columbia and California.\(^{16}\) Like California’s mission system, the sites of HBC trading posts later became important British Columbia cities, including Victoria, Prince George, and Nanaimo. The HBC remained the nominal government entity until 1849, when the area of Vancouver Island became an official British colony (the HBC retained control of mainland British Columbia until it became a colony in 1858; the two colonies merged as British Columbia in 1866).

Although Mexico and Great Britain retained territorial claims over California and British Columbia through the 1820s and 1830s, native populations greatly outnumbered those of European descent. Interactions between natives and Europeans in both locations varied between extremes of cooperative economic relationships and outright hostility. European diseases decimated native populations in California and British Columbia, weakening resistance to continued European encroachment. The decades of the 1840s and 1850s brought tremendous and rapid changes to California and British Columbia, including increased white migration.

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American desires for territorial expansion and the discovery of gold focused attention on the region in the 1840s and increased the white population. In 1844 and 1845, possession of Vancouver Island and surrounding territories became the centerpiece of the Oregon Boundary Dispute between the United States and Great Britain. Fervent American expansionists coined the phrase “54° 40’ or Fight” in reference to the international boundary proposed by American politicians. American newspaper editor John L. O’Sullivan coined another phrase, “manifest destiny,” in arguing for the 54° 40’ boundary, forever changing the American lexicon and creating a sense of divine right for Americans to acquire new territories. While the Oregon border question brought Great Britain and the United States to the brink of war, the situation cooled as an actual war over American expansion erupted with Mexico. In 1846, California became a site of military contest through a series of skirmishes during the Mexican-American War. By 1847, American forces controlled California and in 1848 Mexico ceded California to the United States in the Treaty of Guadalupe Hidalgo (seventy years after the Declaration of Independence). In 1846, the United States and Great Britain signed the Oregon Treaty, establishing the boundary of the Oregon Territory at the current 40° parallel, delineating what was American territory and what was British.

In 1848, people of European descent began populating the West Coast in earnest. When the year began, San Francisco was the most populous California city, yet numbered only 1,000 people. When James Marshall spotted gold in the river near the saw mill he was constructing with John Sutter, it altered the destiny of the West Coast. Word of the discovery leaked and thousands of gold seekers from across the globe came to California. Thousands of others joined them not to prospect but to make their profits with businesses catering to the miners. Twelve years after the initial discovery of gold, the formerly sleepy village of San Francisco ballooned to
a population of 57,000.\textsuperscript{17} The sudden influx of population drove California statehood, granted in 1850.

Gold discoveries in British Columbia also brought increased population. Beginning with the Fraser Canyon gold rush in 1858, and continuing through the Omenica and Cariboo gold rushes of the 1860s and the Cassiar gold rush of the 1870s, it was veterans of California’s gold fields that first headed north. Gold brought British Columbia’s population to 32,000 people by 1867, a dramatic increase given the non-native population previously numbered only several hundred fur traders.\textsuperscript{18} The population boom transitioned British Columbia from a nominally governed and often ignored British territory under the control of the HBC to a full-fledged British colony. While California and British Columbia shared similar trajectories prior to the gold discoveries, the discoveries opened opportunities for even greater ties.

By 1852, California’s gold production peaked, bringing decreasing yields in each subsequent year and dampening the initial gold rush excitement. Idle miners gathered in the state’s largest city, leading one newspaper to remark that “San Francisco is, at this moment crowded with more unemployed . . . in proportion to her population, than any other city in the Union.”\textsuperscript{19} The discovery of gold in British Columbia’s Fraser River Canyon changed that. The HBC initially concealed the discovery in hopes of hoarding the potentially lucrative yield, managing to keep the news quiet for several years. The strikes, however, proved too numerous to conceal permanently. James Douglas, the governor of the territory by virtue of his position as the head of the HBC, publicly acknowledged the discovery in 1858.\textsuperscript{20}

\textsuperscript{20}Robert E. Ficken, “The Fraser River Humbug,” 298.
California’s mining community greeted news of the Fraser Canyon strike with initial skepticism that quickly gave way to excitement. An early report from March of 1858 in the *Alta California* included a letter giving “flattering accounts” of the Fraser’s conditions. The following month passengers on the steamship *Columbia* arrived in San Francisco from British Columbia’s gold fields and confirmed news of the strike. Rumors circulated that Fraser Canyon miners were making three times the rate of those in California’s Sierra Mountains. The initial caution gave way to feverish excitement over Fraser Canyon gold. San Francisco papers proclaimed the discovery with bold headlines, and one early Fraser miner who visited San Francisco carrying a piece of “thin, scaly gold” became an overnight celebrity.21

Throughout the gold mining regions of California, the Fraser Canyon became the dominant topic of conversation. Not long after the discovery became public, one California miner near Marysville wrote in his diary of an evening with his compatriots, “Had a good time with the boys . . . found them crazy about Fraser River.”22 Maps of the Fraser Canyon area soon flooded California, enticing the adventurous to head north.23 Some advertisements offering transportation to the region failed to mention that the strike was not in American territory, either an accidental omission or a willful duping of potential travelers.24 The first group of Californians left for British Columbia in April of 1858, including 450 who boarded the steamer *Commodore* on April 20.25 These first pioneers of what would become an exodus to the Fraser Canyon made positive reports of what they found. San Francisco’s *Daily Evening Bulletin* reported “The news from the mines is such that there was never heard the like before in the world! It leaves California in the back ground.” Another letter writer to the paper encouraged a friend to “come

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23 Ibid., 150-151.
24 Ibid., 140.
25 Ibid., 141.
up next spring, if he is not doing much in San Francisco.” Still another prophesized “I see
nothing to hinder the steady advancement of Victoria towards a commercial importance second
only to San Francisco upon this coast.”

By mid-1858, Californians were leaving by sea for British Columbia in droves. An early
historian of British Columbia described the scene in San Francisco as “the halcyon days of ‘49
appeared to have come again, and fresh dreams of wealth floated through the minds of
multitudes.” Passage between San Francisco and Victoria took only three or four days by
steamer, and ten to twelve days by sail. Between April 20 and August 7, eighty-one vessels
carrying nearly 13,000 ticketed passengers left San Francisco headed to ports accessible to the
Fraser Canyon. These numbers, however, do not tell the full story. Steamship companies ignored
maritime regulations and insurance requirements limiting the number of passengers, packing
vessels with as many people as possible. Some estimates placed passenger numbers on a typical
ship at 25% to 60% above legally allowed levels. Including the smaller number of newcomers
from Washington and Oregon territories (neither had achieve statehood), roughly 30,000 people
arrived in this corner of British North America before 1858 was over. Boxes, crates, and other
cargo headed for Victoria or other nearby towns crowded the sidewalks near San Francisco’s
port. Victoria became the most common disembarkation point for the exodus, a startling
development for what was only a small HBC outpost just months earlier. In California, the
Fraser Canyon gold rush threatened to deplete the population. The *Alta California* proclaimed
the Fraser Canyon might “break up, or at least, seriously disarrange for the time being the entire

29 Ibid.
mining business of the State.” San Francisco’s population suffered a brief decline, including a related drop in real estate prices.\textsuperscript{30}

The 1858 migration from California to British Columbia included individuals whose presence had lasting effects on the region’s history. Included among these were the first Chinese to enter British Columbia, Chang Tsoo and Ah Hong, who left California in search of Fraser Canyon gold. Not long after, Chong Lee established the first Chinese business in Victoria, a franchise of the successful Kwong Lee Company of San Francisco.\textsuperscript{31} These Chinese pioneers to British Columbia attracted the attention of those who could facilitate Chinese migration on a grander scale. In May of 1858, a San Francisco newspaper reported three “aristocratic Chinamen” had visited British Columbia, scouting the possibility of opening up agencies connected to the Six Companies.\textsuperscript{32} The arrival of Tsoo, Hong, Lee, and the Six Companies’ agents foreshadowed the arrival of thousands of Chinese migrants in the ensuing 25 years.

In addition to the first Chinese immigrants, 1858 witnessed the arrival of another person from California who later left his mark on British Columbia’s political history. That person was a Nova Scotia native given the birth name of William Alexander Smith. Arriving in California 1853, the entrepreneurial Smith was one of California’s first professional photographers, taking pictures of prospectors while also dabbling in mining and other business ventures on the side. In 1854, Smith legally had his name changed by an act of California’s legislature, supposedly over irritation with frequent postal mix ups between him and other similarly named men. His new name was unusual, Amor De Cosmos, a name he claimed symbolized “Love of order, beauty, the


\textsuperscript{32} “Chinese Agencies at the Frazer River Mines,” \textit{San Francisco Daily Evening Bulletin}, 24 May 1858, NCUSN, GDC.
world, the universe.” Armed with ambition to match his new moniker, De Cosmos moved to Victoria, founded a newspaper, and eventually turned his attention to politics. He served in British Columbia’s Provincial Legislature, as the province’s second Premier, and in the Canadian Parliament, earning the nickname of British Columbia’s “Father of Confederation” for his role in pushing the province to join with Canada.

California’s impact on the new population growth in British Columbia went beyond its status as a point of departure for gold seekers and adventurers. The Californians who ventured north also established a cultural and organizational blueprint. As one historian remarked later, the early days of the Fraser Canyon gold rush were:

merely the transporting of a part of California and the Pacific states to a land under the British flag. . . . [Miners’] theories and practices, their implements, their money, their newspapers, their interests, their very friendships and hatreds, all were Californian. In every sense of the word they were Californians.

The newcomers named bars of the Fraser River after California connections like “Santa Clara” (the name of a California city) and “Stranglers” (a slang term for the California’s vigilante organizations popular in the 1850s). Sometimes the names suggested broader American connections like “Union,” “Yankee Doodle” or “Eagle.” One location dubbed “Hill’s Bar,” first claimed by members of a San Francisco fire department, became a focal point of the gold rush, at times accommodating 400 prospectors. The miners attempted to govern themselves by California custom, adopting their own resolutions governing the size, definition, and rules for

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35 F.W. Howay, W.N. Sage, and H.F. Angus, British Columbia and the United States, 141.
36 Ibid., 155.
mining claims. The HBC’s governing apparatus was insufficiently prepared to control the new miners and their attempts at self-government. In order to ensure the miners functioned under British law and not California customs, Great Britain formally declared the mainland of British Columbia a British colony.

A sophisticated communication and transportation network kept San Francisco and Victoria seemingly closer than the 900 miles separating them. Passengers and news traveled back and forth via steamships. The first steamship on the Pacific Coast was the HBC’s Beaver in 1835, which remained in use for over fifty years. Beginning in 1854, San Francisco-based steamship companies began regular service to British Columbia. The frequency of the trips increased as British Columbia’s population increased; by the 1880s, steamships departed San Francisco for Victoria weekly with a typical ship boasting fifty passenger cabins and room for 200 additional passengers in steerage. Express companies such as Wells Fargo also regularly made the trip up the Pacific Coast, transporting mail, freight, gold dust, and banking deposits by sea and land. By 1865, telegraph service connected Victoria to San Francisco via Portland, Oregon, increasing the rate at which news traveled between the two cities.

San Francisco and Victoria also kept up regular communications by mail. Regular mail service and express services linked California to British Columbia at the beginning of the Fraser

38 F.W. Howay, W.N. Sage, and H.F. Angus, British Columbia and the United States, 156.
41 F.W. Howay, W.N. Sage, and H.F. Angus, British Columbia and the United States, 184.
gold rush. By 1875, an agreement increased mail deliveries between the two cities to a weekly basis.\textsuperscript{45} International mail sent to Victoria had to first travel through San Francisco, where it then departed by steamship for British Columbia. Likewise, mail leaving Victoria first traveled to San Francisco before routed onward, whether to Canada, the United States, or any other location on the globe.\textsuperscript{46} Until the completion of the Canadian Pacific Railroad in 1885, even mail originating in British Columbia and destined for other Canadian provinces bore American stamps because of its routing through San Francisco.\textsuperscript{47}

California’s influence on the development of British Columbia centered on Victoria but extended throughout the future province. As the sole British port of entry to the gold fields, Victoria’s importance to the region originated with its designation as the only place where prospectors could obtain mining licenses issued by the HBC. With most of the gold rush’s participants passing through Victoria at least temporarily, it became a commercial hub. The population increased eight-fold in just three years, reaching 6,000 residents by 1860.\textsuperscript{48} The arrival of the Californians in 1858 drove Victoria’s real estate market skyward; the HBC sold lots in Victoria for $75 to $100 with speculators quickly reselling the lots for $150 and making a tidy profit. Branches of popular San Francisco businesses opened in Victoria, often using the same signage as used in California so as to be instantly recognizable to transplants. American flags were a common sight and American currency readily exchanged in Victoria’s markets.\textsuperscript{49}

Fire brigades independent of city government, first organized by San Francisco transplants,
remained the norm in Victoria until 1886.\textsuperscript{50} A San Francisco publisher, Hubert Howe Bancroft, sold books and stationary to post gold rush Victoria, and in 1887 parlayed that connection to publishing the first major history of the province.\textsuperscript{51}

San Francisco’s business community also benefitted from the economic exchange with Victoria. Miners who stopped in San Francisco en route to British Columbia needed temporary lodging, transportation, and equipment to work the mines, resulting in handsome profits for San Francisco’s hotels, steamships, and merchants.\textsuperscript{52} Not all Fraser Canyon miners remained permanently – some spent only a brief time in the region before moving on to other ventures.\textsuperscript{53} Yet the influence of California on British Columbia remained throughout the rest of the nineteenth century. Despite British authority, Victoria of the late 1850s was, in the words of the \textit{Daily Alta California}, “San Francisco in miniature,” and population estimates in 1870 suggest 20% of Victoria’s population was American.\textsuperscript{54}

Transplanted Californians also exerted their influence on the emergence of print media in British Columbia. The first printing press in the future province arrived by steamer from San Francisco. San Franciscans opened British Columbia’s first newspaper, the \textit{Victoria Gazette}, in 1858 – a newspaper that first appeared under the name \textit{Anglo-American} before editors changed it to appeal to a wider readership. The \textit{Victoria Gazette} also offered some of British Columbia’s first published commentary about Chinese immigrants, noting in June of 1858 the arrival of Chinese on the steamer \textit{Oregon} and in 1859 offering an opinion that “no greater obstacle to the coming of the class of immigrants needed in B.C. could be devised than the presence of

\textsuperscript{50} William E. Ireland, “British Columbia’s American Heritage,” 68.
\textsuperscript{51} Chad Reimer, “‘Historie Explorations Northward’: Hubert Howe Bancroft and the Beginnings of British Columbia History,” \textit{Pacific Northwest Quarterly} 86 (Summer 1995), 131-138.
\textsuperscript{52} Rodman W. Paul, “After the Gold Rush,” 10.
\textsuperscript{53} Robert E. Ficken, “The Fraser River Humbug,” 297-308.
Chinamen in large numbers throughout the upper mining regions.\textsuperscript{55} Several other newspapers owned by California transplants soon followed, including the *Vancouver Island Gazette* and the *News Letter for Vancouver Island and New Caledonia*. The most famous and long-running newspaper founded in 1858 with a California connection was the one created by Amor De Cosmos, the *Daily British Colonist*, the precursor to Victoria’s *Times Colonist* still in print today.\textsuperscript{56}

Reform movements moved north from California and other American states providing another avenue of cross border intellectual exchange. Chief among these was the temperance movement, leading one newspaper to exclaim in 1879, “Like a great tidal wave the temperance reform is carrying everything before it, from California to British Columbia.”\textsuperscript{57} The International Order of Good Templars arrived in British Columbia via the formation of a Pacific Northwest chapter that operated on both sides of the border. Similarly, the San Francisco based temperance society the Dashaways opened a branch in Victoria in 1859, operating halfway houses for those hoping to “dash away” from strong drink.\textsuperscript{58} Social reformers and anti-Chinese advocates often moved within the same circles as stereotypes of the Chinese associated the immigrants with opium abuse, prostitution, and other forms of general immorality. California’s leading

\textsuperscript{55} Quoted in Robert Edward Wynne, “Reaction to the Chinese in the Pacific Northwest and British Columbia, 1850 to 1910,” (Ph.D. diss., University of Washington, 1964), 112. See also Ibid., 106-112 on the *Victoria Gazette*.


nineteenth-century anti-Chinese political organizer, Denis Kearney, was a noted non-drinker. His counterpart in British Columbia, Noah Shakespeare, was a founding member and president of his chapter of the Good Templars, in addition to holding membership in another temperance organization, the Total Abstinence Society.

Advertisements, personal ads, and articles from British Columbia newspapers confirm the interconnected webs of San Francisco and Victoria. A selection of British Columbia newspapers from the month of August, 1870 (twelve years after the initial migration of Californians north to British Columbia) illustrate this point, showing connections in the areas of business, travel, communications, and culture. The Victoria (B.C.) Daily Standard included advertisements for the banking hours of the Victoria branch of Wells Fargo, headquartered in San Francisco. A personal ad posted by A. Belasco of San Francisco gave notice that Victoria resident J.P. Davies no longer held Belasco’s power of attorney. The steamship Idaho announced its impending departure for San Francisco and solicited ticketed passengers. A merchant advertised his stock of California crushed sugar and wines. And those wanting to look and smell their best could get a haircut and a bath at Victoria’s San Francisco Saloon. Meanwhile, ads in the Victoria (B.C.) Daily Colonist used references to San Francisco as a marketing tool for their products. Jesse Coyper’s Boots and Shoes advertised goods received by steamer from San Francisco while the Dodge Company solicited customers for their threshing machines sold “at San Francisco prices.” Other ads encouraged travel to San Francisco. The Grand Hotel of San Francisco encouraged visits from their “many friends in Victoria and British Columbia,” while another San Francisco

hotel beckoned “visitors from Victoria and the North . . . to give the Orleans a trial.” Even the 
(Barkersville, BC) Cariboo Sentinel, a small paper serving the mining region, advertised the 
name of their agent in San Francisco and reported on the seven dollars a day earned by Chinese 
miners from California.

Economics tied Victoria to San Francisco more than any other factor. Great Britain 
largely ignored trade possibilities with its own colony beyond the activities of the HBC, in part 
because of the expense and trouble associated with reaching it. But British Columbia’s natural 
resources found buyers in the San Francisco market. The structure of the United States Mint 
located at San Francisco and opening in 1874 contained sandstone mined in British Columbia.

More importantly, San Francisco’s maritime industry had an appetite for British Columbia 
lumber and coal to build and fuel its ships. Even before the Fraser gold rush, the HBC had 
expanded beyond fur trading to include business ventures supplying the needs of California, 
including lumber. By 1867, British Columbia’s Postmaster General wrote of the economic ties 
bounding British Columbia to California that “the entire trade of the Colony (with the exception 
of a few vessels during the year direct from England)’ was ‘transacted with San Francisco.’”

Coal was British Columbia’s chief export to California. As early as 1853, just three years 
after California statehood, British Columbia provided 2,000 tons of coal to California. That 
number grew with the population. Between 1860 and 1883, British Columbia sent 1.4 million 
tons of coal mined on Vancouver Island to California, leading British Columbia’s Minister of 
Agriculture to note in 1884 that the region’s coal was “in large demand in the San Francisco

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63 Barkersville (B.C.) Cariboo Sentinel, 6 August 1870, 3.
64 Hubert Howe Bancroft, William Nemos, and Alfred Bates, History of British Columbia, 572.
65 G.W. Taylor, Builders of British Columbia, 22.
66 Jean Barman, The West Beyond the West, 54-55.
67 Quoted in F.W. Howay, W.N. Sage, and H.F. Angus, British Columbia and the United States, 183.
68 Jean Barman, The West Beyond the West, 54-55.
market.”\textsuperscript{69} An address to Canada’s House of Commons in 1882 confirms San Francisco’s demand, noting that British Columbia coal “commands a higher price in the San Francisco market than any other bituminous coal.”\textsuperscript{70} British Columbia coal magnate Robert Dunsmuir declared in 1885 that “San Francisco is, in fact, the only important market for coals from the mines of this province at present.”\textsuperscript{71} Even as late as 1902, almost twenty years after the Canadian Pacific Railroad linked British Columbia to the rest of Canada, 75% of Vancouver Island’s coal went to California.\textsuperscript{72} Events in California altered the fates of British Columbia’s coal producers on multiple occasions. In 1870, American tariffs forced Vancouver coal mine owners to slash wages.\textsuperscript{73} In 1877, economic depression in San Francisco caused a cut in coal imports and exports, leading to the closure of the Harewood coal mine near Nanaimo.\textsuperscript{74}

Despite the miles and international border between them, California and British Columbia existed as part of a single economic market. San Francisco businesses opened branches in Victoria; by 1864, one estimate claimed Americans owned half of British Columbia’s businesses.\textsuperscript{75} Banking interests facilitated the flow of capital. California financiers opened British Columbia’s first bank. Later, the Bank of British Columbia opened a branch in San Francisco.\textsuperscript{76} The economic ties also meant choosing workers from the same labor pool. In 1879, when British Columbia needed a competent engineer to complete the western sections of

\textsuperscript{69} British Columbia Minister of Agriculture, \textit{The Pacific Province of Canada}, 48-49.
\textsuperscript{70} \textit{New Westminster (B.C.) Mainland Guardian}, 7 June 1882, 3.
\textsuperscript{72} John R. Hindle, \textit{When Coal was King: Ladysmith and the Coal-Mining Industry on Vancouver Island}, (Vancouver: University of British Columbia Press, 2003), 37.
\textsuperscript{73} F.W. Howay, W.N. Sage, and H.F. Angus, \textit{British Columbia and the United States}, 190.
\textsuperscript{74} Hubert Howe Bancroft, William Nemos, and Alfred Bates, \textit{History of British Columbia}, 577.
\textsuperscript{75} Marcus Lee Hansen and J. Bartlet Brebner, \textit{The Mingling of the Canadian and American Peoples}, 155.
\textsuperscript{76} F.W. Howay, W.N. Sage, and H.F. Angus, \textit{British Columbia and the United States}, 144; British Columbia Minister of Agriculture, \textit{The Pacific Province of Canada}, 14.
the Canadian Pacific Railroad, it gave the contracts to the person who previously supervised
construction of San Francisco’s seawall, Andrew Onderdonk.\textsuperscript{77}

Since British Columbia’s businesses shared an economic market with San Francisco, it
also meant their businesses competed with each other. British Columbia’s business owners
adopted practices common in San Francisco in order to remain competitive, including hiring
Chinese laborers at wages below those commanded by white workers. Prior to the completion of
the Transcontinental Railroad in 1869, San Francisco businesses could charge high prices for
goods high in demand and difficult to obtain. Higher prices also meant higher wages for workers.
The railroad, however, made goods from the east more readily available, resulting in lower
prices and lower wages.\textsuperscript{78} The addition of the Chinese to the labor pool, thereby making labor
less scarce, further reduced wages. Since Victoria depended so heavily on the San Francisco
market, the completion of the railroad and the influx of Chinese laborers impacted British
Columbia’s workforce as well. The Vancouver Coal Company, for example, sold 50% of its
yield between 1862 and 1872 to San Francisco. In order to sell at competitive prices, the
company hired Chinese laborers to augment its white workforce, paying white workers four
dollars a day and Chinese workers one dollar.\textsuperscript{79} In another example, the foreman at Victoria’s
Belmont Tannery publicly declared in 1878 that “they must employ Chinese or close the store . .
. on account of the competition with San Francisco.”\textsuperscript{80}

Chinese immigration served as another factor binding California and British Columbia.
While geographic constraints hindered migration from the eastern regions of North America, the

\textsuperscript{77} “British Columbia Railroads,” \textit{San Francisco Daily Evening Bulletin}, 13 June 1881, NCUSN, GDC; G.W.
Taylor, \textit{Builders of British Columbia}, 36-37.
\textsuperscript{78} Neil L. Shumsky, “San Francisco’s Workingmen Respond to the Modern City,” \textit{California Historical Quarterly}
\textsuperscript{79} Hubert Howe Bancroft, William Nemos, and Alfred Bates, \textit{History of British Columbia}, 573.
\textsuperscript{80} “Workingmen’s Protective Association,” \textit{Victoria (B.C.) Daily Colonist}, 4 December 1878, 3.
Pacific Coast remained accessible to ocean going vessels coming from China. As migration from China increased, the Pacific Coast became a natural destination. The first published history of British Columbia, Hubert Howe Bancroft’s 1887 *History of British Columbia*, noted “Like San Francisco, Victoria had its Chinatown, occupying a considerable portion of the city, and encroaching rapidly on some of the most valuable properties, while its denizens came into active competition with the mechanics, operatives, and business men of the capital.”\textsuperscript{81} It is noteworthy that Bancroft used the word *competition* – its use represents one of the two predominant ways in which residents of the Pacific Coast responded to the Chinese. White laborers typically viewed the Chinese as unfair competitors due to their acceptance of lower wages and impact on the labor market. Conversely, business interests tended to greet the arrival of the Chinese with more enthusiasm because they fulfilled labor needs where labor was often in short supply. In British Columbia, those who supported Chinese immigration thought the Chinese integral in keeping up with California economically. In 1885, for example, Canadian Secretary of State J.A. Chapleau stated Chinese immigration offered opportunities for British Columbia “relatively to California . . . [to] develop at a ratio not short of mathematical; [British Columbia] would literally shoot ahead as one of the great seats of commerce and industrial activity.”\textsuperscript{82}

In California, newspaper reports showed residents keeping a watchful eye on British Columbia’s response to Chinese immigrants, reporting news of anti-Chinese legislation and forecasting the impact on their state. News of an 1876 attempt at Chinese restrictions in British Columbia left California newspapers concerned that it would “throw the Chinese now located there on to United States territory, and California will be certain to come in for its share of

\textsuperscript{81} Hubert Howe Bancroft, William Nemos, and Alfred Bates, *History of British Columbia*, 710.
them.”

When British Columbia politicians tried again in 1878 to restrict the Chinese, a California newspaper proclaimed that “Chinese emigration which his now going to British Columbia, will find its way through the Golden Gate.” At other times, the California press empathized with British Columbia in relation to the Chinese question. When British Columbia had an anti-Chinese immigration law overturned on constitutional grounds, a scenario familiar to Californians who had experienced similar judicial rulings, the press expressed a kindred connection by noting “This is the American system exactly, and the very grounds upon which California is prevented from original action in the same matter.”

For all of the connections between California and British Columbia in geography, development, people, experiences, economics, and culture, it is not surprising that circumstances nearly placed them under the same government at multiple times in the nineteenth century. While California formally became a state in 1850, British Columbia’s governmental status remained precarious in the following decades. The influx of Californians and other Americans into British Columbia beginning in 1858 reopened questions of the region’s sovereignty. Although the Oregon Treaty of 1846 gave the territory of British Columbia to the British, Great Britain’s relative disinterest in the territory showed through its lack of encouraging settlement or investment other than the actions of the HBC. The Fraser gold rush led to Vancouver Island and mainland British Columbia combining into a single British colony in 1866 but colony status did not necessarily solve the question of region’s future. The 1867 formation of the Dominion of Canada placed pressure on British Columbia to join, but confederation was not a foregone conclusion. The notion of a British Columbia identity was still in development during these

84 “Chinese Question in British Columbia,” San Francisco Daily Evening Bulletin, 4 May 1878, NCUSN, GDC.
85 “Failure of the Chinese Experiment in British Columbia,” San Francisco Daily Evening Bulletin, 14 October 1878, NCUSN, GDC.
formative years, and those living in British Columbia did not find an immediate natural bond with people in Canadian provinces so far removed geographically. In some quarters of the colony, a strain of anti-Canadian sentiment existed. Canadians who ventured to British Columbia for financial gain during the gold rush tended to send their earnings home to other provinces rather than spending it locally. A similar argument used against the Chinese accused them of sending earnings out of the country, thus locals sometimes dismissed Canadians as “North American Chinamen.”

The possibility of British Columbia joining the United States was very real between 1858 and 1870. American notions of manifest destiny – the idea that the United States would inevitably expand to encompass the entire continent – held the possibility of British Columbia’s annexation. During the Fraser gold rush years, British authorities stopped an ill-conceived filibuster plot by California miners in the 1850s. Rumors circulated that the United States and British governments were negotiating terms to transfer control of the colony. The United States Congress considered several annexation bills, including an 1866 bill proposing the annexation of British Columbia in addition to several other territories. The bills failed to pass despite strong support in some American and British Columbian quarters. By 1866, declining gold yields and a reversal in migration trends in British Columbia increased calls for the colony to join the United States. The Daily Colonist commented on the declining population that “The San

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86 The historiography of British Columbian identity is underdeveloped. For a short introduction to factors making British Columbia identity distinct from other Canadian provinces, see Jean Barman, The West Beyond the West, Chapter 1.
87 F.W. Howay, W.N. Sage, and H.F. Angus, British Columbia and the United States, 192.
90 “Annexation or Starvation – A Question for British Columbia,” San Francisco Daily Evening Bulletin, 29 August 1867, NCUSN, GDC.
Francisco steamer takes away to-day fourteen or fifteen families. . . . It is an indelible disgrace to
the colony and its ruler.” In the wake of such proclamations, San Francisco’s *Daily Evening Bulletin* patriotically declared “nine out of every ten in the Colony . . . would welcome
annexation to the United States.” California’s legislature passed a joint resolution in 1868
supporting the idea “that British Columbia be annexed to the United States,” an event the *Daily Alta California* boldly called “probable.” Fifteen years later, British Columbia Premier William
Smithe would poke fun at these controversies by declaring in jest that British Columbia just
might annex its American neighbors along the Pacific. But in the late 1860s, British
Columbia’s ability to retain its status independent of both the United States and Canada was
drawing to a close.

Residents of British Columbia essentially had three options for their political future
during the crucial years of 1867-1871. They could join other former British colonies in the new
 Dominion of Canada, pursue annexation to the United States, or remain a British colony. The last
 option was least attractive given Great Britain’s general indifference and lack of investment in
 the colony, in addition to the increasing encroachment of American and Canadian interests. One
 prominent British Columbia historian called ignoring the overtures of the United States and
 Canada a choice “to remain a bankrupt British colony on the edge of nowhere!” When British
 Columbia made its decision, it did so only after careful consideration of their special
 circumstances. They joined Canada in 1871, negotiating key terms of their confederation that

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93 “British Columbia and Annexation,” San Francisco Daily Evening Bulletin, 6 May 1867, NCUSN, GDC.
95 “Late Telegrams,” Los Angeles Herald, 21 September 1883, 1.
included the building of a trans-Canadian railroad within 10 years and requiring Canada to provide mail service by steamship between Victoria and San Francisco.  

The decision prompted little in the way of patriotic zeal from British Columbia residents who instead viewed their decision as a cold calculation of self-interests. John Sebastian Helmcken, a prominent Victoria physician and son-in-law to Colonial Governor James Douglas, summarized the decision eloquently:

The people of this Colony have, generally speaking, no love for Canada; they care, as a rule, little or nothing about the creation of another Empire, Kingdom, or Republic; they have built little sentimentality and care little about the distinctions between the forms of Government of Canada and the United States.

Therefore no union on account of love need to be looked for. The only bond of union outside of force – and force the Dominion has not – will be the material advantage of the country and the pecuniary benefit of the inhabitants. Love for Canada has to be acquired by the prosperity of the country, and from our children.

Helmcken’s lackluster support for Confederation illustrates the feeling of separation that existed between those in British Columbia and the rest of Canada. Until the completion of the promised railroad, the feeling of isolation that inspired Helmcken’s words would persist.

Confederation may have made British Columbia Canadian in government, but in culture and economy they remained more closely tied to California. The following chapter examines the ties between California and British Columbia in developing a shared construct of racial identity that blended with their regional identity. The presence of Chinese immigrants would challenge that identity on both sides of the border.

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98 Debate on the Subject of Confederation with Canada (Victoria: 1870), 13, quoted in Walter N. Sage, “British Columbia Becomes Canadian,” 57.
Figure 5: A speech supporting British Columbia’s annexation to the United States.

Figure 6: A political cartoon showing American fears over British Columbia.

Unknown, “The Re-Annexation of British Columbia,” (1870), BC Archives [C-05355].

“Cartoons on Current Topics,” The Wasp 3 (Aug 1878-July 1879), Bancroft Library, University of California, Berkeley [No. 132:441].
Figure 7: Victoria, 1878.

Figure 8: San Francisco ca. 1860-1870.

San Francisco From Russian Hill, Looking Down Vallejo Street, San Francisco (San Francisco: Lawrence & Houseworth, ca. 1860-1870), Society of California Pioneers [LH0435].
Racial and ethnic conflicts weave in and out of American and Canadian history, dating to the first interactions between European explorers and indigenous North American cultures. These conflicts continue today in the post 9/11 profiling of Middle Eastern immigrants, debates over walls on the Mexican-American border, arguments over official language policies in Canada, and in a host of other ways. Race and ethnicity have also played important roles in American and Canadian immigration policy since the 1700s, when Great Britain forcefully removed French Acadians from Canada (arguably North America’s first mass deportations) and the United States’ first naturalization law limited citizenship to “free white persons.”

When the United States and Canada proposed their first sweeping immigration laws in the 1880s in the form of the Chinese Exclusion Act and Chinese Immigration Act, respectively, the laws did not regulate all migration. Instead, the laws targeted people of a specific nationality with, in the views nineteenth-century Americans and Canadians, specific racial traits. Americans and Canadians rarely questioned the assumption that white racial traits predisposed them to superior positions in a racial hierarchy as compared to the Chinese. Those who believed in this racial hierarchy thought the Chinese incapable of grasping the political, legal, and cultural institutions of the United States and Canada.

Today, however, historians, sociologists, anthropologists, and other scholars see the fallacy of the racialized thinking of the 1880s. Modern scholars understand that race is a

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constructed concept, not a series of biological absolutes. *Race* is a term used for categorization, to divide “groups of human beings into categories based on perceived differences in their bodies.” *Perceived* is the key word in the preceding sentence; there is general agreement among modern scientists that no biological evidence exists for racial categories. In short, the concept of race comes with false assumptions that lack a scientific basis. This does not mean that the concept of race lacks meaning. Our understandings of race often come with powerful connotations, but they are “psychological, social, cultural, and political” meanings put in place by society rather than understanding rooted in scientific evidence. Race, therefore, is “socially constructed and historically determined,” a concept that changes with place and time and lacking in the immutable qualities of natural law.²

When white Californians and British Columbians opposed Chinese immigration, they were not merely protesting the addition of a new skin color to the North American mosaic – they opposed the traits they associated with people possessing different skin color, a subtle but tremendously important distinction. In *A White Man’s Province*, Patricia E. Roy’s book about anti-Asian politics in British Columbia, she describes this distinction:

> If race is defined simply in terms of skin colour and other innate and visible physical characteristics, then race, though important, was not essential in determining the antipathy of white British Columbians to Asians. But if the definition of race is expanded . . . to subsume customs, and habits, including standards of living, then race was very important.³

The concept of race and the beliefs behind racial categorization were not static entities. The expanded definition of race as proposed by Roy was malleable and moveable, adapted to fit specific circumstances and justify actions. Whiteness, for example, did not develop as a category

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of racial classification until Europeans found a need to define themselves in ways that differentiated them from peoples they encountered during the era of exploration. Between the late fifteenth century and the nineteenth century, European explorers, merchants, missionaries, colonists, and settlers left their homes and encountered previously distant cultures. These interactions included Christopher Columbus’ awkward (and violent) encounters with indigenous residents of the Americas after stumbling his way into the Caribbean Islands, bargaining in Asia as Europeans sought to expand trade opportunities, and gaining a colonial foothold in Africa through the human trafficking of the Atlantic slave trade. Defining their whiteness to include superior and civilizing qualities in comparison to the new cultures they encountered, Europeans differentiated themselves from these “lesser” cultures. Making this differentiation justified the conquest of other peoples, their enslavement, or pillaging their natural resources.⁴

As the seeds of European colonization in North America grew into the United States and Canada, both nations embraced the notion of white superiority grounded in assumptions that white people were more civilized, possessed greater intellect, and disposed towards superior forms of government than people assigned the categorization of a non-white race. Few in what would become the white majority debated this assumption or challenged its accuracy. Racial prejudice in the nineteenth century was open, it was public, and its tenets held as commonly accepted truths whether discussed in conversations on the street, in private homes, in saloons, or in the halls of government. Whiteness also equaled fitness for government, both in ability to govern and participate in the process of government, to the exclusion of other races.⁵ The belief in white superiority was at the root of many American and Canadian decisions negatively

⁵ Ibid., 7.
affecting other races, including but not limited to the enslavement of Africans and the forced takeover of lands from Aboriginal Peoples.

As the United States and Canada developed, the assumptions of white superiority and non-white inferiority came to influence views on immigration. Both nations sought to define which groups possessed the necessary qualities of citizenship, thus newcomers were welcomed in selective ways depending upon their ethnicity and national origins. The emphasis on race created contradictions to deeply imbedded convictions. As Matthew Frye Jacobson notes in *Barbarian Virtues*:

> It is one of the strange thoughtlines in the history of U.S. nationalism that since at least the mid-nineteenth century Americans have fancied their country as the savior of the world’s peoples – redeemer nation, civilizer, beacon of liberty, asylum of the oppressed – even as they have expressed profound anxiety that the world’s peoples might ultimately prove the ruin of the republic.\(^6\)

The “profound anxiety” created by non-white immigration – the admittance of the “world’s peoples” in Jacobson’s words – culminated in a system of immigration based on racial preferences begun with the Chinese Exclusion Act and Chinese Immigration Act. That system challenged then and challenges today the myths of the American melting pot and the Canadian mosaic. While immigrants were welcome, the turn to restrictive immigration policies stated publicly that the welcome only applied to immigrants bearing specific racial characteristics. Aristide Zolberg, speaking of the United States but in words that applied to both sides of the American/Canadian border, summarized this contradiction as “a nation of immigrants, to be sure, but not just any immigrants.”\(^7\)

This chapter addresses nineteenth-century ideas about race and how white residents of California and British Columbia adopted a regional identity centered on their whiteness.

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Moreover, this chapter demonstrates how residents contrasted their conceptions of whiteness with the perceived racial characteristics of Chinese immigrants. These racial distinctions formed the underlying principles behind calls for Chinese immigration restrictions. The public outcry against the Chinese grew over time. However, there were seeds from which to grow the anti-Chinese movement planted long before the Chinese arrival. By the time the Chinese began arriving in significant numbers in the 1850s, debates over which races and nationalities constituted preferred and/or acceptable immigrants had become well established in the United States and Canada. When white Americans and Canadians began derisively referring to the newcomers as “John Chinamen” or “the heathen Chinee” to distinguish themselves from the immigrants, it was already part of a pattern of established racial rhetoric. The use of such dismissive language in reference to the Chinese revealed what British Columbia historian W. Peter Ward has called a “luxuriant anti-Orientalism” that “flourished on the western coast” even before the Chinese arrival.

Preconceptions and misconceptions about race moved geographically with relative ease. National boundaries did not stop the spread of racial ideology, regardless of its accuracy. As the Chinese migrated to new locations home to predominantly white societies, conversations about Chinese assimilability and suitability for citizenship followed. Policies, publications, and information all flowed between predominantly white nations, all designed to fit the narrative of white superiority. In Great Britain, Australia, the United States, and Canada, discussions of

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10 On the “transnational circulation of emotions and ideas, people and publications, racial knowledge and technologies” between multiple countries, see Marilyn Lake and Henry Reynolds, *Drawing the Global Colour Line*:
Chinese migrants centered on unfair distortion of the labor market, damage to the public health, and the perceived negative impact on societal morality in what historian Erika Lee has called a “transnational conversation about race, migration, and national security.” The often erroneous but strongly believed racial knowledge produced by such conversations resulted in a “hemispheric Orientalism” where fear of racial differences led to immigration restrictions in multiple nations. The proximity of California and British Columbia, both geographically and economically, in the nineteenth century aided their direct exchange of racial ideology, including racialized rhetoric, images, stereotypes, and policies.

Canada and the United States’ shared pedigrees as former British colonies that shaped their understanding of racial hierarchies. The success and expanse of the British Empire, who by 1850 had territorial and colonial possessions on every continent except for Antarctica, sharpened the belief in white racial superiority. As the logic of the day went, if the British (and other European powers) had the ability to navigate the ocean, land on distant foreign shores, and subjugate non-white natives of those locales, then clearly something predisposed the British and their racial and ideological descendants as superior to the rest of the world.

Not surprisingly, the belief in a predisposition to racial superiority resulted in finding anecdotal evidence that supported preconceived scenarios. Reginald Horsman describes this process as:

from the English they had learned that the Anglo-Saxons had always been peculiarly gifted in the arts of government; from the scientists and ethnologists they were learning that they were of a distinct Caucasian race, innately endowed with abilities that placed them above other races; from the philologists, often

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12 Ibid., 539-545.
through literary sources, they were learning that they were the descendants of those Aryans who followed the sun to carry civilization to the whole world.\textsuperscript{13}

Notions of white racial superiority, once embedded, were both reinforced and hard to eradicate. A popular 1907 textbook, for example, asked students to consider the United States as compared to other nations by answering the question, “Mention some country whose civilization is of a low grade, and tell why it is low.”\textsuperscript{14} The textbook lesson embeds the presumption that the United States, as an heir to the legacy of Anglo-Saxons, possessed civilization of a higher grade.

“Science” supported nineteenth-century views on race; the quotations around the word indicate that by today’s standards, nineteenth-century racial science was no science at all. More accurately, nineteenth-century racial science was pseudoscience – beliefs presented as scientific, but with evidence produced by studies lacking valid methodology or emphasizing skewed results. Scientific inquiries on race produced predetermined conclusions, especially about the intellectual capabilities of various non-white racial groups. Racial science included new fields of study that defined race characteristics and allowed its supporters to categorize and classify individual races. Phrenology, for example, was the pseudoscientific study of bumps and dimples on the skull. Practitioners of phrenology believed that the placement of such defects on the skull corresponded with mental characteristics and personality traits embedded in the human brain. The perceived superiority of whites, and inferiority of other races, was thus easily explainable by the phrenologist from his study of cranial bumps. Not surprisingly, white phrenologists concluded that white, Anglo-Saxon peoples had the most perfectly formed heads. Phrenology


\textsuperscript{14} Matthew Frye Jacobson, \textit{Barbarian Virtues}, 139.
remained in vogue until the 1840s, but discrediting it as junk science did not remove the racial ideology it produced from the public consciousness.15

Craniometry, a related but distinct field from phrenology, gained even greater public acceptance and provided additional scientific “proof” of white superiority. Practitioners of craniometry believed the size and volume of the skull corresponded to brain capacity and intelligence – thus the bigger the skull, the bigger the brain, and the larger a race’s mental aptitude. One of the most influential experts in craniometry was Samuel George Morton, author of a widely read volume called *Crania Americana; or, A Comparative View of the Skulls of Various Aboriginal Nations of North and South America*. First published in 1839, *Crania Americana* became a popular source of racial rhetoric for several decades. Morton’s studies of skulls from across the globe led him to theorize the Earth’s people came from four distinct races, with each of the four major races subdivided into additional categories. Morton’s four major races existed in a natural hierarchy of intelligence and disposition towards civilization. These racial categories included the “Caucasians [white],” who held “the highest intellectual endowment.” Beneath the Caucasians were the “Mongolians [Asians],” whose creativity was dismissed as “imitative” despite their standing as “highly susceptible of cultivation.” Third in Morton’s hierarchy stood Native American/First Nations peoples (dubbed the “American” race by Morton), a group whose limited aptitude made them “slow in acquiring knowledge.” At the bottom of the racial hierarchy came those of African (or “Ethiopian” in Morton’s words) descent, “the lowest grade of humanity.”16

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Morton influenced additional racial researchers, such as Josiah C. Nott and George R. Gliddon and their book *Types of Mankind*. Nott and Gliddon added a fifth race to Morton’s categorization and claimed each race had separate biological origins thus were not interrelated species. Published in the 1850s, Nott and Gliddon argued racial studies were “eminently a science for American culture” because three of the five races existed on the North American continent, and “Chinese immigration to California and the proposed importation of Coolie laborers threaten to bring us into equally intimate contact with a fourth [race].”\(^\text{17}\) Morton, Nott, Gliddon, and other similar researchers played an important role in associating white identity with superior intellect. In later years, anti-Chinese advocates would cite these racial hierarchies as justification for restrictive immigration policies.

The scientific community has long since discredited fields such as phrenology and craniometry as lacking credible scientific foundations. The 1981 book *The Mismeasure of Man* by Stephen Jay Gould demonstrates why, showing how Morton’s craniometry research featured manipulated data and illogical conclusions. Yet in the first half of the nineteenth century, phrenology and craniometry were the cutting edge of race-based ideology, influencing many otherwise progressive thinkers to hold racist positions. Gould notes that the “biological justification” of the race sciences “imposed the additional burden of intrinsic inferiority upon despised groups, and precluded redemption by conversion or assimilation.”\(^\text{18}\) The science of the day suggested non-white people were incapable of reaching the intellectual heights of the white race. That was a powerful message providing incentive to limit interactions between the races.


The ideology produced by scientific racism proved long-lived and influential, even though the supposed science behind it did not.

To the majority of nineteenth-century Americans and Canadians, whiteness symbolized suitability for citizenship. In the binary categorization of white versus non-white, only those given white status possessed the qualifications required for participation in democratic government. Gould’s summation that scientific racism placed an “intrinsic inferiority” on non-white races that “precluded redemption by conversion or assimilation” speaks to the issue of potential citizenship for Chinese immigrants. Those who subscribed to the racial ideology of the era also subscribed to the belief that it was in the interests of the United States and Canada to limit immigration to those who shared white racial characteristics; anti-Chinese sentiment was often framed in a nationalistic or patriotic perspective. As non-white immigrants, the Chinese did not possess the traits of citizenship, nor did the dominant white society believe the Chinese could learn them. In California and British Columbia, the white community interpreted the behavior of Chinese immigrants in ways that reinforced this belief; when Chinese immigrants were slow to adopt American or Canadian customs, it became evidence that the Chinese were incapable of grasping a superior culture and fulfilling the duties of citizenship.

Chinese immigrants posed a strong cultural contrast to white North Americans. The Chinese typically lived in segregated communities reinforcing ties to their fellow Chinese and aiding in their ability to retain familiar customs in a new setting. Most Chinese immigrants, at least initially, never aspired to permanent residency in California or British Columbia. The majority came to North America intent on earning money and returning to their native land, diminishing incentives to assimilate. Those who wanted to remain in North America found

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barriers to assimilation or acceptance. Chief among these were the denial of essential rights. In California, no path to citizenship for Chinese immigrants existed. In British Columbia, the Chinese could become citizens, but as in California they could not vote. Lacking incentives to assimilate and facing a white society working to prevent their assimilation, most nineteenth-century Chinese immigrants made little attempt to learn English, prepared traditional Chinese food, periodically visited their families in China in lieu of bringing families abroad, and retained traditional clothing and hairstyles.\(^\text{20}\) White North Americans viewed the lack of assimilation as a threat to their own institutions, but by removing incentives to do so, Chinese failure to assimilate became a self-fulfilling prophecy.

Notions of Chinese assimilation and suitability for citizenship were popular discussion topics for those who opposed Chinese immigration. Whites in California and British Columbia, convinced of the superiority of their race and cultural institutions, saw refusal to assimilate as Chinese self-acknowledgement of their inferiority. In California, the co-mingling of race, assimilability, and citizenship evolved into a sophisticated argument against Chinese immigration. Beginning in 1853, white miners in California told a San Francisco newspaper they were “determined not to tolerate foreigners of any kind in the mines unless they are eligible to citizenship and have declared their intention of becoming citizens.”\(^\text{21}\) By 1857, a second San Francisco newspaper commented, “The Chinese are of distinct color and race. . . . [they] never can become any more a part of the citizen population than the southern negroes.”\(^\text{22}\) By the 1870s, the question of assimilation and citizenship evolved to whether the Chinese were capable of


\(^{21}\) “Letter From the Mountains,” San Francisco Daily Alta California, 24 January 1853, 2.

grasping the supposedly superior form of American government. During the 1876 California Senate investigation into Chinese immigration, one senator posed the question of whether Chinese immigrants “have any particular love for our institutions?” The respondent answered, “the very fact of their retaining their own dress and customs, and keeping themselves so entirely separate as a people, shows that they have not.”\textsuperscript{23} The following year, a Congressional committee offered the opinion that the nation’s greatness depended on homogeneity in race and culture. “The safety of republican institutions,” declared the committee, “requires that the exercise of the franchise shall be only by those who have a love and appreciation of our institutions and this rule excluded the great mass of the Chinese from the ballot as a necessary measure for public safety.”\textsuperscript{24}

Residents of British Columbia adopted the same posture as Californians. On the eve of Canada passing the Chinese Immigration Act, public sentiment in British Columbia overwhelmingly supported the idea that Chinese immigrants were incapable of the complexities of citizenship. A British Columbian offering his opinion to the Royal Commission on Chinese Immigration charged the Chinese as “a foreign element” and noted “there was no desire for [assimilation] from the whites, and probably none on the part of the Chinese, and apparently always will be so.”\textsuperscript{25} If the Chinese were unwilling or incapable of assimilation and unsuited for political participation, then it stood that the Chinese had little value to offer the province. A government guide soliciting new immigrants published in 1884 summarized this view succinctly; “We invite emigrants from all nations,” the guide declared, “except China.”\textsuperscript{26}

\textsuperscript{24} Matthew Frye Jacobson, \textit{Whiteness of a Different Color}, 193.
\textsuperscript{26} British Columbia Minister of Agriculture, \textit{The Pacific Province of Canada: Information for Emigrants} (Victoria, BC: Richard Wolfenden, 1884), 108.
The deeply embedded nineteenth-century conceptions of race offered little hope for reconciliation between whites and Chinese immigrants in North America. Advocates of anti-Chinese positions portrayed interactions between whites and Chinese in terms of conflict – conflict in historical trajectories, civilizations, and values. An 1855 editorial in the *Sacramento Daily Union* addressed what they saw as the inevitable racial conflict in North America. The editors wrote:

> The question is one of races. For the first time in the history of the world as written, the Mongolian and Caucasian races have met upon the same line of progress. . . . The tide of European population has been for centuries flowing westward, until the energetic Anglo-Saxon finds himself on the western coast of the great American Continent. Here he encounters the Asiatics – the descendants and members of the great Mongolian family – six thousand miles from their native land: and the issue is: shall the two races meet on equal terms of equality, amalgamate, and affiliate as one people; or, shall one of the streams be turned back upon the source from whence it came? It is a question for the Anglo-Saxon to decide, for it presents itself for solution upon his own soil. . . . The superior race invariably subjugates the inferior, and the Chinese will not prove an exception to the rule, if they remain in California.27

The editorial contains several elements typical of the era’s racist opinions. The editorial changes or ignores history in order to fit a preconceived race-based worldview. It was not the first time “Mongolian” and “Caucasians” had met, nor was the North American continent the “own soil” of white residents from a historical perspective – the indigenous cultures of Native Americans and First Nations peoples point to the contrary. The editorial endorses “Anglo-Saxon” migration to new lands as “energetic,” something inevitable and encouraged as in the ideology of Manifest Destiny. In contrast, the Chinese – called “Asiatics” by the editors – are inferior, thus they have no business wandering “six thousand miles from their native land.” The editors’ beliefs in inherent racial characteristics underscored their stance that whites and Chinese immigrants could not co-exist peaceably. Instead, they view the laws of nature dictating that the “superior race

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invariably subjugates the inferior.” The pecking order of the races as established by the practitioners of scientific racism is on full display.

Among the evidence commonly cited to demonstrate Chinese reluctance to assimilate to American or Canadian culture was the existence of predominantly Chinese neighborhoods, called Chinatowns. Today, Chinatowns in San Francisco and Victoria are celebrated tourist attractions, homages to the history of each city and to the diversity of California and British Columbia. Although Chinatowns exist in many other North American cities, San Francisco and Victoria proudly boast of having the oldest such communities in the United States and in Canada, respectively. In the 1800s, however, white residents viewed Chinatowns as exotic but menacing dens of vice and degradation, places where gambling, prostitution, and opium abuse flourished alongside poverty and threats to the public health. Because Chinese immigrants confined themselves to these ethnic enclaves, it demonstrated in the eyes of many white North Americans both Chinese cultural inferiority and disinterest in American and Canadian institutions and traditions. The fallacy in such logic is readily apparent. The Chinese were not welcome in other neighborhoods, thus the Chinese did not separate themselves from the white community solely of their own accord. Living with other Chinese also provided a measure of protection in a society, where as discussed earlier, attacks on Chinese immigrants often went unpunished. As a white witness told the Royal Commission on Chinese Immigration, the Chinese gathered together because “as foreigners, held in dangerous esteem by an active section of the whites, they naturally cling together for protection and support.”

Moreover, the Chinese did not establish the first immigrant enclaves in North America – first and second generation immigrants living

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with those of a similar background merely mimicked already established patterns of previous immigrant groups.

Chinatowns served separate purposes for Chinese and white residents. For Chinese residents, Chinatowns served as places where Chinese immigrants could find community and belonging, familiar institutions, and protection. For the white residents of California and British Columbia, Chinatowns were corrals that kept white society and Chinese society separate while providing circumstantial evidence confirming Chinese inferiority. An 1880 San Francisco Health Department investigation labeled Chinatown’s “laws, customs, courts, and institutions” as “dangerous to the health, morals and prosperity of our city.” Moreover, the high concentration of immigrants in one place seemingly threatened the future of the established racial order, leading San Francisco’s Health Department to warn the presence of Chinatown may “make San Francisco an Asiatic instead of American city.” Yet as Kay J. Anderson’s study of Vancouver’s Chinatown exposes, the very existence of Chinatowns suggested a well-regimented racial hierarchy. The very use of the term Chinatown forced Chinese immigrants into a realm of otherness separate from white society; white neighborhoods were simply neighborhoods, no need existed for a qualifier like “Anglo-town.” Chinatowns had a racial identity assigned to them, one whose name alone barred its residents from integration with the dominant white society. Another scholar, John Norris, summarized the duality of the role of Chinatowns from white and Chinese perspectives: “Chinatowns remained to a large extent apart from the main

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29 Workingmen’s Party of California, Chinatown Declared a Nuisance (San Francisco: Workingmen’s Party of California, 1880), 3, California Historical Society.
community, places of mystery and menace to the uninformed Occidentals, places of refuge and mutual support to the Chinese.”

In California and British Columbia, the assignment of inassimilable characteristics to the Chinese, despite reluctance on the part of white North Americans to foster assimilation, shaped the transnational understanding of the Chinese as unsuitable citizens. According to the era’s racial ideology the inassimilable characteristics of Chinese immigrants were inherent to their racial makeup. Thus anti-Chinese immigration restrictions in essence statutorily defined race as the preeminent factor in determining worthiness for citizenship. Such understandings were explicit in the words of U.S. Senator William Gwin, who just several years after the Chinese began arriving in California, declared of his state “Our people want none but the white race among us; we do not want Negroes or Chinese.”

That sentiment extended up the West Coast through the sophisticated network of trade and interactions with British Columbia. From the west, these ideas about the Chinese emanated to other states and provinces, shaping not just regional identity but national identity as well. Regional identities differed throughout the United States and Canada, and efforts at unifying links through a racialized national identity were integral aspects of nation building. R. O’Brien, the president of British Columbia trade association based in Nanaimo, made this argument to the Royal Commission on Chinese Immigration, saying “Ever since Confederation the Dominion Government have endeavored to

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33 Quoted in Gerald Stanley, “Senator William Gwin: Moderate or Racist?” California Historical Quarterly 50 (September 1971), 247.
infuse into the people a national sentiment. . . . The avowed object of that policy was Canada for Canadians.”

Assumptions about the compatibility of races in California and British Columbia had long histories pre-dating the Chinese arrival. The first European explorers in North America brought assumptions of racial superiority. During episodes of first contact between Europeans and indigenous cultures on the West Coast, it was common for Europeans to take little sociological or ethnographic note of the natives they encountered, thereby dismissing these cultures as inferior from the outset. Attempting to learn about the new cultures might suggest the indigenous cultures actually possessed something worth learning. If European explorers failed to understand native cultures, then little reason existed to doubt the superiority of European culture. One example of this willful ignorance comes from James Strange, the leader of a 1786 expedition to British Columbia. Strange kept a journal of the voyage, but wrote very little about the people already inhabiting the land. Strange dismissed learning about the natives because “knowledge of their social usages was unlikely to afford any edification to even the most curious reader.”

Europeans explorers fit what knowledge they did gain into their existing worldview presuming the grandeur of their own civilization. When one explorer of British Columbia witnessed a native sucking blood from a wound, the explorer immediately concluded (erroneously) that the natives were cannibals. Europeans dismissed native ceremonies, unfamiliar to European customs and tastes, as bizarre pagan rituals. Observations made during

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37 Ibid., 74.
38 Ibid., 75.
these voyages became widely circulated travelogues and published reports throughout Europe, influencing understandings of North American aboriginal peoples for subsequent travelers. Some travelogues contained sensationalized chapter headings about natives with titles like “Shocking Cruelties to an Old Man and Instance of Cannibalism” and “Horrible Modes of Torture” that appealed to Europeans’ own sense of superiority and civilization.40

As European migration to North America increased, white European colonists and settlers displaced native societies. The very process of establishing a new North American civilization in the British and European tradition made conflict with native inhabitants inevitable. Civilization in the British and European context brought the presumption of a better, more sophisticated existence in North America. Moreover, as colonies of European states, European settlements in North America functioned under obligations to provide natural resources to their mother countries, resources also valued by the existing native societies. The concepts of coexistence with or mutual toleration of native societies ran counter to the very idea of colonization. Colonists and settlers saw the native inhabitants as historical placeholders whose time of dominion over North America had run its course. One early Pacific Northwest settler described the ascension of a white, European civilization in North America, as “races of greater capacity were ready to occupy the soil. A succession of races, like a rotation of crops, may be necessary to turn the Earth to the best possible account.”41 The displacement of natives became symbolic to the entire mission of European settlement in the New World – settlers had to establish civilization, thus the non-white natives represented that which needed civilizing.42

40 Ibid., 88. Fisher cites the original work by Duncan George Forbes MacDonald, British Columbia and Vancouver Island (London: Longman, Green, Longman, Roberts, & Green, 1862).
41 J.W. Roddam-Wetham, Western Wanderings: A Record of Travel in the Evening Land (London: R. Bentley and Son, 1874), 287.
Racial conflict continued in California after European settlement, appearing as an essential character in multiple scenes in the journey to statehood. The Mexican-American War, a military conflict between 1846 and 1848 through which California became an American territory, had opposition by some in Congress who believed the war part of a conspiracy to expand race-based African slavery to new territories. Prior to the war, the American government viewed California, and much of the land west of Missouri, as open territory despite the region’s indigenous inhabitants or the wishes of the Mexican government who claimed sovereignty. At the war’s conclusion, Mexico ceded control of what later became California, New Mexico, Arizona, Nevada, Utah, and parts of Wyoming and Colorado to the United States. The Treaty of Guadalupe Hidalgo granted American citizenship to Mexican nationals whose homes were in Mexico on one day and part of American territory the next. However, the United States Congress invalidated treaty provisions recognizing Mexican land grants. As a result, 40% of the land held by Californios (the name given to native born Californians of Spanish descent) before the war soon came into the hands of white American settlers.43

In transitioning from territory to American state, race again became part of California’s story. California’s entry as the thirty-first state came as part of the Compromise of 1850, a series of legislative agreements meant to diffuse tension between states that allowed slavery and those that prohibited it. Among the compromises, southern slaveholding states accepted California as a free state only in exchange for an enhanced Fugitive Slave Act requiring the return of escaped slaves found in states outlawing slavery. Delegates to California’s first constitutional convention considered several race-based proposals, including the addition of a constitutional provision prohibiting free blacks from settling in the state. One delegate described such persons as “idle in

their habits, difficult to be governed by the laws, thriftless, and uneducated.”44 Although the proposal failed to pass, such proposals demonstrated some delegates believed only white inhabitants possessed the characteristics required for good citizenship. California’s 1850 Constitution did, however, limit voting rights to “Every white male citizen” and counted only white inhabitants in determining the apportionment of state legislative seats.45 Even California’s legal system operated with different standards for non-whites, preventing blacks from providing court testimony against whites until 1863 (the same prohibition applied to the Chinese until 1872).46

British Columbia’s racial history also included a complicated relationship with its black residents. In 1858, several hundred black Californians, many of whom were members of San Francisco’s Zion Church, moved north to British Columbia in an organized exodus hoping to escape discrimination and gain greater freedoms. The community largely settled in Victoria and one member, Mifflin Gibbs, quickly gained enough social standing to earn a seat on Victoria’s City Council. However, the pilgrimage turned sour within a few years. The initial prejudice against Victoria’s new black community came in the form of social discrimination, such as white church members refusing to worship with the newcomers. By 1860, Victoria’s residents followed California’s template and began legislating limits to the black community’s participation in the public sphere. The courts invalidated black votes cast in the 1860 election and an 1861 law barred blacks from legislative office. In 1864, Victoria prevented the black community from participating in celebrations for outgoing Governor James Douglas and incoming governor Edward Kennedy. At the conclusion of the American Civil War in 1865, many of Victoria’s

45 California Constitution (1849), Article II, Section 1 and Article IV, Section 29.
46 Sucheng Chan, “A People of Exceptional Character,” 76.
black residents, including Mifflin Gibbs, gave up on their British Columbia experiment and moved back to the United States. The experiences of California and British Columbia with black residents provided a blueprint for minimizing the public participation of Chinese immigrants.

The racism faced by Chinese immigrants is not by itself unique in American or Canadian history. The uniqueness comes from the special circumstances of Chinese immigration. The Chinese were the first non-white group to willingly immigrate to the United States and Canada in significant numbers. Native Americans and First Nations societies had been in North America prior to European arrival. African migration originated in the slave trade thus had largely been involuntary. In the aftermath of the Mexican-American War, some Mexicans were suddenly in the United States without migrating at all – borders moved and the United States had come to them. Voluntary migration to North America prior to the Chinese consisted primarily of people from European nations, immigrant groups largely perceived as white by the receiving society.

It is notable that whiteness as it pertained to European immigrant groups existed on a sliding scale. Scientific racism established intellectual categorizations for the races, including subcategories for each race identified. Anglo-Saxons (those tracing their hereditary line to England) stood at the top of this categorization, even as compared to other white groups. As a result, some white immigrant groups experienced racial animosity upon arrival in North America. The most prominent example of this intra-racial prejudice was the case of nineteenth-century Irish immigrants. One line of scholarly argument holds that the Irish did not gain the benefits of the social construction of whiteness until after they began participating in racist

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actions directed at slaves and free blacks. Yet non Anglo-Saxon white groups such as the Irish differed from the Chinese in a significant way, possessing an advantage that the Chinese did not have – access to “legal whiteness.” Legal whiteness meant eligibility for citizenship, voting rights, and entry into the political system, all benefits denied to the Chinese in both California and British Columbia soon after their arrival. Thus the Chinese brought new questions about what it meant to be American or Canadian, in addition to questions about how and if non-white immigrants might become Americans or Canadians.

When the Chinese arrived in North America, many white residents had existing racial prejudices against general non-white populations but they also had specific prejudices against the Chinese. Derogatory stereotypes of the Chinese created anti-Chinese bias through internationally circulated images and ideology. While some stereotypes evolved from cultural misunderstandings during interactions between Americans, Canadians, and Chinese immigrants, other negative Chinese stereotypes found a home in North America before such interactions were even commonplace. The first Europeans to travel to China in the late eighteenth and early nineteenth centuries included merchants, missionaries, and diplomats. These travelers spread reports of China as an exotic yet backward and barbaric place, explaining the differences between their two societies in ways emphasizing Western superiority. Themes of Chinese ignorance and poverty dominated the published reports of these early interactions, confirming in Western minds that the Chinese came from a lesser race. One scholar, Stuart Creighton Miller, summarized the images in popular accounts of China during this era as emphasizing “deceit, cunning, idolatry, despotism, xenophobia, cruelty, infanticide, and intellectual and sexual

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With such dominant themes marking Chinese travel accounts, anti-Chinese bias became widespread and embedded throughout Europe in addition to Canada and the United States. Such circumstances are at the heart of British Columbia historian W. Peter Ward’s assertion that “a luxuriant anti-Orientalism flourished on the western coast” predating the Chinese arrival.

White society in California and British Columbia applied these preconceived notions to the Chinese they encountered. White society interpreted the differences between themselves and the Chinese to conform to their preexisting racial ideology of Chinese character and culture, thereby affirming pre-existing stereotypes. The stereotypes became widespread, repeated and accepted as truth, regardless of the spurious nature of the stereotype’s origins. Belief, for example, in the superiority of Anglo-Saxon institutions especially as compared directly to Chinese society, produced stereotypes of the Chinese as a people untouched by modern progress. A popular nineteenth-century geography textbook lamented of the Chinese, “What they appear to have been 2,000 years ago, they still are.” The power of such stereotypes could be blinding. When California initiated its government investigation of Chinese immigration in 1876, investigators asked an American traveler to China if Chinese architecture equaled “that of any of the great nations dating back four thousand years, or those of the present time?” The traveler ignored architectural wonders such as the Temple of Heaven, the Forbidden City (Imperial Palace), and the Great Wall, responding “I think not. It is quite inferior to that of the Egyptians, the Latins and Greeks, and other nations of antiquity.” Only by establishing the Chinese as

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52 Stuart Creighton Miller, *The Unwelcome Immigrant*, 201.
significantly different from white society could the premise of white superiority remain intact.

The Chief Justice of the British Columbia Supreme Court made clear those differences:

The Chinaman is in every respect the reverse of an European, except that he is a man. His religion, his notions of honor and rank, his mode of thought, his dress, his amusements, his sense of beauty, his vices, are not to our taste at all, or such as we can take to or even understand; and his language, spoken or written, appears to us at once incomprehensible and ridiculous.  

Sometimes Chinese stereotypes originated in misunderstandings of customs and practices. For example, Americans and Canadians often described the Chinese as unclean in their habits. The origins of this stereotype in part came from the Chinese practice of collecting and storing bodily waste in barrels within their domiciles for later use as garden fertilizer, a practice unfamiliar and offensive to European sensibilities in California and British Columbia. In other cases, stereotypes had parallels in white society ignored by those with anti-Chinese sentiments. Images of predominantly white but crowded tenement houses of the East Coast abounded in the public consciousness, but it was the crowded conditions of Chinatowns that spread fears as possible incubators of diseases like leprosy and smallpox. Few epidemics ever materialized, but the caricature of the Chinese as unclean remained. Interviewed in 1885, two members of Victoria’s police force confirmed beliefs in these stereotypes. The superintendent of the force claimed it “impossible to make them [Chinese] comply with any law, and especially the sanitary laws,” while a sergeant stated “As a rule Chinese in their habitations are filthy.”

Another common stereotype of Chinese immigrants labeled them as potentially damaging to community morality standards. These stereotypes presumed all Chinese immigrants were opium fiends and gambling addicts, spreading fears that Chinese vices might infect the white population. A Victoria minister, for example, argued so long as Chinese immigration continued,

57 Ibid., 47-49.
“sooner or later, ‘Chinatown’ must become a mine of destructive influences.” Moreover, the minister worried, Chinatown residents would entice whites to opium abuse, “a most demoralizing and injurious habit. The opium dens of San Francisco illustrate this position.”58 This stereotype, however, ignored the prevalence of gambling and alcohol consumption in the white communities of San Francisco, Victoria, and destinations in between.

The stereotype that had the most dramatic effect on efforts to restrict Chinese immigration was that of the Chinese laborer as an unfair competitor threatening the economic livelihood of white workers. White workers tolerated Chinese laborers as long as the Chinese remained in a racialized division of labor functioning in roles “to serve the needs of the emerging dominant Anglo-American majority.” It was only when the Chinese began working outside of this division of labor that the label of unfair competitor emerged.59 As competitors, white laborers saw the Chinese as having several advantages. Most Chinese laborers were single and childless, or at least living in North America without their families. Most intended to return to China with their savings, thus lived temporarily in the cheap but crowded boarding houses of Chinatowns. Taken together, these factors allowed the Chinese to work for lower wages than most white laborers were willing to accept. One white laborer told Canada’s Royal Commission that the superior white civilization dictated a more expensive lifestyle. J. Pawson told the Commission that unlike the Chinese, white workers “live like civilized human beings and have to keep up a respectable establishment, educate their children, and occasionally buy their wives a new bonnet.”60

58 Ibid., 125-127.
59 Sucheng Chan, “A People of Exceptional Character,” 79.
Another aspect of the unfair competition stereotype came from the assumption that all Chinese laborers operated as part of a contract, or *coolie*, labor system. Under such a system, business agents paid for the passage of multiple Chinese laborers to the United States or Canada. The agent then auctioned off the labor of his lot of workers to American or Canadian business interests. The agents retained a percentage of the wages workers earned, and the workers themselves were not free to choose their own employment or depart for China until paying back the price of passage.

Such arrangements did in fact occur, although the percentage of Chinese immigrants who were party to such practices is impossible to ascertain and undoubtedly lower than claimed by those who perpetuated the stereotype. White labor interests often insisted that virtually all Chinese immigration occurred under such contract systems. One such example is David William Gordon, a Vancouver politician of the 1880s, who claimed all Chinese worked “under some system of slavery, semi-slavery, or serfdom, that claims and receives submissive obedience to some form of Asiatic tyranny unknown to our laws.”\(^6^1\) In the mind of the white laborer, such contract systems replicated the slave system, and a free white worker could not compete with slave labor.

The distinction between slave labor and free labor was a complicated yet important one in defining both whiteness as a racial category and objections to Chinese workers. Slavery and a changing economy both threatened white workers prior to the Civil War. Because free white workers could not compete on a level playing field with slave labor, most white wageworkers opposed the institution of slavery even while holding strong racial prejudices. Economic changes caused by the interrelated industrial and market revolutions also threatened the independence of wageworkers. The industrial revolution changed the nature of work away from hand production

\(^6^1\) Ibid., 134.
to increased reliance on machines, de-emphasizing the importance of the individual worker. The market revolution, brought about largely through advances in transportation networks, connected previously distant economic markets and increased commerce between them. The result for the individual worker was a developing world where distant, unseen economic forces dictated supply of and demand for products. An increase in employer/employee relationships followed – an increase in one person working for another person in exchange for wages. Although working for wages is the norm today, in the nineteenth century this idea was new and often alarming, as workers no longer controlled their own efforts or the products of their toil. Working for wages ran counter to notions fostered by the American Revolution, specifically notions that blended individual liberty and economic independence into a singular ideal. Terms like “white slavery,” “slavery of wages,” and “wage slavery,” described the status of those who worked for wages, inferring connections to the bondage labor of American slaves.62

Since the idea of white racial superiority co-existed with ideas of individual liberty and economic independence, the existence of slave labor demanded white workers differentiate their status from American slaves. The vehicle to accomplish this differentiation was an added emphasis on whiteness among the working class. As David R. Roediger notes in The Wages of Whiteness, emphasizing “whiteness was a way in which white workers responded to a fear of dependency on wage labor.”63 The concept of economic independence ran counter to the institution of slavery, a labor system that exacted the profits from laborers without any of the personal toil. The slave system and the wage system were on opposite sides of an ideological divide. Economic independence dictated, as Eric Foner has emphasized, “the right of the worker to the fruits of his or her labor,” making it “obviously incompatible with the institution of

63 Ibid., 13.
slavery.” The historian Marcus Cunliffe more bluntly points out “the opposite of ‘liberty’ was ‘slavery.’”

White wageworkers emphasized their whiteness to differentiate their status from that of black slaves. By emphasizing whiteness, wageworkers unable to achieve economic independence could still achieve political independence or social acceptability. Whiteness became a way for the wageworker to communicate solidarity with economic and political elites, a way to distance the white working class from inferior races. Even after the abolition of slavery in 1865, the portrayal of the Chinese as coolies or as slave labor sent important ideological messages to white wageworkers. Thus, linking the Chinese to slavery reminded white wageworkers of their superior racial position. The collective anti-Chinese stereotypes, especially those linking the Chinese to slavery, established a pattern of emphasizing racial differences, a process that Najia Aarim-Heriot and Dan Caldwell have called the “Negroization of the Chinese.”

White Canadian workers did not have to face direct competition from slave labor as no slave system existed in Canada by the mid-nineteenth century. However, the growing connections of the American and Canadian economic markets did not leave Canadian workers immune to slave competition. The emphasis on whiteness among the working class spread northward from the United States to include Canadian workers as well. Canadian labor historians such as David Goutor have noted “Developments in the United States were especially influential

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on Canadian labour leaders. At different times, Canadian labour leaders viewed America as a model to be emulated, a magnet that drew Canada’s own population southward, and an illustration of the failure of certain policies.68 The influence of the United States on Canada has led Goutor to apply the scholarship of David R. Roediger, Matthew Frye Jacobson, and other American historians in developing a Canadian historiography of race and the working class.69 Despite its American roots in conjunction with slavery, wageworker emphasis on whiteness transcended the American/Canadian border.

The loudest voices of the emergent anti-Chinese movement in California and British Columbia came from the working classes. White labor complained openly of the Chinese as threats to job security, living standards, and wages.70 Historians have interpreted this in various ways. Andrew Markus, for example, argues white labor opposed the Chinese due to “fear and insecurity rather than to racial ideas,” emphasizing the changing economic sphere over racial prejudice.71 Yet Patricia E. Roy connected the economic complaints of white wageworkers directly to race. Roy argues that the entire premise of white superiority hinged on the success of white wageworkers, for if white wageworkers lost economic competitions with Chinese immigrants, then the notion of white supremacy was a fallacy.72 The most persuasive argument, however, remains that of Alexander Saxton. In The Indispensable Enemy, Saxton acknowledges

68 David Goutor, Guarding the Gates, 6.
71 Andrew Markus, Fear and Hatred: Purifying Australia and California 1850-1901 (Sydney: Hale and Iremonger, 1979), quoted in Patricia E. Roy, A White Man’s Province, ix.
72 Patricia E. Roy, A White Man’s Province, viii.
that economic and racial concerns shared responsibility for driving the anti-Chinese movement, noting that economic and ideological concerns “intermeshed” into a single entity.  

Wageworkers in the United States and Canada articulated this “intermeshing” of economic and racial concerns in a variety of ways. One white Californian wrote San Francisco’s Daily Evening Bulletin to complain that whites working alongside the Chinese demeaned the superior race, claiming, “If this inferior caste occupy any particular branch of industry, the effect immediately is, that white people will desert it.” In other instances, the intermeshing came in the form of policy proposals. The first resolution passed at Canada’s 1883 inaugural Trades and Labor Congress offered the opinion: “The future welfare of the working people of this country requires the prohibition of further importation of Chinese labor.”

From a purely political standpoint, it is clear that Chinese labor competition with white labor outweighed all other anti-Chinese arguments. When the United States passed the Chinese Exclusion Act in 1882, even Congressional leaders who lived beyond the West Coast – politicians who had little direct personal experience with Chinese immigrants – cited the white wageworker as the key constituency behind their vote. Edwin Willits of Michigan stated his “chief reason” for supporting Chinese exclusion was that “it is in the interest of American [white] labor.” John Sherwin of Illinois declared Chinese immigration affected “men and women who labor with their hands,” thus Congress “. . . can trust them in determining it better than we can trust anyone else.” Indiana’s Stanton Peele considered the collective arguments against the

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75 David Goutor, Guarding the Gates. 3.
Chinese but ultimately voted for exclusion “upon the ground of protection to American labor as distinguished from protection to American society.”

Racial opposition to Chinese immigration also accrued gendered nuances. Chinese immigrants and gold rush era whites in California and British Columbia initially lived in predominantly male populations. The lopsided male to female ratios among whites – three to one in British Columbia – created what Adele Perry has called a “homsocial culture.” But opposition to the Chinese grew in proportion to increases in the white female populations of California and British Columbia. The rarity of Chinese immigrant families cast further doubts on the ability of the Chinese to become civilized or adapt to North American society. To the casual observer, the Chinese appeared to share neither the North American notions of female domesticity because male Chinese immigrants often served as domestic servants, or the white masculine ideal of working to support women and children, since Chinese immigrant families were initially rare. White wageworkers complained that Chinese competition decreased wages to the point of making it impossible to marry and raise a family. Few were willing to surrender family aspirations – to do so was to surrender their whiteness. Some wageworkers openly complained about “the leaders of society” that “ask us to live like Chinamen.”

Other gendered concerns about Chinese immigration stemmed from the perceived threat posed to white women by the Chinese presence. Since gender ratios were off balance in

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California and British Columbia, the Chinese occupied many positions that the era’s cultural standards dictated as women’s work such as domestic help. Anti-Chinese commentators complained that the Chinese presence in such positions dissuaded white women from coming to California and British Columbia as the white women might not find employment. Some white women did work in domestic positions with the Chinese, but that led to miscegenation concerns – one British Columbian complained to the Royal Commission of white women working “along with Chinamen, which is repulsive.” Additional fears included opium use by white women increasing sexual promiscuity.

The view of the white majority on Chinese families presents an interesting paradox; the lack of Chinese families cast suspicion on the Chinese ability to assimilate but the idea of Chinese family units settling in California or British Columbia caused even greater concern. So long as the Chinese population was predominantly men and segregated from the white community, the Chinese community could only increase its numbers through immigration. The presence of Chinese families would mean Chinese sexual reproduction, a prospect that fed into fears of the Chinese proliferating in numbers that eclipsed the white majority. Such fears were commonplace, often presented in a binary wherein the future of the West Coast was either white or Chinese with little room for compromise. U.S. Senator James G. Blaine explained this binary as “Either the Anglo-Saxon race will possess the Pacific slope, or the Mongolians will possess it.”

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To limit the prospects of Chinese sexual reproduction, the U.S. government passed the Page Act of 1875. Implemented seven years before the Chinese Exclusion Act, the Page Act barred Chinese women who might engage in prostitution from entering the United States. Although the law specifically targeted prostitution, the Page Act had far reaching consequences. The determination of whether a Chinese woman might engage in prostitution fell to American government officials, who typically denied entry to Chinese women regardless of their circumstances. The Page Act resulted in “virtually complete exclusion of Chinese women from the United States.” 84 As many Chinese immigrants who went to British Columbia first came through California, the Page Act regulated female Chinese immigration beyond the American border. A lack of Chinese women coupled with anti-miscegenation laws and public sentiment frowning upon interracial marriages meant the Chinese population of North America grew only by allowing more immigrants. As Catherine Lee has argued, controlling the sexual reproduction of the Chinese meant “controlling races and racial formation,” preserving a white majority in California and British Columbia. 85

When the Chinese arrived in California and British Columbia, they arrived in lands with long established histories of racial conflict and whose dominant society held a strong belief in the superiority of white civilization. Pre-existing stereotypes marked the Chinese as inferior and possessing habits and traits incompatible with European civilization. Those factors alone made the probability of conflict between the immigrants and white society high. When the Chinese established a presence in the labor market and challenged white wage earners, the conflict took on new dimensions and reached new proportions. White wageworkers had already racialized

85 Catherine Lee, “‘Where the Danger Lies,’” 253.
their movement, conflating their whiteness with the idea of economic independence against the legacy of the American slave system. As we will see in the following chapter, white wageworkers used their political clout to influence a wide variety of immigration policy in California and British Columbia.
Figure 9: Cartoon showing American reaction to interactions with a variety of races.

“Cartoons on Current Topics,” The Wasp 3 (Aug 1878-July 1879), Bancroft Library, University of California, Berkeley [No. 132:441].

Figure 10: A storefront in Victoria’s Chinatown.

Edouard Gaston Deville, “A Street in Chinatown, Victoria,” (1886), BC Archives [D-04737].
Figure 11: A Chinese festival in San Francisco.

CHAPTER IV:
PUBLIC POLICY IN CALIFORNIA AND BRITISH COLUMBIA

Between 1853 and 1885, citizens and politicians in California and British Columbia implemented a series of discriminatory policies aimed both at curtailing the arrival of new Chinese immigrants and regulating those already in the region. The issue of race was at the center of such policies because they did not target all immigrants; the policies specifically addressed the Chinese by name and by ethnic origin. The language written into the laws and the rhetoric used by the laws’ supporters made clear a set of racial principles at the core of California and British Columbia identity, articulating a vision of their region as one where only white residents qualified for the benefits of citizenship. In some cases, the public policies looked to correct perceived grievances or concerns, such as requiring the Chinese to fund the public coffers through special taxation or efforts to protect the interests of white laborers. In other cases, the laws lacked any visible public value beyond vindictive punishment of the Chinese for the crimes of not being white and reluctance to assimilate. Through it all, California and British Columbia closely monitored the actions of each other across the border – few anti-Chinese policies attempted in one place did not have a counterpart in the other. In some cases, the region’s anti-Chinese advocates shared disappointment when courts ruled their policies violated their respective constitutions. Yet the public outcry against the Chinese only grew stronger with such setbacks, as did the commitment to local, state, and provincial anti-Chinese legislation. By the late 1870s, the continuing clamor from California and British Columbia brought the attention of national politicians, paving the way for the passage of the Chinese Exclusion Act and the Chinese Immigration Act. This chapter analyzes key anti-Chinese policies enacted in California.
and British Columbia on the path to national immigration restrictions. The chapter does not contain an inclusive list of every local, state, and provincial policy; given the number and diversity of such policies, such a list is nearly impossible to create. Instead, this chapter focuses on the way in which specific policies and policy proposals found life on both sides of the international border, and the interplay between California and British Columbia in discussing, debating, and drafting those policies.

The first Chinese in the region came to California, so it is not surprising the first anti-Chinese laws in the region developed there also. The catalyst that brought significant white migration to California, the gold rush beginning in 1847, lured the first wave of Chinese immigrants. It was in the mining camps that Chinese immigrants first came into conflict with white laborers. By the end of 1850s, nearly 25% of California’s miners were Chinese. As competition for mining profits increased, white American miners argued California’s gold and its residual economic benefits belonged to them alone by virtue of their citizenship. White miners articulated these sentiments publicly. In 1852, one miner wrote, “Now, what right, in law, justice or common sense, have these people to these benefits – directly withheld from our citizens! What claim have they upon us. [sic] that they should take precedence of American citizens.”

That same year, the Sacramento Daily Union claimed “nearly all of the eighty or ninety thousand American miners are fully determined to submit no longer to have the public lands robbed of their only treasure.”

White miners tried to combat the increasing competition for gold by appealing to California’s legislature, lobbying for a law prohibiting Chinese miners in California. When that

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3 “Correspondence of the Union,” *Sacramento Daily Union*, 5 May 1852, 2.
legislation stalled in 1852, the miners tried a new approach in 1853 hoping to legalize the forcible removal of the Chinese from mining claims. One bill considered allowing “citizen miners . . . desirous and prepared to work (the claims) immediately” to eject Chinese miners provided the white miners paid for the claim. Another bill included language allowing miners to participate in “adopting and enforcing rules and regulations preventing foreigners, who, on account of their color, are ineligible to the rights of citizenship from working the mines in said mining district.” Both proposals failed to pass, but the latter did so by a single vote.⁴

California’s mining camps existed in isolated territory, often removed from the direct supervision of state authorities. Mining camps therefore initially operated with a degree of autonomy, functioning in some ways independently of the larger political structure of the state. Mining camps had their own customs, official and unofficial rules, each different from the next camp. Even without the explicit approval of the California legislature, individual mining camps passed discriminatory local regulations in the 1850s designed to keep California gold in the hands of Americans. Some policies were informal, such as that of sixty white miners on the North Fork of the American River who in 1852, accompanied by a band of musicians to keep spirits high, chased away between 200 and 600 Chinese miners.⁵ Other policies took the form of local ordinances. In 1854, the miners of Dutch Flat in Placer County outlawed the purchase of claims by Chinese miners. In Butte County’s Centreville and Helltown districts, miners in 1857 limited claim ownership to those intending to become citizens, an option for which the Chinese were ineligible by law. Meanwhile, an 1856 ordinance in the Columbia District of Tuolumne County barred “Asiatics” from their camps and the claims.⁶

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⁵ “Correspondence of the Union,” Sacramento Daily Union, 5 May 1852, 2.
California’s mining camp measures often came with declaratory statements erasing any doubts about racial preferences in the makeup of their communities. Miners operating near Calaveras in 1857 passed a local ordinance stating “no Chinaman shall be allowed to remain in this mining district.” The miners explained the necessity of the ordinance by invoking race, identity, and nationalism, claiming they passed it due to the “requirements of patriotism to preserve the ‘inalienable rights’ of American freemen.” In citing both patriotism and the rights of free men in an era where race-based slavery existed within the country, Calaveras’ miners made clear that in their community “American” was synonymous with “whiteness.” The Calaveras mining community also urged “neighboring districts to co-operate” by adopting similar measures, spreading similar policies to additional mining camps.7 The following month, miners in Vallecito adopted a measure requiring the Chinese “to leave said district within ten days.”8 In other examples, local measures allowed the Chinese to remain in the community while simultaneously defining them as inferior residents. In Mariposa, Chinese immigrants became scapegoats for a fire that engulfed the town, resulting in a resolution dictating the streets on which the Chinese could live. In effect, Mariposa’s leaders wrote the existence of a segregated Chinatown into town policy.9

In addition to local measures, California’s legislature took steps to regulate the Chinese while simultaneously filling the state coffers. In 1850, California enacted the Foreign Miners’ Tax, a fee placed on all miners who were not American citizens. The amount of the tax fluctuated in its first several years before settling at a rate of four dollars a month, remaining in

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8 “Crusade Against the Chinese in Calaveras County,” *San Francisco Daily Evening Bulletin*, 7 January 1858, NCUSN, GDC.
place in some form for the next twenty years. The law did not apply to miners who became naturalized citizens, thus Chinese miners denied naturalization by law had no way to avoid the tax. White miners had advocated for the law in hopes that such a measure would reduce foreign competition, but it did little to slow immigration. By the mid-1850s, two-thirds of the Chinese in California worked in mining operations and many mining communities reported one-third of their foreign populations came from China.\textsuperscript{10} Thus the burden of the Foreign Miners’ Tax fell disproportionately on Chinese immigrants. California’s legislature made sure that Chinese miners were aware of their tax responsibilities, ordering the law printed in Chinese in 1853.\textsuperscript{11}

California’s legislature periodically debated ending the Foreign Miner’s Tax but political considerations trumped each attempt. California faced budget deficits in its first decade as a state, and the Foreign Miners’ Tax provided a valuable and consistent source of income. During the two decades the tax remained in force, it accounted for half of the state’s revenue.\textsuperscript{12} County sheriffs collected the tax with counties keeping half of revenues, an incentive for vigorous local enforcement. The state government’s first budget surplus came in 1858, financed largely by Chinese miners.\textsuperscript{13}

California’s legislators maintained a steady balancing act, limiting foreign miners without driving so many away that income from the tax evaporated. Yet the act did accomplish the goal of reducing foreign competition for gold. Ten thousand miners returned to Mexico in the tax’s immediate aftermath.\textsuperscript{14} While many Chinese in California continued in mining, after 1855 the Chinese population increasingly moved out of the mines and into other occupations. After the

\textsuperscript{10} Shirley Ann Wilson, “‘We Feel the Want of Protection’: The Politics of Law and Race in California, 1848-1878,” \textit{California History} 81 (2003), 108.

\textsuperscript{11} William J. Courtney, “San Francisco’s Anti-Chinese Ordinances, 1850-1900,” (Ph.D. diss., University of San Francisco, 1956), 4-5.


\textsuperscript{13} Mark Kanazawa, “Immigration, Exclusion, and Taxation,” 785-786.

\textsuperscript{14} Ibid., 784.
discovery of gold in British Columbia, newspaper reports suggested that the Foreign Miners’ Tax increased the number of Chinese moving there from California after 1858.\textsuperscript{15} In one anecdote reported in a California newspaper, an entrepreneurial Chinese man exacted revenge in British Columbia for California’s Foreign Miners’ Tax. The Chinese man charged tolls at a river crossing, but collected tolls only from Americans, and not from the English, Canadians, or Chinese. “Me charge Boston man (American),” the toll collector boasted, “Boston man charge Chinaman very high in Californy; Chinaman now charge Boston man – ha! ha!”\textsuperscript{16}

Events unfolding in British Columbia suggested that California’s white miners understood the right to mine gold more in racial terms than national terms. In California, white miners had supported taxing competing foreign miners, arguing California gold rightly belonged to Americans. Yet when gold discoveries brought California miners to British Columbia beginning in 1858, the same miners vigorously opposed mining taxes placed on them. Gold discovered in British Columbia was the property of the British Crown, and the HBC under James Douglas served as the Crown’s agent. Douglas charged all miners a fee of 21 shillings a month, regardless of whether the miners were British, Canadian, Chinese, or American. American miners bristled at paying any fee as the equivalent paying a foreign miner’s tax, a tax they viewed in racial terms. Americans complained loudly about the fee, in reality a mining license, and attempted to devise routes to British Columbia that avoided fee collectors.\textsuperscript{17}

After British Columbia joined Canada in 1871, the issue of a special tax on Chinese miners in the province became a frequent topic of public discussion. In California, these discussions bore close watching, especially given that the courts ended the Foreign Miners’ Tax

\textsuperscript{15} “Movements Among the Chinese,” \textit{San Francisco Daily Alta California}, 20 June 1860, 1.
\textsuperscript{16} “John Chinaman in California,” \textit{Sacramento Daily Union}, 1 April 1861, 3.
\textsuperscript{17} F.W. Howay, W.N. Sage, and H.F. Angus, \textit{British Columbia and the United States: The North Pacific Slope from Fur Trade to Aviation} (Toronto: Ryerson Press, 1942), 144-157.
for constitutional violations in 1870. Californians feared that any British Columbia attempt to tax Chinese miners would lead to an exodus of Chinese immigrants to their state. When those attending a public meeting in Victoria endorsed a petition asking for a Chinese mining tax in 1876, Californians worried “it will have a tendency to throw the Chinese now located there on to United States territory, and California will be certain to come in for its share of them.”

While California’s Foreign Miners’ Tax was effective in reducing the number of Chinese in the gold fields, the law did not end demands for further restrictions against the immigrants. In recognition of the continuing choruses of unrest, the 1858 session of the legislature witnessed the passage of “An Act to Prevent the Further Immigration of Chinese or Mongolians to this State.” Unlike the Foreign Miners’ Tax which disproportionately affected the Chinese without naming them directly, this new legislation made the target explicit by stating “persons of the Chinese or Mongolian races, shall not be permitted to enter this State.” Those who violated the law and transported Chinese immigrants into California faced not only fines, but potential imprisonment. That California’s miners supported the law is clear from the legislative vote on the bill. Legislators from mining districts voted for the bill unanimously. Representatives from coastal and southern counties further removed from the territory of the gold rush and the sites of high Chinese residency offered more tepid support. Some of the latter even offered an amendment to the bill hoping to exempt their districts, but mining interests defeated the proposal. The exclusion bill, however, passed with a combined 70% of the vote between the two houses.

California’s first effort to exclude the Chinese had a short life as a law; the California Supreme Court ruled it unconstitutional almost immediately. Newspapers in San Francisco took

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19 The State Register and Book of Facts for the Year 1859 (San Francisco: Henry G. Langley and Samuel A. Morrison, 1859), 219.
opposing viewpoints, articulating the opinions of those who competed with the Chinese for employment and those who directly profited from their presence. The *Daily Evening Bulletin* took the view of California’s miners, summarizing the state’s consensus opinion in plain and direct language: “we do not want any more of these people here; and there is great danger, unless something be done to check the immigration, that the whole Pacific coast of America will be inundated by them.” The *Daily Alta California*, however, boldly supported the court ruling while taking the view of California’s elites, calling it one of the legislature’s “most ill-advised measures” due to its potential to hurt Asian trade. While California’s Supreme Court could overturn a Chinese exclusion law on technical grounds, the courts could not order changes to public opinion. Several weeks after the Court’s decision, miners in El Dorado County attacked Chinese miners in an attempt to drive them from the area.

While California was flirting with Chinese exclusion legislation, thousands of California miners flocked to British Columbia on the rumor of substantial gold discoveries. The first Chinese arrived in British Columbia the same year, 1858, and initially found a positive welcome. Wealthy residents of British Columbia were happy to have the Chinese, many of whom filled servant and domestic help positions. San Francisco transplants to British Columbia brought the first Chinese domestics to the future province, unable to find adequate domestic help in their new environs. Merchants in Victoria welcomed the Chinese as the key conduits to what they hoped would be a long relationship of trade throughout the Pacific. And in the mining regions, toleration of the Chinese stood in contrast to the hostility concurrently enveloping California. As

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compared to California in 1858, the initial prosperity of the gold rush in British Columbia meant white miners had fewer objections to Chinese competition; moreover, British Columbia’s vast land and relatively small population made Chinese miners less visible to the public eye. By 1860, 4,000 Chinese had come to British Columbia.

The initial tolerance of the Chinese in British Columbia contrasted with the events of California. British and Canadian residents viewed this tolerance as a moral and institutional superiority to the Californians, bragging of British justice and intolerance of discrimination against newcomers of any kind. A London writer visiting the colony noted the arrival of 800 Chinese from San Francisco, adding “a large immigration may be expected if the Chinese are well treated. There are no distinctions made against them in these colonies. They have the same protection as all other persons . . . and the great bulk of the population is very glad to see them coming into the country.” A published guide to British Columbia boasted that all foreigners would “meet with protection as well as toleration.” Yet British Columbia’s initial tolerance did not last, giving way to the same views of racial incompatibility that plagued California. A record of anti-Chinese policies followed. One of the most egregious indignations shared in both locales was the record of the queue laws.

Queue laws, also known as “pigtail laws,” addressed the Chinese male custom of shaving the front part of their head while wearing the hair in back in a long braided pigtail, or queue. For the Chinese, the queue represented submission and allegiance to their emperor and held powerful symbolic importance; to return to China without the queue was a considered a “mark of

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27 Quoted in Ibid., 3.
The wearing of queues stood out in California and British Columbia, marking the Chinese as different in custom and culture from the dominant white society. One member of the California legislature called the Chinese queue an “emblem of their idolatry.”

Laws regulating Chinese queues started with the passage of a seemingly unrelated policy. In 1870, San Francisco passed an ordinance requiring a minimum of 500 hundred cubic feet per adult in a dwelling. The authorities initially rarely enforced the ordinance aimed at ventilation problems in the crowded conditions found in Chinatown. In 1873, however, San Francisco began a rigorous enforcement of this Cubic Air Ordinance. The new drive targeted only the Chinese community in what the New York Times sarcastically deemed “thoughtfulness for the welfare of the stranger which is most touching.” If convicted of a violation of the Cubic Air Ordinance, an offender had the choice of paying a fine or spending five days in jail. The sudden enforcement of the law led to overcrowding in the jail, where, ironically, the number of inmates reduced the available air space to 100 cubic feet per person. Faced with the unintended consequence of jail overcrowding in 1873, San Francisco’s Board of Supervisors passed the Queue Ordinance in an effort to convince Chinese inmates to pay the fine rather than take jail time. The Queue Ordinance required prisoners to have their hair cut within an inch of their scalp, thereby

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30 “Legislature,” San Francisco Daily Alta California, 1 February 1880, 4.

removing the queue and humiliating the inmate.\textsuperscript{32} San Francisco’s mayor, William Alvord, vetoed the Queue Ordinance later that same year, but the issue was not dead.

In 1876, California’s legislature borrowed the language of San Francisco’s Cubic Air Ordinance and turned it into state law. That same year, a city executive more amenable to the Queue Ordinance, Andrew Jackson Bryant, took office in San Francisco. The city’s Board of Supervisors again passed the ordinance and this time it received mayoral approval. In February of 1878, San Francisco police raided Chinatown and arrested 29 Chinese for violating the state Cubic Air Law. When jail authorities shaved the queue of inmate Ho Ah Kow, the Six Companies filed a test case on his behalf with the federal court, challenging the law on the basis of Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.\textsuperscript{33}

The case of Ho Ah Kow and the Pigtail Ordinance fell to Circuit Court Judge Stephen Field who also served as an associate justice of the United States Supreme Court. Field’s anti-Chinese beliefs were well known; Field nevertheless took offense to the “pettiness and mean spiritedness” of the law. Moreover, Field “understood that it is to be enforced only against that [Chinese] race,” and thus equaled a Constitutional violation. The case, Ho Ah Kow v. Nunan, became one of the first of its kind by stating the Fourteenth Amendment applied to non-citizens.\textsuperscript{34}

The assault on Chinese queues extended north to British Columbia despite the constitutional invalidity of San Francisco’s Queue Ordinance and British Columbia’s self-styled superiority of British tolerance. Robert Smith, a member of British Columbia’s 1876 Provincial


\textsuperscript{34} Ibid., 11; Ho Ah Kow v. Nunan, 12 Fed. Cas. 252 (1879).
Legislature, urged the body to consider “steps toward preventing the country from being flooded with a Mongolian population.” Smith, fearing actions “recently taken in California would drive the Celestial thence to our shores,” proposed a novel solution – a special tax of twenty-five dollars on Chinese queues. The queue tax proposal elicited cheers from the crowd at an anti-Chinese meeting in Victoria, but legislators dismissed the idea as a violation of the Canadian Constitution.

Another assault on the queue in British Columbia came in 1878 from Arthur Bunster, a combative MP from Vancouver Island. Bunster had a well-deserved reputation for belligerence. He engaged in a fistfight on the floor of Parliament with another MP and boosted his reputation as a staunch anti-Chinese advocate by boasting in public of advising his son to “thrash a Chinaman that insults you when you can.” Bunster proposed to Parliament a law barring Canadian Pacific Railroad employees from having hair longer than five and a half inches, an obvious poke at the railroad’s numerous Chinese laborers.

Bunster’s proposal went nowhere, but the anti-queue crowd got a victory in 1879. That year the Workingmen’s Protective Association (WPA), a Victoria-based anti-Chinese organization headed by politician Noah Shakespeare, succeeded in lobbying for a queue ordinance for Victoria’s jail. To celebrate the ordinance’s passage, Shakespeare grabbed the

shorn queue of one unlucky Chinese man, held it aloft at a WPA meeting, and declared his intent
to keep it as a family heirloom. The idea of possessing a queue as a morbid keepsake also hit
California in the 1880s when local news reported an attack on a Chinese man, the cutting of his
queue, and the aggressor’s intent to send it to his parents as a “curio.”

In California, anti-Chinese residents smarting over the court ruling in Ho Ah Kow v.
Nunan viewed queue ordinance success in other locales with jealousy. When the warden of the
state prison in New Jersey cut the queues of five Chinese prisoners in 1883, the Daily Alta
California applauded the warden who “did not have the fear of the Constitution” and chopped
the queues “without remorse or pity.” Public pressure in San Francisco to cut Chinese
prisoners’ queues hit again in 1883, but the Sheriff refused on the advice of his legal counsel.
In 1885, a California newspaper enthusiastically reported on white and Chinese prisoners having
their hair cut in British Columbia.

A few outspoken contemporaries of the queue ordinances understood the moral, ethical,
and civic failings of such policies. The New York Times recognized of San Francisco’s Queue
Ordinance that it “was not done to promote discipline or health. It was done to add torture to his
[a Chinese male’s] confinement.” Likewise, Canadian Prime Minister Alexander Mackenzie
called Arthur Bunster’s proposal to tax queues counter to Canadian values and “unprecedented in
its character and . . . its spirit.” Yet such opinions were not in the majority. Queue proposals

40 “Workingmen’s Protective Association,” Victoria (B.C.) Daily Colonist, 7 January 1879, 3; “Victoria Letter,”
41 “Ah Sin and His Tail,” San Francisco Daily Alta California, 5 March 1885, 4.
42 “New Jersey Queue Cutting,” San Francisco Daily Alta California, 12 August 1883, 2.
43 “San Francisco Items,” Sacramento Daily Union, 2 April 1883, 1.
44 Sacramento Daily Union, 28 September 1885, 2.
46 Quoted in Christopher G. Anderson, “The Senate and the Fight Against the 1885 Chinese Immigration Act,” 22;
University Press, 1991), 54.
and ordinances publicly endorsed the idea that the Chinese were different and alien, and signaled that the dominant cultures had little interest learning Chinese customs and traditions. As public policy, queue ordinances solved no problems, addressed no legitimate needs, and created no public value. They served only as the legislatively sanctioned shaming of Chinese immigrants. The ordinances were simply malicious measures aimed at ethnicity. Historian Sucheng Chan best summarized the spirit of the policies, calling San Francisco’s Pigtail Ordinance “one of the most spiteful and vindictive [actions] against the Chinese during their residence on American soil during the nineteenth century,” a bold indictment given the sordid American history with the Chinese that unfolded.\textsuperscript{47} Removing, taxing, barring, and targeting the Chinese queue did little to halt Chinese immigration to California or British Columbia. Yet stopping immigration was not the true aim. Removing or threatening to remove the queue was about demonstrating power. Writing about British Columbia, Patricia E. Roy calls the “the absence of the queue on a Chinese head . . . a symbol of white superiority.”\textsuperscript{48} In this sense, queue proposals were successful, offering powerful symbolism and sending clear messages that foreshadowed future policy initiatives.

When confronted with policies like queue ordinances, Chinese immigrants had to rely on the court system to overturn them as they had no such option at the ballot box. If the Chinese could not or would not assimilate, then neither California nor British Columbia accepted the Chinese as participants in the government process. In 1885, Victoria’s Mayor Joseph Carey dismissed the idea of Chinese political participation, saying “it is impossible to Anglicize a Chinamen. They are a non-assimilating race, even if they were allowed all chances to become

\textsuperscript{47} Sucheng Chan, ed., \textit{Entry Denied}, 9.
\textsuperscript{48} Patricia E. Roy, \textit{A White Man’s Province}, 18.
citizens or had all rights of citizenship offered them.”\textsuperscript{49} Carey’s comments summarized a common belief throughout California and British Columbia. Carey’s analysis, however, did not consider that California and British Columbia legislatively barred the Chinese from assimilating. If Chinese assimilation was the ultimate goal of white society, some of the blame for the failure of the Chinese to assimilate rests with white residents of California and British Columbia who stripped the Chinese of the ability to participate in the public sphere, thereby blocking assimilation at the most basic levels.

The Chinese were legally ineligible for citizenship from the moment they arrived in California. A 1790 United States’ law limited American citizenship to “free white persons.” California law was more explicit. The state’s first constitution written in 1849 granted the right to vote to “Every white male citizen of the United States, and every white male citizen of Mexico” (the latter part, called an “awkward compromise” by one historian, was a requirement of the Treaty of Guadalupe Hidalgo ending the Mexican-American War).\textsuperscript{50} Since the Chinese did not qualify as white, as American citizens, or as eligible California voters, no path to political assimilation existed. The prospect of Chinese voting was enough to cause political turmoil within the state. In the 1867 gubernatorial campaign, rumors circulated that candidate G.C. Gorham supported granting the franchise to the Chinese. Gorham had to publish letters in the state’s leading newspapers denying this position, but the rumor worked as a political tactic – Gorham lost the election.\textsuperscript{51}

\textsuperscript{50} California Constitution (1849), Article 2, Section 1; Shirley Ann Wilson Moore, “‘We Feel the Want of Protection,’” 103.
Additional measures enacted at the federal and state level added an insurance policy against Chinese voting. In 1870, the United States ratified the Fifteenth Amendment to the Constitution, which forbid laws prohibiting voting based on “race, color, or previous condition of servitude.” While this amendment might have opened the door to the Chinese franchise, a second law that year closed it. The Naturalization Act of 1870 allowed citizenship through naturalization for persons of “African nativity and to persons of African descent.” Yet Congress voted against a proposed amendment to the Naturalization Act granting naturalization privileges to the Chinese because, in the words of one Senator, it would change the “political destiny of the Pacific Coast.” When California revised their state constitution in 1879, they made the prohibition on Chinese voting explicit. The new constitution limited voting rights to male citizens provided they were not an “idiot,” “insane person,” “convicted of any infamous crime,” or a “native of China.”

California further reduced the public participation of the Chinese by limiting their rights within the legal system. In 1850, the California legislature passed a law stating “No Black, or Mulatto person, or Indian shall be allowed to give evidence in favor of, or against a White man.” The law did not name the Chinese specifically. However, California’s Supreme Court interpreted the law broadly which had severe consequences for the Chinese. In a case decided in 1854, People v. Hall, the testimony of a Chinese witness convicted a white miner, George Hall, of murdering a Chinese miner. Hall appealed his conviction over the legality of the Chinese testimony. California’s Supreme Court held “that the words, Indian, Negro, Black and White, are generic terms, designating race. . . . therefore, Chinese and all other people not white, are

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52 United States Constitution, Amendment 15.
55 California Constitution (1879), Article 2, Section 1.
included in the prohibition from being witnesses against Whites."^56 The ruling established a legal precedent establishing a two race hierarchy in California, whites and everyone else. Non-whites could not testify against whites, leaving the Chinese with little legal recourse when wronged at the hands of white Californians. The California Supreme Court further declared the Chinese:

>a race of people whom nature has marked as inferior, and who are incapable of progress or intellectual development beyond a certain point, as their history has shown; differing in language, opinions, color, and physical conformation; between whom and ourselves nature has placed an impassable difference, is now presented, and for them is claimed, not only the right to swear away the life of a citizen, but the further privilege of participating with us in administering the affairs of our Government.^57

Several high profile cases illustrated the severe disadvantages placed on the Chinese community by the restrictions on testimony. In February of 1857, a disagreement over a mining claim ended with several American-born miners attacking five Chinese miners, three of whom died. In May of 1857, a white man killed a Chinese man in an unprovoked shooting spree. That same month, white assailants robbed a Chinese house of 400 dollars. Yet each of these three instances resulted in dismissals rather than convictions; the only possible witnesses to the crimes were Chinese and barred from testifying against the assailants.^58 The California legislature briefly considered changing the law in 1857, but the measure lost by a resounding 42-26 margin.^59

There were voices in California who challenged the wisdom of the Supreme Court’s ruling. A Sacramento newspaper called the issue of Chinese court testimony one “of the most

^56 People v. Hall, 4 Cal. 399 (1854).
^57 People v. Hall, 4 Cal. 399 (1854).
embarrassing and complicated” issues facing California.⁶⁰ William Speer, a Presbyterian minister who operated a Chinese mission in San Francisco, damned the decision as a violation of the “principles of the Magna Charta, the prerogatives of juries, the rights of judges and advocates, Republicanism, Christianity, and common humanity.”⁶¹ The Chinese also protested the ruling as best as a politically marginalized population could. San Francisco’s Chinese leaders attempted to hire a lobbyist to work on their behalf, and later protested to Congress that the prohibitions on testimony “leave us defenseless, and unable to obtain justice for ourselves.”⁶² Despite such protests, the prohibition against Chinese testimony against whites remained until 1870, when post-Civil War changes to the United States Constitution ended the practice.

In British Columbia the situation differed only slightly. British law allowed Chinese testimony in the courts, before and after Confederation. Colonial Governor Anthony Musgrave reassured the Chinese on this issue in 1869, declaring publicly that all residents of British Columbia, “whatever nationality,” would receive “equality and protection.”⁶³ This issue was not solely a matter of Chinese tolerance in British Columbia – some Chinese immigrants had arrived via Hong Kong and thus were already British citizens – making the issue more complicated. Yet the legality of Chinese testimony did not necessarily mean that Chinese testimony was always accepted or believed. Bias against Chinese testimony could change case outcomes and the bias penetrated deeply into the legal system. A British Columbia Attorney General, A.E.B. Davie, for example, said of the Chinese that “they are not truthful witnesses, indeed it is extremely difficult, so far as they are concerned, to find out the facts of any case. . . . so much so has this been the

⁶² Ibid., 23; Quoted in Shirley Ann Wilson, “‘We Feel the Want of Protection,’” 114.
case it has been recognized generally by jurors.”64 Allowing the Chinese to vote in British Columbia, however, was an altogether different issue. Historian Patricia E. Roy summarizes British Columbia’s dichotomy as “White British Columbians did not really quarrel with the right of Asians to the protection of the law. Yet, few believed that Asians had any right to help make the law as voters or officials.”65

While California denied Chinese voting rights from the outset, the prohibition of voting rights in British Columbia evolved over time. Chinese voters participated in British Columbia’s inaugural provincial election in 1871. However, the first Provincial Legislature – elected in part by those Chinese votes – unanimously voted to end Chinese political participation at the provincial level. This move disenfranchised a significant portion of the electorate, as one Chinese male lived in British Columbia for every four white males. The 1871 Provincial Legislature, however, left a loophole – Chinese voters remained eligible to vote in local elections.66

The local election loophole made headlines in 1875, when Chinese voters influenced the city elections in Victoria. Newspapers like the *Daily Colonist* scoffed at “pigtail electors” and the politicians who led the Chinese “like sheep in the shambles at two dollars a head” to the polls, spreading fears among the white electorate that “Kwong Lee might be Mayor next year.”67 Two weeks after the election, Victoria’s Municipal Council moved to make Chinese voters ineligible. The leading defender of the Chinese right to vote was newly elected Council member Noah Shakespeare. The *Daily Colonist* chided Shakespeare’s support of Chinese voters, questioning

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66 Ibid., 45-46.
whether Shakespeare “carefully weighed the full import” of siding with the Chinese in a matter of public policy. Whether Shakespeare took the newspaper’s advice or later had a change of opinion, his initial support of Chinese voting rights is ironic; throughout the rest of the 1870s and the 1880s, Shakespeare was British Columbia’s most fervently anti-Chinese politician and agitator. Victoria and other British Columbia municipalities quickly closed the local voting loophole. In 1876 the Provincial Legislature followed suit, extending the prohibition against Chinese voting to include local elections and removing Chinese names from all voter rolls.

By denying the Chinese the right to vote, British Columbia also systematically removed the Chinese from other aspects of society and social assimilation. Only eligible voters received licenses as doctors, lawyers, and other similar professions and businesses. The Provincial Legislature dismissed the Chinese from vital statistic registration, thus births, deaths, and marriages in the Chinese community went unrecorded and remained outside of official government records. In essence, the denial of voting rights not only prevented Chinese political assimilation and a stake in provincial affairs, it also erased the Chinese from an officially recognized public existence altogether. By 1885, Canada’s federal government moved to end the Chinese franchise for the entire country. Prime Minister John A. Macdonald supported such action, declaring a Chinese immigrant “has no British instincts or British feelings or aspirations, and therefore ought not to have a vote.” Macdonald also went further, denying the Chinese humanity by comparing them to an “agricultural implement which we may borrow from the United States on hire and return it to the owner on the south side of the line.”

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As in California, the removal of the Chinese from the political sphere left the immigrant population exposed to hostility and periodic violence, despite British Columbia’s claims to the contrary. In California, “bands of men and boys used to make it their business to pelt the newly arrived Chinamen with stones,” an ugly form of discrimination.\footnote{Samuel E.W. Becker, \textit{Humors of a Congressional Investigating Committee: A Review of the Report of the Joint Special Committee to Investigate Chinese Immigration} (1877), 12, accessed 11 October 2013, http://archive.lib.msu.edu/DMC/AmRad/humorscongressionalinvestigating.pdf.} British Columbians also made similar sport of taunting the Chinese, including children pulling Chinese queues for amusement, breaking windows in Chinatown buildings, and assaulting the Chinese with rocks and snowballs. The \textit{Daily Colonist} tried to distance the province from such actions, with an editor claiming to have witnessed them “to a disgusting extent in some of the towns of California,” but finding them “opposed to the very spirit of English freedom and English law” in British Columbia.\footnote{“A Chinese Question,” \textit{Victoria (B.C.) Daily Colonist}, 11 July 1884, 2.} Yet the very act of consciously trying to distance British Columbia from California implicated the province in the same behavior. Other newspapers such as the \textit{Nanaimo (B.C.) Free Press} felt pressed to warn readers that although the Chinese were not a “desirable element,” they “should be no more treated with abuse than other inhabitants.”\footnote{\textit{Nanaimo (B.C.) Free Press}, 3 January 1878, quoted in W. Peter Ward, \textit{White Canada Forever}, 19.} Sometimes attacks on the Chinese defied British Columbia’s aspirations towards equal justice. For example, in 1883, white railroad workers attacked a Chinese camp near Lytton, killing two men. No convictions followed.\footnote{Patricia E. Roy, \textit{A White Man’s Province}, 19.} Californians and British Columbians placed obstacles in the path of Chinese assimilation on a political level. Without a voice in state or provincial affairs, the Chinese remained vulnerable to physical assaults, theft, unfair legal practices, and discriminatory government policies.

Special taxation placed on the Chinese became one of the more prevalent discriminatory government policies in this transnational region. California’s Foreign Miner’s Tax proved a
reliable source of state income and an effective regulation of Chinese competition in the mining camps. Additional taxes followed as Chinese immigration continued, urged on by zealous newspaper editors. The Daily Alta California had requested making the Chinese “subjects of special legislation” as early as 1854. In British Columbia, one newspaper acknowledged that “John Chinaman can never be called upon to take part in the administration of justice or public affairs,” but added that “John” should “be made to bear his full share of the burden of taxation.” Those who made such calls appeared untroubled by taxing a people prevented from political participation. The American Revolution’s principle of “no taxation without representation” only applied to men possessing whiteness.

In 1855, the California legislature passed a law requiring ship owners to pay a 50 dollar tax on all persons ineligible for citizenship arriving at state docks. The law did not mention the Chinese specifically as the legislators titled it an Act to Discourage the Immigration to this State of Persons Who Cannot Become Citizens Thereof. That the Chinese were the intended targets of the law was no secret. The committee recommending the bill made clear its intent, writing “Let the Chinese inhabit China, and let the Americans possess America.” Such wording offers insight into notions of white superiority – the inferior Chinese culture only inhabits a location, while the superior American civilization possesses. In addition to the committee’s own words, the Daily Alta California offered its own interpretation of the new law. Distressed by the sudden arrival of “over seven hundred Chinamen” and “their long tails, uncouth dresses and moon-eyed faces,” newspaper editors noted the new law was “intended as a prohibitory measure against the

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76 “Chinese,” San Francisco Daily Alta California, 16 February 1854, 2.
77 Quoted in Patricia E. Roy, A White Man’s Province, 42.
78 Ibid., 45.
79 Mark Kanazawa, “Immigration, Exclusion, and Taxation,” 787; Shirley Ann Wilson, “‘We Feel the Want of Protection,’” 111; California State Legislature, Statutes of California Passed at the Sixth Session of the Legislature (Sacramento, CA: B.B. Redding, 1855), 194-196.
80 California State Legislature, Report of the Select Committee to Whom it was Referred, Assembly Bills No. 206, 207, & 208, With Reference to Foreign Miners, In Assembly, Session 1855 (1855), 7, California Historical Society.
immigration of Chinese.”

Similarly, a Sacramento newspaper called the policy an effort to “discourage Chinese immigration, but not prohibit it entirely.”

The passage of the law exposed class interests when it came to the Chinese question. While miners and others who faced direct economic competition with Chinese laborers supported the law, merchants and business owners whose livelihoods depended on the immigrants opposed it. The legislature’s Committee on Mining and Mining Interests noted that the bill was in “accord with . . . [the] sentiment of a large majority of the people” but “questioned by the mass of the commercial and trading classes of the State.” Over 100 San Francisco merchants wrote the legislature, complaining about the law to no avail.

As with the Foreign Miners’ Tax, this new tax came with potential constitutional complications. At issue was whether or not the law violated the Commerce Clause of the United States’ Constitution, a clause granting Congress the power to regulate trade with foreign nations. The legislative committee that first considered the bill argued that California “clearly” had “the constitutional and legal right to pass and enforce such a law.” California’s Supreme Court, however, viewed the issue differently. The Court ruled the law violated the Commerce Clause, striking down the Chinese-specific tax in 1857 in the People v. Downer decision.

California’s politicians continued to feel public pressure to impose Chinese-specific taxes. In 1862, a newspaper opined that the state legislature faced “one subject of great importance,” adding revenue from Chinese immigrants. The newspaper additionally offered the

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83 California State Legislature, Report of the Committee on Mines and Mining Interests in Assembly, Session of 1856 (1856), 4, California Historical Society.
85 California State Legislature, Report of the Select Committee to Whom it was Referred, Assembly Bills No. 206, 207, & 208, With Reference to Foreign Miners, In Assembly, Session 1855, 5.
86 People v. Downer, 7 Cal. 169 (1857).
suggestion to label the new policy as “a police tax – as a tax against obnoxious persons – just as we impose a tax upon the exhibition of shows or upon games which are hurtful to public morals.” The legislature debated just such a bill bearing the grandiose official title of An Act to Discourage Chinese Immigration and Protect White Workers Against Competition with Chinese Laborers, and the shorter, more common title the Chinese Police Tax.

The Chinese Police Tax charged $2.50 per month on “each person . . . of the Mongolian race, of the age of eighteen years and upwards,” with exceptions for those who possessed mining licenses or worked in certain manufacturing endeavors, such as the production of rice, coffee, and tea. The bill’s title notwithstanding, the proposed law had little to do with policing or law enforcement. The intent of the tax was to create a tax burden on existing Chinese residents that would persuade them to leave and dissuade others from coming. During debates over the bill, Assemblyman Charles Maclay noted the growing “disposition to crush the lifeblood out of the inferior races” found in the state. Assemblyman George W. Seaton “understood [the bill] was to be imposed simply for the sake of an additional burthen upon the Chinese.” The Daily Alta California more succinctly said the bill “imposes a fine . . . upon every Mongolian,” a fine justified by no reason other than some residents were born in China. The bill passed the legislature in 1862 with relative ease.

Once passed, collecting the Chinese Police Tax proved difficult. Chinese residents protested the tax, sometimes leading to confrontations with collectors. In one case in Sacramento, a Deputy Sheriff named Ingham tried to collect from a hotel kitchen worker named Ah Chee. Ah Chee apparently told Ingham to “go to hell” – the era’s decency standards dictated

reporting of the comment as inviting Ingham “to make a trip to a certain region, reputed to be subterraneous, sultry and sulphurous.” Ingham protested the remark and a fight ensued; Ah Chee allegedly produced several knives before Ingham subdued and arrested him.  

In San Francisco, a man named Lin Sing initially refused the demands of tax collector E.H. Washburn. When Washburn seized Lin Sing’s property as payment, Sing produced the funds to pay his tax. Sing also immediately filed a law suit challenging the Chinese Police Tax. As the courtroom drama over case of Lin Sing v. Washburn unfolded, Californians chose sides based on class and racial interests. California’s Attorney General, Frank M. Pixley, publicly suggested the lawsuit came at the behest of wealthy business interests who feared losing Chinese commerce. The Anti-Coolie Club, a pro-white worker organization and vehicle of anti-Chinese agitation, offered legal assistance to defend the law. In reviewing the case, California’s Supreme Court looked first to the ruling in People v. Downer that invalidated the 1855 Chinese tax, declaring the Chinese Police Tax was an attempt to “to circumvent that decision.” The Court ruled “The Chinese may be taxed as other residents; but they cannot be set apart as special subjects of taxation.” Once again the courts struck down a tax aimed solely at the Chinese; as one lawyer who worked on the case, J.W. Dwinelle, noted, California “attempted to tax John for the crime of being a Chinaman.” Although the Chinese Police Tax failed as public policy, the attempt to tax the racial identity of the Chinese reiterated what by
now was a clearly articulated message: California was a white territory, and policymakers would continue efforts at keeping it that way.

The push for special Chinese taxes developed slowly in British Columbia. In 1860, the attendees at a public meeting in Victoria called the Chinese “a moral scourge – a curse” while debating a poll tax on arriving Chinese immigrants.\textsuperscript{99} The idea caught on in New Westminster, where demands for a twenty dollar tax on Chinese immigrants came with the hope it would “increase the good feeling toward Chinese for funding the government.”\textsuperscript{100} In 1865, the legislative assembly of Vancouver Island proposed a tax of ten dollars on each Chinese arrival, although the measure failed to garner enough support to pass. During the first Provincial Legislature in 1871, British Columbia’s leaders abandoned plans for a fifty dollar poll tax on the Chinese only because some thought the action outside their authority. The same rationale derailed proposals to tax Chinese already in the province in 1872 and 1874.\textsuperscript{101}

By 1878, however, the anti-Chinese movement in British Columbia had hit full swing. Government leaders realized that anti-Chinese politics played well to their constituencies as did a rebellious attitude towards the federal government in Ottawa. A new provincial government headed by George Anthony Walkem ignored the precedents of previous assemblies, enacting several laws aimed at Chinese residents. The resulting Chinese Tax Act (or more formally the Better Collection of Provincial Taxes from Chinese Act) exempted the Chinese from paying regular provincial taxes while simultaneously requiring all Chinese residents over the age of twelve to pay a quarterly fee of ten dollars to reside in the province.\textsuperscript{102} The law had a dual purpose, with the new government proposing it would “either produce revenue or exclude the

Chinese from the shores of the province.” In at least one incident reported in Victoria’s newspapers, the new law accomplished both. The Walkem government dismissed a Chinese cook named Ah Hoy from his position at the Lunatic Asylum in an effort to reinforce its anti-Chinese credentials. The government then deducted the new tax from Hoy’s final wages, prompting him to depart for China.

Collecting British Columbia’s Chinese Tax proved as difficult and controversial as had California’s Police Tax. One of the appointed collectors of the Chinese Tax in Victoria was Noah Shakespeare, by that time a fervent anti-Chinese activist. Shakespeare set out in early September of 1878, patrolling Victoria’s streets and inspecting businesses known to employ Chinese labor. Many Chinese residents reportedly hid from Shakespeare in an effort to duck the collection efforts. In one alleged (and likely embellished) story, a Chinese merchant found by Shakespeare pointed to the man in the moon, saying “you go after him, and when you catchee that man, you come and catchee my tax.” When Shakespeare’s early tax collection efforts yielded poor results, he vowed to return with a “policeman and a dray” in order to seize property in lieu of cash.

A few days later another Victoria tax collector named John Maguire forcibly seized Chinese property as payment for the tax. The Daily Colonist reported “After the drays were laden they were driven to the police barracks and there the chests of tea, bales of cloth, packages of opium, and other effects were deposited to await public sale.” Victoria’s Chinese reportedly complied peaceably at the moment of seizure. However, the Chinese did fight back using one of the few tactics available to a disenfranchised community – organizing a general strike. Chinese

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103 Patricia E. Roy, A White Man’s Province, 43-44.
domestic servants abandoned their employers, cooks walked out of their kitchens, factories shuttered their windows, and Chinese merchants refused to sell their wares to white residents. The Chinese strike placed burdens on the daily life of Victoria’s residents and demonstrated the importance of the Chinese to the local economy. Chinese laborers returned to work after British Columbia’s Supreme Court agreed to review the law, and Victoria’s business class eagerly re-employed the strikers. Ignoring the pending litigation, Shakespeare returned to Victoria’s Chinese quarter in subsequent attempts to collect the tax.

The Chinese strike and its aftermath invigorated those who advocated for white labor in Victoria. Newspapers called on the business community “to give practical proof of their willingness to employ white in substitution for Mongolian labor.” Such hopes did not immediately come to fruition. White laborers from San Francisco reportedly came to Victoria assuming the availability of positions held by the striking Chinese. Job offers for the newly arrived white laborers did not materialize, and employers continued to use Chinese labor after the strike concluded.

In late September of 1878, British Columbia’s Supreme Court ruled the Chinese Tax unconstitutional, declaring the authority over resident aliens rested with the Dominion Government, and moreover that the tax violated existing treaties with China. In its decision, the Court called the Chinese Tax Law a form of “social ostracism,” and deemed it “plain (the Act) was not intended to collect revenue, but to drive the Chinese from the country.” The Court also showed its ties to California, finding precedent in decisions made by that state’s courts. British

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Columbia’s Supreme Court claimed it was “materially assisted by a leading decision in the Supreme Court of the State of California” – the Lin Sing v. Washburn case – whose “facts and points raised are almost identical.” The use of precedent from California reinforced the interconnectedness of the region on the issue of Chinese immigration.

In 1881, British Columbia again tried to find ways to tax Chinese residents. This time the measure involved a “vigorously” collection of the province’s school tax, a law already on the books but only sporadically enforced. Supporters of the new policy hoped it sidestepped the Supreme Court’s ruling on the Chinese Tax because the school tax applied to all residents, even if the government limited enforcement to Chinese residents. Not surprisingly, the appointment for the school tax collector in the Victoria district went to Noah Shakespeare. Shakespeare’s school tax collection techniques bordered on harassment. He boarded arriving steamships loaded with arriving Chinese immigrants, seized property, and impounded Chinese peddler wagons. When the Chinese protested his tactics, Shakespeare had them arrested and thrown in jail. Collectors at Nanaimo used similar tactics, and armed constables enforced the tax among Chinese railroad workers. In one instance of alleged Chinese resistance, a tax collector’s horse returned home without a rider and suspicion fell on the Chinese for his disappearance. Future collection of the school tax proved intermittent.

With state and provincial efforts at inhibiting Chinese immigration frustrated by the concerns of the federal governments, local officials considered a variety of policy options to regulate the Chinese already in the region. As the centers of California and British Columbia in

111 Tai Sing v. Maguire (1878), 1 B.C.R. (Pt. 1) 101 (S.C.); See also “Unconstitutional and Void,” Victoria (B.C.) Daily Colonist, 28 September 1878, 2.
112 Patricia E. Roy, A White Man’s Province, 44-45.
114 Patricia E. Roy, A White Man’s Province, 44-45.
population, Chinese and non-Chinese alike, the city governments of San Francisco and Victoria took the lead on anti-Chinese proposals. San Francisco passed an 1870 ordinance preventing persons from walking on sidewalks while carrying “a basket or baskets, bag or bags, suspended from or attached to poles across upon the shoulder.” ¹¹⁶ Exactly what problem or safety concern the ordinance intended to address or correct is vague, other than to harass Chinese immigrants who transported goods in this way. In 1873, the city sidestepped a direct tax on the Chinese by taxing the method of transportation used by laundries, a business in which the Chinese had a near monopoly. The tax applied to laundries using horses to deliver products, as well as for laundries using no horses at all – essentially taxing the laundries for their mere existence and for having Chinese owners.¹¹⁷ In 1880, San Francisco’s Health Department condemned the city’s Chinese neighborhood, declaring “Chinatown a cancer-spot, which endangers the healthy and prosperous conditions of the City of San Francisco.”¹¹⁸ No tangible penalties came with the condemnation, and it is worth noting that the Health Department’s report cited the “alien population” with customs “utterly at variance” with white residents as the reason for the condemnation rather than health or structural violations.¹¹⁹

In Victoria, anti-Chinese advocates followed in implementing versions of San Francisco’s policies. An anti-Chinese group in Victoria argued “the City Council would do well to pass a cubic foot ordinance similar to that in California,” in 1878, and the city’s police

¹¹⁶ San Francisco Board of Supervisors, General Orders of the Board of Supervisors of the City and County of San Francisco and Ordinances of Park Commissioners (San Francisco: WM Hinton and Co., 1878), 31.
¹¹⁸ Workingmen’s Party of California, Chinatown Declared a Nuisance (San Francisco: Workingmen’s Party of California, 1880), 2, California Historical Society.
¹¹⁹ Ibid., 3.
department “had orders to stop the Chinese carrying baskets, etc., on the sidewalks.” The “cubic foot ordinance,” essentially San Francisco’s Cubic Air Ordinance, passed in Victoria. Victoria’s anti-Chinese politicians were also successful passing local ordinances mimicking San Francisco’s spirit of harassment. An ordinance against the dumping of waste from Chinese washhouses passed Victoria’s Municipal Council in 1878. The ordinance is noteworthy for targeting a business dominated by Chinese immigrants but also because no corresponding ordinance regulated dumping waste outside of Chinatown. Victoria’s leaders also debated a local rule prohibiting the Chinese from employment on public contracts and public works in 1875. One Council member who spoke in support of the rule did so on the basis of preferring “men who would be better citizens” having such jobs over “natives of the Flowery Kingdom.” The ordinance passed, and the staunch anti-Chinese bias of the city revealed itself when the chamber erupted in “applause when the result was known.” In 1878, British Columbia’s Provincial Legislature followed suit, barring the Chinese from provincial contracts.

In one of the more cynical policy initiatives shared in the region, both California and British Columbia passed laws requiring state or provincial approval for sending the remains of deceased Chinese to their native land. British Columbia passed their version of this law in 1884, modeled after one passed in California in 1876. The law attacked the Chinese culture and belief system as a way to discourage future immigration. One California newspaper summarized the purpose of the legislation by explaining there was “a prevailing superstition among the

121 See note 32 in W. Peter Ward, White Canada Forever, 177-178.
124 David Chuanyan Lai, Chinese Community Leadership, 16; Patricia E. Roy, A White Man’s Province, 47.
Chinese that their spirits will never be at rest unless their bodies rest in the land of their ancestors."¹²⁶

By the late 1870s, the public policies springing from the anti-Chinese movement in California and British Columbia had achieved a mixed record of success. Politicians were successful in getting legislation passed, but the legislation did not always have the desired effect of limiting immigration. In California, for example, an estimated 80,000 Chinese entered the state between 1873 and 1877.¹²⁷ From the perspective of immigration opponents, the most disappointing aspect of their policy campaign was the continual frustrations dealt them by the courts. In both California and British Columbia, the state and provincial supreme courts had ruled special taxes on immigrants and immigration restrictions violated the United States and Canadian constitutions. The courts maintained that California and British Columbia had overstepped their authority in passing such legislation. Such rulings made clear that any significant immigration restrictions would have to come not from the state and the province, but from the United States Congress in Washington and the Canadian Parliament in Ottawa. Political leaders in California and British Columbia turned their attention to influencing anti-Chinese policies at the federal level.

Historians of the anti-Chinese movement in the United States such as Elmer Sandmeyer, Alexander Saxton, and Andrew Gyory have pinpointed the years between 1876 and 1879 as the turning point in making this regional political issue a national one.¹²⁸ In 1879, for example, the United States Congress passed the Fifteen Passenger Bill, legislation that would limit the number of Chinese immigrants on any arriving vessel to fifteen with fines and potential imprisonment for

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ship captains who violated it. While California’s Congressional delegation supported the bill, the leading advocate was Senator James G. Blaine of Maine. Blaine had a national following having been Speaker of the House, with one historian calling him the “era’s preeminent politician, the consummate Washington insider.”\(^{129}\) Blaine’s support may have come from personal bias, but it also depended on political circumstances. Blaine had presidential ambitions and hoped that his support for a national anti-Chinese immigration policy would secure votes from California and the labor movement.\(^{130}\) President Rutherford B. Hayes vetoed the Fifteen Passenger Bill, but not because he supported Chinese immigration. Hayes worried the proposed law violated the Burlingame Treaty between the United States and China that allowed the free flow of people between the two nations. Although Hayes’ veto prevented the Fifteen Passenger Bill from becoming law, he also instructed his cabinet to begin the process of revising the treaty with China, thereby enabling future federal immigration restrictions.\(^{131}\) Just three years after the Fifteen Passenger Bill veto, Congress would adopt the Chinese Exclusion Act and a new president, Chester A. Arthur, would sign it.

British Columbia, too, turned to the federal government to address complaints against the Chinese. The federal government and the courts had overridden anti-Chinese tax laws in British Columbia in 1878 and 1881, leaving provincial officials aware that meaningful legislative efforts needed to come from the Dominion government. In 1879, a Noah Shakespeare-led petition went to Parliament asking for immigration restrictions, but Parliament essentially ignored the request.\(^{132}\) Subsequent requests to bar the Chinese from Canadian Pacific Railroad construction drew a rebuke from the Canadian Prime Minister, John A. Macdonald, who declared “it was

\(^{129}\) Andrew Gyory, *Closing the Gate*, 136.

\(^{130}\) Ibid., 147.

\(^{131}\) Ibid., 165.

simply a question of Chinese labour or no railway.” By 1884, British Columbia’s politicians grew more forceful. The Provincial Legislature passed An Act to Regulate the Chinese Population of British Columbia, knowing full well that it stood little chance of passing muster with the federal government and the courts. Even the province’s Attorney General, A.E.B. Davie, admitted British Columbia lacked the authority to pass the laws, but hoped the laws would “go a long way to show the Dominion government what our grievances are” against the “unmitigated evil” of Chinese immigration. Moreover, Davie argued that federal intervention against the act should not dissuade similar future bills. Davie argued that “if disallowed at Ottawa the bills should be framed again and again until the Dominion government were compelled to recognize the imperative rights and wishes of the people of this province.” British Columbia’s politicians fully intended to keep pressuring the federal government until they got what they wanted. The threats ultimately paid off when Canada passed the Chinese Immigration Act in 1885.

Politicians in California and British Columbia tried a variety of tactics and many policy initiatives over a thirty year period in an effort to halt Chinese immigration. Beginning with local ordinances in California’s gold fields implemented to protect white miners from Chinese competition, such poinces grew to include efforts at curtailing the number of new Chinese arrivals and punishing the Chinese solely for their ethnicity. By the late 1870s, it was clear in California and British Columbia that any restrictive immigration policies would fail unless enacted at the federal level. The switch from local, state, and provincial acts to efforts at influencing national immigration policy came in part due to a series of court rulings and...
government actions that overturned or weakened regional policies. However, for regional
activists in California and British Columbia to achieve a solution at the federal level, national
politicians had to first become aware of the problem of Chinese immigration. That recognition
came from the efforts of regional activists and politicians to publicize the issue. It is those efforts
that we turn to in the following two chapters.
**Figure 12:** Arthur Bunster of British Columbia.

“Arthur Bunster, Brewer and M.P.P.,” (1858), BC Archives [E-09110].

**Figure 13:** British Columbia politician A.E.B. Davie.

“Alexander Edmund B. Davie,” (ca. 1868), BC Archives [F-04451].
Figure 14: Chinese gold miners in California.


Figure 15: A political cartoon of Senator James G. Blaine’s anti-Chinese support.

**Figure 16:** A political cartoon of Justice Stephen Field’s and the Queue Ordinance. Fields reattaches the queue to a Chinese customer who had lost it at the hands of Sheriff Matthew Nunan (illustrated in the upper right).

CHAPTER V:

THE CAREERS OF DENIS KEARNEY AND NOAH SHAKESPEARE

In November of 1877, a San Francisco crowd gathered to hear an address delivered to members of a new political organization. The members considered Chinese immigration the single most important issue explaining the difficulties faced by California’s working class. Thus, the attendees eagerly devoured the anti-Chinese tirade of their speaker, Denis Kearney. Kearney laced his speech with suggestions of violence: “The Chinamen must go. If they don’t, by the Eternal we will take them by the throat, squeeze their breath out, and throw them into the sea.” Kearney’s speech continued with a call to arms, asking “every man within the sound of my voice to own a musket and three hundred rounds of ammunition” in preparation for combatting the Chinese immigrants he perceived as his enemies. Kearney concluded with strong words condemning community leaders sympathetic to the immigrants, including threatening a Methodist missionary for working with the Chinese community, hoping to “get our hands on him … [and] teach him a lesson.”

Fourteen months later in Victoria, Noah Shakespeare presided over a meeting of British Columbia’s anti-Chinese activists. Shakespeare informed those in attendance of a small but important victory, taking personal credit for convincing Victoria’s city government to adopt a new ordinance passed “particularly for the Chinese.” The ordinance required prisoners of the local jail to have their heads shaved; Shakespeare was “happy to say” several Chinese prisoners had already “been deprived of their queues.” In celebration of this victory and evidence of the ordinance, Shakespeare produced the shorn queue of a Chinese man. He held it aloft to the

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delight of the onlookers and declared his intention of “keeping [it] as an heir-loom in his family.”

Beginning in 1877, political messaging against the Chinese in California and British Columbia surged. The tone of the messaging also intensified, often suggesting violence or vigilantism as valid methods of addressing the Chinese problem. The voices behind the increasing and evolving rhetoric were part of a new entity, a class of professional anti-Chinese agitators who emerged to make a living preaching hostility and demanding immigration restrictions. These professional agitators had two important transformative functions in the march towards Chinese immigration restrictions in the United States and Canada. First, they aided in spreading the ideology underpinning anti-Chinese sentiment beyond the narrow confines of the Pacific Coast to new consumers who had little personal experience with Chinese immigration. Second, professional agitators brought new levels of contempt and hostility that enflamed the passions of those who already held strong anti-Chinese beliefs. By doing so, the Chinese question took on new importance – first in the political circles of California and British Columbia and ultimately as part national discussions about race, identity, and immigration in the United States and Canada. This chapter’s opening anecdotes illustrate these changes in political messaging: Denis Kearney flavored his speech with the spice of violent rhetoric while Noah Shakespeare made his point by displaying a relic of a violent action.

As the 1870s turned into the 1880s, California’s undisputed champion of the anti-Chinese movement was Denis Kearney. Kearney’s race-baiting populism, vitriolic speeches, and demands for action fed newspapers hungry for sensational headlines while simultaneously giving voice to San Francisco’s working class anger towards Chinese competition. Kearney’s public speeches on the city’s informal speaking circuit, known as the “sandlots” in reference to the

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barren patch of ground next to city hall where peddlers gathered and the masses listened to topical speeches, drew large crowds and inspired devout disciples. Kearney parlayed this following into leadership of an organized political movement and party focused on stopping Chinese immigration. That party, the Workingmen’s Party of California (WPC), gained spectacular success in California in a brief window between 1877 and 1880, winning mayors’ offices in major cities, legislative seats, and controlling California’s 1879 Constitutional Convention. Kearney never ran for office himself, instead using his position with the WPC to function briefly as one of California’s most influential political kingmakers. Kearney and the WPC followed their meteoric rise with an equally swift decline; however, the media attention given to the movement went beyond California’s borders, educating and influencing lawmakers in eastern states on California’s demands for Chinese restrictions and influencing the tactics of anti-Chinese activists in British Columbia.

In British Columbia, Noah Shakespeare seized the reigns of the anti-Chinese movement by following Kearney’s example of using anti-Chinese sentiment as a principle of political organization and appropriating Kearney’s combative style. Shakespeare headed two separate organizations, the Workingmen’s Protective Association (WPA) and the Anti-Chinese Association, both of which used anti-Chinese sentiment as their cornerstone ideology. The membership of those two organizations provided Shakespeare with a ready-made political constituency and his leadership positions provided a public platform from which to espouse his anti-Chinese views and gain additional media exposure. These factors propelled him to a political career that culminated in his election to the House of Commons. Once in Ottawa, Shakespeare’s single issue campaign against the Chinese caught the attention of other lawmakers
and aided in securing the passage of the Chinese Immigration Act. More than any other British Columbia politician, Shakespeare’s name became synonymous with the Chinese question.

Other anti-Chinese politicians and public figures operated in California and British Columbia before and during Kearney and Shakespeare’s periods of influence. Various California governors had used harsh language in describing the Chinese, as did San Francisco mayors like Andrew Jackson Bryant and Isaac Smith Kalloch. California State Senator Creed Haymond launched a highly biased government investigation of California’s Chinese designed to sway national sentiment towards statutory immigration restrictions (see Chapter 6). In British Columbia, Amor De Cosmos spoke against the Chinese as a newspaper editor and as a member of the Provincial Parliament and House of Commons. Arthur Bunster proposed multiple pieces of anti-Chinese legislation at the provincial and federal levels. Yet none of these leaders were as successful in articulating the anti-Chinese message or organizing its adherents as Kearney and Shakespeare. This chapter departs from the format of earlier and later chapters in this study, offering a biographical sketch of the careers of Denis Kearney and Noah Shakespeare. The chapter details their respective rises from obscurity to prominence and examines how their media attention, forceful messaging through rhetoric and action, and political organizing aided in transitioning the anti-Chinese movements of California and British Columbia into the transnational consciousness. In addition to their ability to rally activists around the Chinese issue, Kearney and Shakespeare shared a blustering and bullying style ready made for newspaper headlines that drew added attention to their cause. Their style of leadership on the Chinese issue appealed to workingmen throughout the region, many of whom had grown weary of what they perceived as unfair economic competition and who felt ignored by the political leaders and elites who supported Chinese immigration.
The emergence of leaders like Kearney and Shakespeare is in part attributable to their unique circumstances of time and place. The time period of the late 1870s was one of economic downturn and highly charged conflict between labor and management in the United States. As one the nation’s largest cities (and the largest in California), San Francisco felt the impact of these developments. And, as San Francisco remained the metropolis through which British Columbia connected to the rest of the world economically, Victoria felt economic tremors from California. The workingmen movements that appeared in both San Francisco and Victoria in the late 1870s reflected the economic uncertainty of the times. Workers in both places faced unemployment or low wages when employed. The perception of the Chinese as economic competition made the immigrants an easy target for white workers’ anger. Kearney and Shakespeare tapped into this anger to fulfill their own political and personal ambitions.

The places that birthed the political careers of Kearney and Shakespeare are also not accidental. The two agitators operated primarily in San Francisco and Victoria, the centers of Chinese population in the United States and Canada. In San Francisco the Chinese population accounted for nearly 10% of the total population in 1880 and was home to one of every five Chinese immigrants in the United States. Victoria meanwhile was twice the size of any other city in British Columbia and the Chinese population accounted for as much as 23% of the city’s total in the early 1880s. Vancouver, the largest city in British Columbia today, did not

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4 Exact population numbers for Victoria’s Chinese population are impossible to determine with certainty given British Columbia’s removal of the Chinese from vital statistic calculations in 1876. The estimate of Victoria’s Chinese population at 23% comes from two separate population numbers estimates. First, J.W. Carey, Victoria’s mayor in 1884, estimated the white population of his city at 10,000 and the Chinese population at 3,000. See Government of Canada, “Minutes of Evidence,” in *Report of the Royal Commission on Chinese Immigration: Report and Evidence* (Ottawa: 1885), 43-44. In addition, the 1881 census gave Victoria’s white population as 5,925 while a Chinese consular official in 1884 estimated Victoria’s Chinese population at 1,767. See John Douglas Belshaw, *Becoming British Columbia: A Population History* (Vancouver: University of British Columbia Press, 1990), 188-189.
incorporate until 1886. San Francisco and Victoria possessed both the Chinese population needed to draw the ire of the new professional agitators but also held enough disaffected white workingmen to coalesce around leaders voicing their concerns.

The career trajectories of Kearney and Shakespeare shared similarities as well as differences. Kearney did not enter politics as a candidate, opting instead to function as a political boss during a brief but influential period of California politics. Shakespeare conversely served as a political organizer and perpetual candidate during a slow rise to prominence that included both successes and setbacks. No records indicate Kearney and Shakespeare ever met or corresponded. However, Shakespeare was undoubtedly aware of Kearney and his WPC; Victoria’s newspapers regularly discussed Kearney’s exploits as part of its California coverage and Shakespeare visited San Francisco on several occasions. California newspapers likewise made occasional references to Shakespeare, although on a significantly less frequent basis. In addition to their genuine anti-Chinese positions, Kearney and Shakespeare used the anti-Chinese cause as a vehicle to further individual aspirations – Kearney for political influence and greater social and financial respectability, Shakespeare as a catalyst to elective office and appointed government positions.

Noah Shakespeare’s career in the public eye both preceded and postdated Denis Kearney’s, thus this chapter begins and ends with Shakespeare’s story. Born in England in 1839, Shakespeare attributed his literary last name to a distant relationship with the Bard himself, William Shakespeare. He went to work at age 10 in a factory and left England in his early 20s after reading accounts of gold found in British Columbia. Shakespeare arrived in British

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5 As one example, Shakespeare visited San Francisco just a few years before the Kearney’s agitation in California began. See “A Card,” Victoria (B.C.) Daily Colonist, 9 September 1875, 3.

6 See for example, the “Chinese Question,” Sacramento Daily Union, 18 April 1879, 4, noting the presentation of Shakespeare’s anti-Chinese petition to the House of Commons, and “Shakespeare: A Voice from Victoria Against Chinese Immigration,” San Francisco Daily Evening Bulletin, 18 July 1885, NCUSN, GDC.
Columbia in 1863 and first found work in a Nanaimo mining camp. In 1864 Shakespeare moved to Victoria with his family and began working as a photographer. By 1866, Shakespeare was operating his own photography studio, taking only a brief interlude to work for a friend, politician and newspaper owner Amor De Cosmos. A staunch Methodist and teetotaler, Shakespeare was a member of several anti-alcohol organizations, notably the Good Templars and the Sons of Temperance. Evidence suggests he valued his personal reputation and honor, quickly challenging those that sought to besmirch it; on separate occasions he demanded apologies from a Victoria newspaper accusing him of circulating a photograph of “questionable morality” and again later for mistakenly identifying him as whiskey merchant.

Shakespeare’s political career began in 1875 when he won election for Victoria’s City Council. In a surprising move for someone who came to personify British Columbia’s anti-Chinese movement, Shakespeare briefly flirted with the idea of championing the cause of Chinese immigrants. Some observers of Shakespeare’s first election claimed Chinese voters made the difference in the race (the election occurred after the ban on Chinese votes in provincial elections in 1871 but before the 1875 prohibition at the city level). One newspaper account said of Shakespeare’s ticket, “Might it not be said that they won by count of [pig] tails?” Almost immediately afterwards, Victoria’s Council voted to bar Chinese voters in future local elections. The most outspoken defense of the Chinese franchise came from Shakespeare although those

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supporting the ban won the day.\textsuperscript{11} Perhaps this incident showed Shakespeare that anti-Chinese positions were politically expedient in British Columbia. Or perhaps Shakespeare realized that a key constituency lost the right to vote and he had to court new supporters. In either case, it would be both the first and last time Shakespeare made a public show of support for British Columbia’s Chinese residents.

The rest of Shakespeare’s first term on the Victoria Council foreshadowed three recurring characteristics of his career: anti-Chinese advocacy, a combative and difficult personality, and unrelenting political ambition. As an anti-Chinese advocate, Shakespeare proposed and championed the ordinance that barred Chinese labor on city funded projects.\textsuperscript{12} On the issue of his personality, Shakespeare assumed the role of belligerent bully, publicly castigating people who offered differing opinions. The behavior led Victoria’s Mayor to call Shakespeare and several associates “God damned Methodists” and “ignorant fellows,” the first of many complaints about Shakespeare that would emerge over the course of his career.\textsuperscript{13} As to Shakespeare’s political ambition, he put his name forward in September of 1875 for the Provincial Legislature before finishing his first year as a Council member. He finished fourth in a five-way race.\textsuperscript{14}

In January of 1877, Shakespeare again ran for a spot on Victoria’s Council. His supporters noted Shakespeare’s “past opposition to the employment of Chinese labor” as a reason to support his candidacy.\textsuperscript{15} Despite this credential, he finished last in the election. One newspaper, unimpressed with Shakespeare’s efforts thus far as a politician, proclaimed

Shakespeare “came in at the foot of the poll – where he will always be." With decisive defeats in consecutive elections, Shakespeare’s political future looked in doubt. But as the year 1877 progressed, events were unfolding in California and British Columbia that would bring renewed vitality to the anti-Chinese movement. Shakespeare’s anti-Chinese political positions foreshadowed a growing discontent over the Chinese presence on the Pacific Coast – a discontent that would provide for his return to politics and greater political success.

The catalyst for these events came from California. The economic situation in the summer of 1877 seemed dire to San Francisco’s working class. The United States was embroiled in the Long Depression, a period between 1873 and 1879 in which the duration of economic contraction actually exceeded that of the Great Depression of the 1930s. Unique circumstances in California made the problems of the Long Depression particularly difficult, including diminishing returns from the mines, drought crippling the state’s agricultural industry, the collapse of the Bank of California, and high unemployment centering in San Francisco. In the words of one historian, “California’s economy ushered in a new era, seemingly characterized by less opportunity.”

In the eastern United States, the precariousness of the economic situation led to violence that would ultimately find its way to California. The post-Civil War boom in railroad construction collapsed, leading to unemployment and wage cuts for railroad workers. In July of 1877, Baltimore and Ohio Railroad workers went on strike in West Virginia. Strikers refused to allow the trains to move resulting in clashes with authorities that left several strikers dead. Other

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railroad workers offered their support, leading to additional work stoppages in Maryland, Pennsylvania, Illinois, and Missouri. These labor disturbances, later called the Great Railroad Strike of 1877, brought the nation’s rail transportation network to a standstill. The worst of the violence occurred in Pittsburgh where at least forty strikers died during weeks of rioting and skirmishes with militia. Historian Andrew Gyory has called the strike “the most significant national event of the decade,” noting that by its end, 100 people were dead and millions of dollars in property lost.¹⁹

California’s Central Pacific Railroad followed the lead of its eastern counterparts and proposed its own wage cut, furthering the tension in California’s working class and increasing efforts at solidarity with the nation’s striking railroad workers. In response, the San Francisco chapter of the Workingmen’s Party of the United States organized a rally for July 23, 1877. A crowd estimated between 6,000 and 8,000 people attended.²⁰ On the surface, this demonstration in California had nothing to do with Chinese immigration. The official program made no mention of the Chinese, and the roster of speakers avoided comment on the subject, focusing instead on the detrimental nature of wage cuts, graft, and the extravagance of the rich. Yet an undercurrent of anti-Chinese animosity ran through the crowd. Many of the white workers in attendance were unemployed and angry because Chinese immigrants typically held jobs, albeit at lower wages than white workers commanded. That situation fostered jealousy with many attendees perceiving the Chinese as the root of their personal economic problems.²¹

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Despite the intentions of the organizers the gathering took a sudden and unexpected turn. Speakers addressing the labor problems in the east were interrupted by calls from the crowd demanding “How about the Chinese question?” Members of an anti-coolie club muscled their way to a prominent spot in the front of the crowd. Someone assaulted a Chinese man innocently walking past the demonstration. An anonymous voice reportedly yelled “on to Chinatown,” transforming the protest into an angry mob. The crowd sacked fifteen Chinese laundries, set fire to several other buildings, and broke multiple windows at the Methodist Chinese mission.22

The excitement of July 23 did not dissipate easily. The city placed its police force and federal troops on alert. The next day, worried members of the “merchants and propertied classes” formed a “Committee of Safety” to protect their homes and business interests from the rioters. The Committee of Safety solicited volunteer auxiliary law enforcement personnel to their ranks and armed them with hickory pick handles (leading to the nickname the “pick handle brigades”). Despite these precautions, on July 24 a mob numbering 1,000 threatened the Mission Woolen Mill, a known employer of the Chinese. The authorities managed to drive them away from the mill, so the mob again ransacked Chinese laundries and other businesses in the vicinity.23

For a third consecutive day, anti-Chinese protests spread throughout the city. This time clashes between the protesters and the combined force of police and the pick handle brigades resulted in the deaths of several protesters and a dozen other injuries. Minor skirmishes followed with most of the excitement over by July 28. On the surface, the riots brought little lasting change in their immediate aftermath. Employers who terminated Chinese workers during the

height of the riots rehired them after the restoration of order. Chinese immigration did not stop. High unemployment rates did not disappear. The use of the pick handle brigades to quell the riot, however, confirmed in the minds of the protestors a growing division between the working class and the elites. In addition, the riots exposed the discontent of the laboring class and demonstrated the usefulness of Chinese agitation as a rallying point for white labor interests.

In speaking of those who participated in San Francisco’s 1877 riots, the *Sacramento Daily Union* noted that “the crowd evidently lacks leaders.” In the following months, that perception would cease to be true. The lasting impact of the riots was what occurred after – the transformation of San Francisco’s anti-Chinese movement from a leaderless mob to an organized political operation with a definitive chieftain, Denis Kearney. An obscure figure in San Francisco at the beginning of 1877, by the end of the year Kearney would garner national headlines through highly charged anti-Chinese language and turning the anger of the workingmen into a viable political tool.

Born in Ireland in 1847 to impoverished parents, Kearney went to sea as a young man, rising from cabin boy to master mariner. In 1868, he settled in San Francisco, eventually becoming an American citizen and taking a new career as a drayman, hauling goods using a small wagon and a team of horses or mules. Observers described him as one who neither drank nor smoked, short and stocky with dark hair and a mustache – a look deemed both “essentially Irish” and bearing “the general appearance of a tramp” by one newspaper reporter – and speaking with a thick Irish accent.

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Like his British Columbia contemporary Noah Shakespeare, Kearney came to his anti-Chinese positions from strange starting ground. Prior to the riots, Kearney was a member of the Lyceum for Self-Culture, a popular San Francisco debating club. His speeches at the club frequently offered support for California’s business interests, celebrating the industriousness of Chinese labor and castigating the working class for laziness and extravagance.\(^2\) Audiences did not always appreciate his speeches, with one source claiming his contemporaries at the Lyceum viewed him as “a persistent buffoon” and “greeted with laughter and derision his appearances on the floor.”\(^3\) When the 1877 riots occurred, Kearney joined the pick handle brigades organized by business owners to protect their property from the mobs.\(^4\) Kearney’s Lyceum speeches and work in the pick handle brigades demonstrate that he clearly harbored ambitions of joining San Francisco’s elite.

Several weeks after the riots, Kearney approached San Francisco’s Customs House in hopes of securing a hauling contract. The attempt at soliciting business did not go well; he did not get the contract and Kearney left feeling that officials, including U.S. Senator Aaron A. Sargent, had treated him disrespectfully. At least one scholar has pinpointed this moment as a turning point for Kearney, pushing him away from efforts at joining the city’s elites through traditional means.\(^5\) One can also surmise that Kearney’s experience with the pick handle brigades during the riots also provided inspiration for how to achieve his desired prominence; Kearney must have taken note of how angry protestors with a variety of grievances coalesced

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around the Chinese issue, making Chinese immigrants the bogeyman for all of society’s ills. As a political opportunist, the Chinese issue presented Kearney with an opening.

Armed with a new outlook, Kearney attempted to join the Workingmen’s Party of the United States (the organization who organized the July 23 rally) in the weeks after the riots. That organization denied him based on knowledge of his anti-worker Lyceum speeches.\(^\text{32}\) Undaunted, Kearney took to the city’s informal speaking circuit on the sandlots. His sandlot speeches emphasized employment for white labor, terminating Chinese workers, and expressing contempt for the Chinese themselves.\(^\text{33}\)

Kearney’s speeches against the Chinese touched a chord with the sandlot crowd and he quickly earned a loyal following. Kearney used his popularity to organize his followers, joining 150 others in establishing a new political organization in October of 1877. The party promised to “unite all poor and working men” in order to “wrest government from the hands of the rich” and “rid the country of cheap Chinese labor as soon as possible.” On this last principle, the party pledged to “encourage no riot,” but also not to interfere with those who “manifest their hatred of the Chinamen,” a refusal to directly condemn violence.\(^\text{34}\) Less than three months after Kearney served in the pick handle brigades fighting anti-Chinese rioters, he was now the leader of an anti-Chinese political organ, the Workingmen’s Party of California.\(^\text{35}\) The party drew members from a variety of occupations and backgrounds, but previous research suggests some patterns. The average member was under the age of forty-five, a laborer, an immigrant from a European country (most commonly Ireland), and inexperienced with American democracy.\(^\text{36}\) While the


membership may have shared immigrant status with the Chinese, WPC members differed from the Chinese by possessing the benefit of political whiteness. Members of the WPC thus held political power denied the Chinese although many in the WPC were just beginning to learn how to wield it.

Kearney worked tirelessly in support of the new party, attending meetings and rallies while continuing to solicit new members through his regular sandlot oratory. He organized smaller WPC clubs in each political ward of the city, impressing the rank and file with his regular appearances in addition to his strong anti-Chinese language. At one ward organizational meeting, party officials asked the crowd “to aid in ousting the Chinese,” and promised them that “if you follow Kearney he will lead you to victory within six months.” As Kearney’s speeches grew more provocative, the more attention the press lavished upon him. News coverage of Kearney’s speeches hit Victoria as early as September of 1877, when the *Daily Colonist* quoted Kearney’s observations that “hanging is necessary” and “a few fires will clear the atmosphere” in reference to fixing the Chinese situation in California.

Expanding on the WPC’s philosophy, Kearney published a blistering manifesto in San Francisco’s newspapers. Like his speeches, the manifesto attacked California’s rich who employed the Chinese and appealed to those who felt exploited by the economic divide. WPC members believed that the rich participated in “a conspiracy to monopolize wealth and end opportunity.” The hiring of cheap Chinese labor rather than paying increased wages for white labor was the centerpiece of this conspiracy, thus the manifesto addressed Chinese immigration as an impediment to working class economic improvement:

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Before you and the world, we declare that the Chinamen must leave our shores. We declare that white men, and women, and boys, and girls, cannot live as the people of the great republic should and compete with the single Chinese coolie in the labor market. We declare that we cannot hope to drive the Chinaman away by working cheaper than he does. None but an enemy would expect it of us; none but an idiot could hope for success; none but a degraded coward and slave would make the effort. To an American, death is preferable to life on a par with the Chinamen.40

Kearney’s speeches occasionally included references to broader WPC concerns beyond the Chinese question. He chided Congress for working for the interests of the elites, demanded life imprisonment for crooked political officials, and stressed the importance of the ballot box as a weapon. He called for reforms such as eight hour work days, soup kitchens for the unemployed, and mandatory education for children. Yet the glue that kept all of these seemingly divergent demands together was a consistent reliance on anti-Chinese rhetoric.41

Kearney’s speeches always included imaginative provocative imagery, such as his rousing call for “the day when, with fifty thousand laboring men at his back, he could drive the Chinese out of the country, or into the bay.”42 While the powerful words came from Kearney’s mouth, some observers refused to concede that such prose came from Kearney’s own brain, perhaps remembering his awkward public speaking efforts at the Lyceum for Self-Culture. Rumors circulated that the real wordsmith behind Kearney’s denouncements was a reporter for the San Francisco Chronicle, Chester Hull, although Kearney always denied the allegations.43

Regardless, it was Kearney who delivered the rhetoric to San Francisco’s workingmen and his presence mattered as the movement gained momentum. When authorities briefly

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42 “Workingmen’s Club Meeting,” San Francisco Daily Alta California, 31 October 1877, 1.
incarcerated Kearney after one of his speeches, the role of sandlot orator fell to his WPC lieutenant, William Wellock. Wellock, however, was unable “to attract or hold the crowds that formerly gathered to listen to his chief.”\(^{44}\) When Kearney returned, the crowds at Sunday sandlot meetings continued to grow, as did membership in the WPC. Emboldened by his new legion of supporters, Kearney’s speeches also grew in their calls for action against the Chinese and in their under and over tones of violence.

In November of 1877, Kearney took his fiery rhetoric directly to the front yards of those who hired Chinese labor. He held a rally in Nob Hill, the exclusive San Francisco neighborhood home to the “Big Four,” a collection of rich and powerful railroad executives including Collis P. Huntington, Mark Hopkins, Charles Crocker, and the Central Pacific Railroad’s chief executive, Leland Stanford. The rally on Nob Hill was both calculated and symbolic. More than any other area of nineteenth-century California, Nob Hill represented the divide between the wealthy and the working class. The neighborhood’s status rivaled that of the nation’s most prestigious addresses, a place created solely by and for the wealthiest residents in the same way “New York created Fifth Avenue, and Chicagoans their Gold Coast.”\(^{45}\) Kearney warned the crowd of several thousand of his growing power, declaring “if I give an order to hang [Charles] Crocker, it will be done.”\(^{46}\) Attacking the railroad titans who hired Chinese workers, Kearney continued:

> The Central Pacific Railroad men are thieves, and will soon feel the power of the workingmen. When I have thoroughly organized my party, we will march through the city and compel the thieves to give up their plunder. I will lead you to the City Hall, clean out the police force, hang the Prosecuting Attorney, burn every book that has a particle of law in it, and then enact new laws for the workingmen. I will give the Central Pacific just three months to discharge their Chinamen, and if that is not done, Stanford and his crowd will have to take the consequences.\(^{47}\)

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\(^{47}\) Ibid.
With his attacks on the Nob Hill aristocracy, San Francisco authorities now viewed Kearney as a genuine threat to order and stability. Memories of the riots of July 1877 were fresh in the city’s mind and pressure built on city leaders to prevent a new round of mob action. On November 3, 1877, Kearney started to launch into another anti-Chinese speech when a police officer tapped him on the shoulder and placed him under arrest for incendiary speech. The arrest again put San Francisco on high alert as rumors swirled that WPC members might try to spring their leader. In Chinatown, the residents felt even more vulnerable than usual; the Six Companies begged the mayor for reassurances of the Chinese community’s safety. Meeting hall owners closed their doors to the WPC in fear of riots or police confrontations.

Kearney’s incarceration and subsequent trial did little to stop the movement’s momentum. The WPC expanded outside of its San Francisco base with chapters forming in Sacramento, Oakland, Los Angeles, and other cities. At the end of November, a judge dismissed the charges against Kearney and he returned to speech making and political organizing. Subsequent arrests followed but failed to stop Kearney or keep him in jail long – he later claimed authorities arrested him seven times between 1877 and 1878. The WPC greeted his return with a Thanksgiving Day parade drawing an estimated 7,000 supporters, multiple bands, and anti-Chinese banners. Kearney addressed the crowd, again promising to “expel the

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52 “Dennis the Drayman,” *St. Louis Globe-Democrat*, 23 August 1878, NCUSN, GDC.
cheap laboring Chinese from our shores.” Not surprisingly, San Francisco’s Chinese residents largely remained indoors during the holiday.53

Through the end of 1877 and into early 1878, Kearney’s speech making and power intensified. He threatened the employers of Chinese labor, claiming “When the Chinese question is settled, we can discuss whether it would be better to hang, shoot, or cut the capitalists to pieces.”54 He advocated a call to arms for his followers, asking “How many of you have got muskets? Up hand, who have got muskets? How many of you have got about ten feet of rope in your pocket? Well, you must be ready and arm yourselves. This thing has got too hot.” To the general public, Kearney issued an ominous warning that in a “few months we will have 1,000 men armed with Springfield rifles, and ready for action. . . . we are ready to . . . expel every one of those moon-eyed lepers. . . . If the ballot fails, the bullet.”55

Kearney’s bombastic personal style, strong arm tactics within the party, and inflammatory speeches also caused a backlash that imperiled his hold on the WPC. In Kearney’s mind, the WPC and Kearney were one and the same, claiming at one point “I am the voice of the people. I am the dictator until people put someone else in my place. I owe the people nothing, but they owe me a great deal.”56 Within the party itself, Kearney did indeed function as a dictator. He attended ward meetings with several aides, drowning out speakers who challenged his opinions, decisions, and authority. Ward presidents came and went on Kearney’s whim with little regard given to the opinions of the membership. Kearney presided over the party’s first state convention, ignoring parliamentary procedure and refusing to hear comments from the

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55 Ibid.
floor. Although Kearney remained the face of the movement, grumblings about his leadership became more commonplace.\(^{57}\) Other labor organizations distanced themselves from Kearney, including the Teamsters and the Draymans’ Union.\(^{58}\) Accusations of bribery and corruption began to plague Kearney, including rumors that Kearney was extorting city elites with promises to disband the WPC in exchange for payment.\(^{59}\) The Sacramento branch of the WPC left the official party fold over a dispute with Kearney, and anti-Kearney WPC clubs began competing with the still more numerous pro-Kearney clubs in some San Francisco wards.\(^{60}\)

The WPC enjoyed political success despite challenges to Kearney’s leadership. In the first two months of 1878, WPC candidates won special elections in Alameda and Santa Clara counties to replace members of the state legislature. In March, the WPC captured the positions of mayor, police judge, district attorney, and justice of the peace in Oakland, and won contests for mayor and city attorney in Sacramento.\(^{61}\) The WPC’s biggest political success came in shaping a new California constitution. In June of 1878, voters elected delegates to a convention charged with replacing the state’s original 1849 Constitution. WPC candidates accounted for a full third of the delegates elected, including 72% of delegates who claimed a political party affiliation. Of the 152 delegates elected, 80 were non-partisan, 20 were Republicans or Democrats, and 52 were


\(^{58}\) “Kearney Condemned by Drayman and Teamsters’ Union,” *San Francisco Daily Alta California*, 12 November 1877, 1.


members of the WPC. Kearney’s WPC had become a genuine force in California politics seemingly overnight.

Since the WPC had significant influence at the constitutional convention, it is of little surprise that their brand of anti-Chinese activism found its way into the resulting document. Article XIX of the 1879 California Constitution bore the simple title of “Chinese.” The article opened with a statement of the government’s responsibility in limiting the “burdens and evils arising from the presence of aliens . . . dangerous or detrimental to the well-being or peace of the State.” Subsequent sections barred private and public entities from employing the Chinese, voided labor contracts deemed part of “Asiatic coolieism,” and empowered cities and towns to remove Chinese residents from their boundaries. In 1880, the United States Supreme Court invalidated Article XIX as a violation of the Fourteenth Amendment to the United States Constitution and of treaty obligations with China. However, the symbolic power of Article XIX was unmistakable. Under Kearney’s leadership, the WPC embedded a blatant statement of racial preference and discrimination into the document that governed the entire California political system. In doing so, California officially became a white territory through its primary governing document. For this and other peculiarities, later scholars have dubbed the 1879 Constitution – still in effect today – “the perfect example of what a constitution ought not to be.”

The WPC’s political success continued with the 1879 election of their mayoral candidate, the Baptist minister Isaac Smith Kalloch, as the chief executive of San Francisco. Kalloch’s election, however, also inadvertently tied Kearney and the WPC to one of the most salacious

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63 California Constitution (1879), Article 19.
news stories in San Francisco history. During the campaign, Kalloch entered into a war of words with Charles DeYoung, the editor of the *San Francisco Chronicle*. DeYoung had initially been a supporter of the WPC, but had a falling out with Kearney over who deserved credit, and in some cases blame, for the results of California’s constitutional convention. DeYoung turned on Kalloch’s candidacy, including running twenty year old news of accusations of adultery that had plagued Kalloch when he lived in Boston. In response, Kalloch took to his church pulpit and recited allegations of immoral behavior involving DeYoung’s mother and sister. This escalated the feud to violence – DeYoung went to Kalloch’s office and shot him twice. As the wounded Kalloch recuperated, Kalloch’s son, Isaac Milton Kalloch, caught DeYoung alone at the *Chronicle’s* offices and shot the editor six times, killing him. During the subsequent murder trial, the jury acquitted the younger Kalloch when a witness claimed to have heard seven shots, not six, suggesting DeYoung had fired at least once in self-defense.\(^{65}\)

Even as the WPC enjoyed success at the ballot box, Kearney’s polarizing public persona led to additional controversies. Kearney drew criticism for softening his stance on Leland Stanford, one of the targets of his Nob Hill tirade, after meeting the railroad magnate in person and publicly declaring Stanford as sympathetic to the workingmen’s cause.\(^{66}\) He alienated some followers, especially Irish Catholics, by calling San Francisco’s Catholic Archbishop a “d—d old fool.”\(^{67}\) In March of 1878, Kearney drew additional criticisms and mockery when an “old man” reportedly pushed Kearney off stage after an altercation at a rally.\(^{68}\)


Believing Kearney’s bellicose persona had become detrimental to the party, other leaders of the WPC distanced themselves from their most public face. The State Central Committee of the WPC formally renounced Kearney as their leader in May of 1878. The new leadership published a scathing eight point resolution, accusing Kearney of assuming the “role of Dictator,” in “selling out to the enemy,” and openly questioning Kearney’s sanity while declaring him of having “no regard for the rights of others.” The resolution concluded with the assurance that the party “washed its hands of Dennis [sic] Kearney.” Kearney’s rise to power in California politics had reached its zenith. Kearney, however, remained unrepentant, saying later of his overthrow, “I made the movement, [others] are trying to make the money out of it.”

Losing his position with the WPC did not mean that Kearney immediately disappeared from the public eye. Although Kearney’s reputation as an agitator exceeded his actual political power, he still had followers and still made good copy in the newspapers. With his personal reputation dwindling in California, Kearney announced plans in the summer of 1878 to travel to Boston, visit his aging mother, and conduct a public speaking tour. The eastern press eagerly awaited his arrival. Kearney’s tour produced tremendous national publicity for the anti-Chinese cause, with historian Andrew Gyory referring to Kearney’s tour as “the event of the summer of 1878.”

The tour began with high hopes as it stopped in a variety of cities on the way to Boston. Kearney’s speeches included many of the same themes that contributed to his infamy in California, attacking the Chinese and the employers of Chinese labor. By the time Kearney reached Boston, excitement surrounding the tour peaked; Boston’s famed Faneuil Hall turned

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69 “Formal Repudiation of Kearney,” *San Francisco Daily Alta California*, 8 May 1878, 2; See also “California,” *Victoria (B.C.) Daily Colonist*, 3 May 1878, 3, for evidence of the growing rift between Kearney and WPC leadership.

70 “Dennis the Drayman,” *St. Louis Globe-Democrat*, 23 August 1878, NCUSN, GDC.

71 Andrew Gyory, *Closing the Gate*, 109.
away a quarter of those who hoped to see Kearney at an August speech. Addressing the Boston crowd, Kearney warned that what happened in California might soon become a problem elsewhere if Chinese immigration remained unchecked. In California, Kearney claimed, unscrupulous capitalists contracted with “a band of leprous Chinese pirates, brought them to California, and now uses them as a knife to cut the throats of honest laboring men in that State.”

The East Coast did not have large Chinese populations, thus many who saw his speeches could not relate to Kearney’s diatribes. Public speaking was a popular diversion during the era, thus people often attended speeches even without supporting the speaker. Many of those who attended Kearney’s speeches viewed him as more “entertainment than discourse, more political theater than political discussion.” The initial eastern embrace of Kearney turned to derision before his speaking tour concluded. Boston’s workingmen’s movement distanced themselves from Kearney and crowds diminished – in some cases, the crowds turned hostile, pelting Kearney with rotten produce. The eastern press, especially those supportive of business interests, denounced Kearney as a communist for his crude and vulgar language and for his extremism, in addition to labeling him a “blatant booby,” a “flatulent little brat,” and his speaking tour a “circus and clown combined.” By the second half of his two month tour, media coverage of Kearney slowed. The perception of Kearney’s tour, however, did not necessarily the match reality of it. Readers of the national press saw only articles covering the first month giving the impression of a successful tour; few readers were savvy enough to notice that newspapers

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72 Andrew Gyory, *Closing the Gate*, 109-112.
74 Andrew Gyory, *Closing the Gate*, 122.
75 Ibid., 110.
76 Ibid., 117-122.
stopped covering his speeches by the end.\textsuperscript{77} Kearney’s tour, while finishing on a disappointing note, left an imprint on the national consciousness. For many outside of California, Kearney’s speeches and the media reports of them brought their first impressions of Chinese immigration.

When Kearney returned to California the WPC was in disarray. The end of the Long Depression in 1879 reduced unemployment, alleviating some of the economic despair that sparked the workingmen’s movement. San Francisco’s Board of Supervisors brought impeachment proceedings against the WPA mayor, Isaac Smith Kalloch, for a variety of charges including receiving gifts in exchange for jobs, accepting free rail passes, and inciting the poor to attack the rich.\textsuperscript{78} Although Kalloch beat back the attempt and remained in office, both his and the WPA’s reputations suffered. The election of 1880 featured only races for federal offices and not for state or local positions, thus the WPA had no candidates on the ballot causing the political movement to lose momentum. Interest in the party waned. Within a few years, it ceased to exist altogether.

Although Kearney still had followers, his drawing power as a public speaker declined considerably despite continued appearances on San Francisco’s sandlots. The subject of his speeches moved away from anti-Chinese agitation to other issues, including a brief flirtation with supporting the Greenback Party. By 1880, just two years after he emerged as the fulcrum of California politics, Kearney had returned to the drayage business.\textsuperscript{79} In later years, Kearney continued to dabble in public affairs but failed to attract the attention he commanded at the height of the WPC. In his private life, Kearney eventually served as a ticket broker for the railroad, opened an employment office, and dabbled in the stock market. He was apparently

\textsuperscript{77} Ibid., 130.
successful enough that at the time of his death in 1907, three of his children were traveling abroad on separate excursions.  

Kearney’s meteoric rise and subsequent downfall masked his crucial role in the passage of the Chinese Exclusion Act. His continual race baiting created sensational headlines, drawing attention to the Chinese question in ways previously not experienced outside of California. Kearney placed the issue of Chinese immigration on the lips of voters and politicians, even those who opposed Kearney or ridiculed his speeches. Some estimates place the number of people who saw Kearney’s 1878 speaking tour at 100,000 people, in addition to the millions who read Kearney’s words through newspaper coverage. The WPC’s political victories in 1878 forced President Rutherford B. Hayes to meet with West Coast Congressional representatives on the Chinese issue. By the end of that year, Congress considered twelve different immigration restriction bills, making Chinese restriction a national issue and giving it prominence in the American capitol. Political leaders in Washington also took note of how Kearney used the Chinese issue as an effective political tool. Even though white laborers outside of California had yet to fully embrace the anti-Chinese movement, Kearney’s headlines made national politicians perceive the Chinese issue as one supported by the majority of white workers across the country.

The best example of a national politician adopting Kearney’s stance on the Chinese is that of Maine Senator James G. Blaine. Blaine denounced Kearney during the eastern tour as “an unduly inflated sack of very bad gas.” But Blaine’s denunciation of Kearney was not the same

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81 Andrew Gyory, *Closing the Gate*, 104-110.
82 Ibid., 110.
83 Ibid., 118.
thing as denouncing Kearney’s anti-Chinese sentiment; Blaine decided to make use of the political tool exploited by Kearney. In 1879, Blaine became one of the first eastern politicians to embrace restrictions on Chinese immigration. In announcing his new position, Blaine remarked “A people who eat beef and bread and drink beer, cannot labor alongside of those who live on rice, and if the experiment is attempted on a large scale the American laborer will have to drop his knife and fork and take up the chop-sticks.”

Blaine’s adoption of the Chinese issue was significant; the *Sacramento Daily Union* called the senator a “trustworthy barometer of public sentiment.” In 1882, Blaine’s support for the Chinese Exclusion Act was a central factor in the bill’s passage. Kearney himself took credit for changing the Chinese immigration issue “from a local to a great national question,” an accurate assessment despite its characteristic lack of humility.

Several years after the WPC agitation died down in California, Kearney discussed his plans for the future. “My next fight will be to get Canada to pass an anti-Chinese exclusion law” he declared. “I am in hopes of living long enough to see the Asiatic hordes excluded from the Continent, from Cape Horn to Icy Cape.”

No evidence exists of Kearney personally taking his fight to Canada. He had little need, for the anti-Chinese movement there already had a leader in Noah Shakespeare.

In 1877, Noah Shakespeare’s burgeoning career in British Columbia politics appeared dead. Although already earning a reputation for anti-Chinese crusading, Shakespeare suffered bad defeats in consecutive elections, one for Victoria’s City Council and one for the Provincial

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84 Andrew Gyory, *Closing the Gate*, 135.
87 Ibid., 280-281.
Legislature. But British Columbia experienced an economic downturn similar to the one that enveloped San Francisco during the summer of 1877 and anti-Chinese sentiment was on the rise. Readers of Victoria’s newspapers during this period regularly saw reports from California detailing the Sinophobia of Denis Kearney. Victorians read about Kearney’s chants of “hemp! hemp! hemp!” while advocating lynching the employers of the Chinese, his arrest on charges of incendiary speech, WPC election success, and Kearney’s eastern tour. The coverage was not always flattering; the *Daily Colonist* for example called Kearney a “blustering bully” and “brutal fellow.” But they also called Kearney the “the most prominent figure in California.”

Shakespeare’s political fortunes would change in 1878 and it is no coincidence that the resurgence came during the height of “Kearneyism” in California. Shakespeare was undoubtedly aware of Kearney’s career and was willing to borrow tactics from the Californian.

Shakespeare again won election to Victoria’s City Council in 1878 and immediately began cementing his credentials as an anti-Chinese agitator. At the first Council meeting of the year he proposed an ordinance against dumping dirty water in Victoria’s streets, a thinly veiled attack on Chinese wash houses. His growing reputation helped Shakespeare land a job where his anti-Chinese positions were a condition of employment, collector of the Chinese Tax. In 1878 British Columbia passed a law taxing Chinese residents ten dollars every three months in order

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to remain in the province. The job was a potentially lucrative patronage position as the collector earned a commission on taxes collected. Shakespeare’s appointment came, in the words of the *Daily Colonist*, as a “reward for political services of a rather questionable character” to provincial politicians, likely including his friend and former employer Amor De Cosmos.

Collection of the Chinese Tax proved controversial as Shakespeare and other collectors impounded property in lieu of payment, prompting a city wide strike in Victoria by the Chinese. In September of 1878, the British Columbia Supreme Court ruled the Chinese Tax unconstitutional, declaring the authority for such a tax rested with the Dominion Government and not the province. Shakespeare again collected taxes from the Chinese in 1881 when the province began enforcing collection of a school tax from Chinese residents. This time, Shakespeare boarded arriving ships to collect the tax from immigrants who had yet to set foot in British Columbia, seized the wares of Chinese peddlers who refused to pay, and arrested those who protested his tactics. Shakespeare’s vigorous tax collection techniques against the Chinese played well politically with his new constituency of anti-Chinese Victorians. That constituency had begun to organize in August of 1878, one month before the controversy over the Chinese Tax in British Columbia. The organization came in the form of the Workingmen’s Protection Association.

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The WPA began as a small group of miners, clerks, laborers, and craftsmen in Victoria formed to address the concerns of the city’s workingmen. The organization initially lacked direction and attracted little attention. The membership could not agree whether the WPA should emphasize aiding struggling workingmen or political activities. No clear consensus emerged, the result of weak leadership and infighting. For example, the first president, Jacob Korter, and the first secretary, Samuel Whitley, ended up in court over who had legal authority to possess the WPA handbills printed to advertise meetings; Whitley destroyed the membership rolls out of anger with the affair.

In the aftermath of the court ruling invalidating British Columbia’s Chinese Tax, however, the organization shifted in focus and leadership in a consequential way. In October, the WPA elected a new president, solicited anti-Chinese pledges from members, and appointed a secret committee to investigate businesses that hired Chinese labor. The new president behind these reforms had not been a “workingman” in the classic sense of the word for many years. Instead, the new president was a politician with an ever growing reputation for his anti-Chinese stances – Noah Shakespeare. The WPA would provide Shakespeare a broader stage for his anti-Chinese agitation than his spot on Victoria’s City Council offered. Shakespeare’s politics and reputation promised to take the WPA in a new direction, focusing on the removal of the Chinese as economic competition to the white laboring class as the primary method of aiding the workingmen.

The WPA’s new emphasis on Sinophobia appealed to most members. One Shakespeare supporter defiantly declared “as long as a Chinaman refuses to comply with our law and customs, so long will we workingmen stick to our motto and our pledge.” The new motto and pledge of the WPA was simple:

_I,................., solemnly pledge my word as a man to neither aid or abet or patronize Chinamen in any way whatsoever or patronize those employing them, and I will use all legitimate means for their expulsion from this country._

The pledge illustrates the centerpiece concept of the WPA’s ideology, expelling the Chinese from British Columbia. The WPA’s bylaws nominally acknowledged other workingmen’s concerns, but also made clear their belief such concerns proliferated primarily due to Chinese immigration. The opening statement of the WPA’s bylaws declared the purpose of the organization as the “mutual protection of the working classes of British Columbia against the great influx of Chinese.”

California’s WPC and British Columbia’s WPA shared similar constituencies and rhetoric but they differed in the way they functioned. The WPC was a political party whereas the WPA functioned akin to a modern day advocacy group or political action committee. Important provincial politicians attended WPA meetings to hear their Chinese complaints, including George Walkem, the Premier of British Columbia, and Provincial Legislator, Robert Beaven. The WPA held candidate forums, asking office seekers questions related to Chinese immigration. During the 1878 election for Canada’s House of Commons, two candidates appeared at WPA meetings seeking the organization’s blessing. One of these candidates was Amor De Cosmos.

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102 Ibid., Article 1.
When De Cosmos won re-election, Shakespeare personally led the parade and started the bonfire celebrating the victory.\textsuperscript{105}

In the following months, Shakespeare and the WPA broadened their efforts with a flurry of activity. Shakespeare personally aided in starting a new chapter in New Westminster, spreading the association’s influence beyond Victoria.\textsuperscript{106} They conducted a series of investigations, including an attempt at counting the Chinese residents in Victoria and starting an inquisition into Provincial Legislator T.B. Humphreys for the unpardonable sin of hiring Chinese laborers to cut his firewood.\textsuperscript{107} At the local level, the WPA advocated for Victoria’s adoption of San Francisco’s Cubic Air Ordinance and Queue Ordinance.\textsuperscript{108} Shakespeare and the WPA also organized a petition to the Canadian Parliament asking for immigration restrictions, a petition delivered via the hands of Amor De Cosmos and Arthur Bunster.\textsuperscript{109} Bunster introduced Shakespeare’s petition in the House of Commons while citing the erroneous belief that the Chinese only paid “one four-hundredth part of the State taxes” in California; De Cosmos used the petition to propose an agreement with the United States to jointly stop Chinese immigration.\textsuperscript{110} The petition did not lead to the passage of any tangible policies, but it did mark the legislative beginning of transforming the Chinese issue from British Columbia’s problem to a Canadian one.

In another nod to Denis Kearney, Shakespeare’s personality at times worked both for and against him and his causes. By bullying others to achieve his goals, Shakespeare earned a loyal

\textsuperscript{105} “Demonstration and Bonfire,” \textit{Victoria (B.C.) Daily Colonist}, 22 October 1878, 3.
following from anti-Chinese constituents who looked upon his behavior as signaling his dedication to immediate action over political maneuvering. Yet Shakespeare also managed to alienate others, especially other Victoria and British Columbia politicians. He had frequent altercations with other elected leaders who were not shy in offering opinions of him. One City Council colleague called Shakespeare an ineffective public servant, saying he “could not get a nail driven because of the way he went about to accomplish it.”\textsuperscript{111} Another offered an insult specifically personal to Shakespeare by calling him “worse than a Chinaman” and adding he “ought to be treated with contempt by every respectable member of the community.”\textsuperscript{112} One of Victoria’s mayors, Roderick Finlayson, grew so incensed during a Council argument with Shakespeare that he seemingly wanted to fight him, asking if Shakespeare “wanted to speak to him outside on the matter.”\textsuperscript{113} Shakespeare hijacked public meetings with so many long-winded speeches that the City Council proposed a Shakespeare-inspired rule limiting each speaker to fifteen minutes of discussion on any single topic.\textsuperscript{114} Shakespeare’s personality caught up with him in 1879 when he lost a bid to return to the City Council. However, those who welcomed his blunt assessments and abrasive personality as proof of his willingness to fight on the Chinese issue returned Shakespeare to the Council in 1880 and 1881.

Like Kearney in California, Shakespeare also had his detractors even within the workingmen’s movement. Some questioned his qualifications as a workingman, declaring he “has [not] done a hard day’s work in ten years.”\textsuperscript{115} Jacob Korter, the short-lived first president of the organization, openly complained that Shakespeare ignored the opinions of actual

\textsuperscript{112} “City Council,” \textit{Victoria (B.C.) Daily Colonist}, 17 November 1881, 3.
\textsuperscript{115} “Workingmen’s Association,” \textit{Victoria (B.C.) Daily Colonist}, 11 October 1878, 3.
workingmen during meetings.116 Others worried about the WPA assuming “a political character” and becoming a “tool to further the selfish schemes of those who have thirst for office,” a nod toward Shakespeare.117 Rumors that Amor De Cosmos sent delegates to WPA meetings to rig voting in Shakespeare’s favor persisted throughout his tenure with the Association.118 One letter writer to the Daily Colonist summarized the discord within the WPA under Shakespeare by claiming “Since he has been in the chair there has been no harmony.”119

Yet it is also clear that despite these complaints it was Shakespeare’s leadership that drove the WPA’s period of popularity and influence. Before Shakespeare, the WPA struggled to define itself other than to offer the vague mission of aiding Victoria’s workingmen. Shakespeare gave the WPA a method for fulfilling that mission by dedicating the organization to a single issue, the removal of the Chinese from British Columbia. In providing the WPA with this organizing principle in the same way Kearney had rallied workers in California around the Chinese question, Shakespeare tapped into a popular political issue in Victoria and the province. Moreover, local newspapers loved to write about the Chinese question, providing the WPA with media coverage it lacked prior to Shakespeare’s arrival. It is true that the WPA became primarily a platform for Shakespeare to spread his anti-Chinese views to a wider audience, but the WPA also only gained public recognition through Shakespeare’s leadership. His growing reputation as an agitator, his political ambition, and his brash personality drew additional attention to the organization. It is not coincidental that when he resigned as president in 1879, the WPA quickly faded into oblivion.120

The rise and fall of British Columbia’s workingmen’s movement coincided with the equally short lifespan of California’s workingmen’s movement. Yet the workingmen’s movement in the region left a blueprint for politicians and political organizers to follow. The workingmen’s movement had demonstrated the utility of the Chinese as a political flag around which the white population could rally. Thus the decline of the workingmen’s movement did not mean a decline in organized anti-Chinese activity.

Unlike the WPA and its nominal attention to workingmen’s concerns, Shakespeare’s next venture did not require paying attention to any agendas beyond the Chinese issue. In the same month that Shakespeare left the WPA he became president of a new organization. This new organization embedded its agenda of barring Chinese labor from the construction of the Canadian Pacific Railroad and enacting Chinese immigration restrictions directly into its name, the Anti-Chinese Association. Adopting the motto “No Surrender,” Shakespeare’s Anti-Chinese Association drew members from both inside and outside of the workingmen’s movement, including prominent British Columbia politicians like Provincial Legislator Robert Beaven and Member of Parliament Arthur Bunster.

A report of the November 1879 meeting of the Anti-Chinese Association produced an overview of the common features of British Columbia’s anti-Chinese movement: Shakespeare presiding in combative style, anti-Chinese rhetoric, and posturing politicians using the Chinese issue to enhance their electability. Shakespeare, apparently unfamiliar with irony despite his literary last name, opened the meeting by issuing a threat to “warm the coat” of a Toronto Globe reporter who called British Columbians “hoodlums.” Following the opening, a series of speakers repeated staple verses of the era’s anti-Chinese bias, including discussion of the “loathsome

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122 Ibid.
diseases” of the Chinese and the “immoral effect” Chinese prostitutes had on Victoria. One speaker repeated scandalous reports that some white women reveled in Chinese servants scrubbing their bodies during baths as male Chinese servants “think nothing of scrubbing down the woman when she goes into her tub.” The crowd reportedly greeted this titillating, sexualized rhetoric with “a perfect storm of groans and hisses,” evidence of the changing tone of anti-Chinese language demonstrated and encouraged by the likes of Kearney and Shakespeare. The bulk of the meeting centered on passionate debate between two members of Parliament, Arthur Bunster and William John Macdonald, each trying to distance himself from accusations of close associations with the Chinese. Bunster defended himself against accusations of formerly hiring Chinese workers to chop his wood; Macdonald meanwhile deflected criticism over a supposed publicly stated preference for Chinese over white servants.123

Where the Anti-Chinese Association provided both an outlet for Shakespeare’s anti-Chinese rhetoric and a means to spread it, Shakespeare’s role on Victoria’s Council provided an opportunity to harass Chinese immigrants with public policy. He opposed local measures to lower license fees on Chinese peddlers and to allow Chinese residents to purchase burial plots in the city cemetery.124 He proposed the City offer financial incentives to anyone opening a woolen mill promising to hire only white laborers, a protest against a provincial plan to pay incentives to operators of a woolen mill that employed Chinese workers.125 When Victoria replaced a white youth who abandoned his job lighting the city’s coal lamps at night with a Chinese laborer, Shakespeare loudly complained that it violated the local ordinance against hiring Chinese for

municipal work.\textsuperscript{126} Most significantly, Shakespeare convinced the Council and Mayor to sign off on a joint petition with the Anti-Chinese Association to Parliament stating the “universally prevalent” opinion that restrictive immigration measures ensured a “happy result of British Columbia and the Dominion of Canada for the white man.”\textsuperscript{127}

A rise in anti-Chinese sentiment in British Columbia coincided with Shakespeare’s public anti-Chinese commentary and Council actions. The Supreme Court’s continual overturning of provincial anti-Chinese legislation left many residents without faith that their elected officials took the Chinese issue seriously. In contrast, Shakespeare acted on his anti-Chinese sentiment through organizing political groups, introducing local legislation, and petitioning the provincial and federal governments. Despite his competency at making enemies, Shakespeare appeared to voters as a man of action on the Chinese issue, an appealing quality for frustrated anti-Chinese advocates. In 1882, the same year the United States passed the Chinese Exclusion Act and appeased angry white Californians, Noah Shakespeare made political moves that foreshadowed the coming of restrictive immigration measures in Canada. He ran for, and won, the position of Mayor in Victoria.\textsuperscript{128} Less than six months after his election as mayor, Shakespeare announced his candidacy for Ottawa’s House of Commons.\textsuperscript{129}

As a candidate for the House of Commons, Shakespeare’s platform included support for financially assisted white immigration to British Columbia while denouncing “in strong terms the presence and continued arrival of hordes of Chinese.”\textsuperscript{130} Shakespeare’s strongest support

\textsuperscript{126}“City Council,” \textit{Victoria (B.C.) Daily Colonist}, 17 November 1881, 3.
\textsuperscript{128}“The Contest Yesterday,” \textit{Victoria (B.C.) Daily Colonist}, 13 January 1882, 3; For an example of public support for Shakespeare’s candidacy, see “To the Editor,” \textit{Victoria (B.C.) Daily Colonist}, 12 January 1882, 2.
\textsuperscript{129}“To the Electors of Victoria District,” \textit{Victoria (B.C.) Daily Colonist}, 28 May 1882, 3.
\textsuperscript{130}“Mr. Shakespeare’s Address,” \textit{Victoria (B.C.) Daily Colonist}, 21 June 1882, 2.
came, unsurprisingly, from those that believed the Chinese issue “one of the most important and pressing topics of the day.”\textsuperscript{131} His campaign speeches featured open hostility to the Chinese and visions of a white province:

> The Chinese were not a benefit to any civilized community. But let the same number of white men and women come to our shores and the results would be immediately seen. Our houses would be occupied, our factories filled with white operatives, and our children would not have to breathe the polluting breath of a Chinese nurse! (cheers.)\textsuperscript{132}

Shakespeare’s strong position on the Chinese issue forced other candidates to tailor their message to appease anti-Chinese voters. One Shakespeare opponent called the Chinese “an evil,” while another pledged to do “anything he could . . . to prevent an increased Chinese population.” A third claimed fears that “that they [the Chinese] might rise and massacre all the whites.”\textsuperscript{133} Each candidate tried to outdo the others in sensationalizing their hatred or fear of the Chinese population. In Victoria’s 1882 election for the House of Commons, the Chinese question reigned supreme.

Shakespeare’s campaign for the House of Commons also illustrated the depths of his personal political ambition. Among the candidates competing for one of the two spots from Victoria’s district was Shakespeare’s old friend and political mentor, Amor De Cosmos. De Cosmos had a long record as an opponent of Chinese immigration. He had preached against the immigrants as a newspaper editor, presented anti-Chinese petitions to the federal government, and given what the New York Times called a “long anti-Chinese speech” to Parliament.\textsuperscript{134} Despite these credentials, Shakespeare’s constant anti-Chinese refrains hurt the De Cosmos campaign. The Daily Colonist, originally founded by De Cosmos, called De Cosmos’ anti-

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\item[\textsuperscript{131}] “Mr. Shakespeare and the Chinese,” Victoria (B.C.) Daily Colonist, 27 June 1882, 2.
\item[\textsuperscript{132}] “The Commons,” Victoria (B.C.) Daily Colonist, 1 July 1882, 3.
\item[\textsuperscript{133}] Ibid.
\end{itemize}
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Chinese credentials into question by alleging he rented property to Chinese immigrants thus profited from their presence.\textsuperscript{135} Shakespeare could have supported De Cosmos or downplayed the significance of this perfectly legal but politically unpopular transgression; their personal and political relationship dated back to the 1860s. Moreover, Shakespeare had been De Cosmos’ most visible supporter during the latter’s campaign in 1878. But Shakespeare’s political ambition and anti-Chinese convictions superseded sentimental attachments. He publicly rebuked his mentor by comparing his record to that of De Cosmos, declaring “I practice what I preach. The heathen Chinese must go. . . . I’m certain of my election; thanks to my straightforward course on the Chinese question.”\textsuperscript{136} Victoria’s \textit{Daily Standard} newspaper went so far as to call Shakespeare an “ingrate” for running against his former mentor.\textsuperscript{137} The \textit{Victoria (B.C.) Daily Colonist}, however, promoted Shakespeare over De Cosmos based on public fear of the Chinese, claiming a local Chinese man declared Shakespeare’s election meant the “expulsion of our race” while simultaneously telling people to vote for De Cosmos because “he our landlord [sic].”\textsuperscript{138}

When the vote returns came in July of 1882, Shakespeare became a member of the House of Commons and De Cosmos finished outside of the top two positions, ending the latter’s career as a public servant. Contemporary observers speculated De Cosmos lost over criticism of the railroad and perceptions that he favored independence for British Columbia.\textsuperscript{139} Scholars, however, hint at another issue – that anti-Chinese sentiment in Victoria had increased beyond what even De Cosmos had realized, and it was Shakespeare who most directly capitalized on that

\textsuperscript{139} “Commons Election,” \textit{Victoria (B.C.) Daily Colonist}, 22 July 1882, 3.
issue. Of all the candidates in the election, De Cosmos’ views on the Chinese issue were the least defined and articulated. In defeating De Cosmos, Shakespeare beat not only his political mentor, but also ended the career of one of the province’s most important historical figures; De Cosmos was a leading proponent of Confederation in British Columbia and served as Premier in addition to his time in Parliament. De Cosmos’ mental fitness quickly declined after the defeat; he was declared “unsound of mind” in 1895.

Once in the House of Commons, Shakespeare sought to enact legislation to secure his vision of a white British Columbia. In addition to financial inducements for white settlers, Shakespeare proposed sending immigration recruitment agents to other cities, naming San Francisco specifically, to inform potential white migrants of the benefits of the province. He wasted little time introducing a Chinese restriction measure in 1883 but it received little support from politicians outside of British Columbia, most of whom were still personally unacquainted with the Chinese and who favored the cheap labor supply constructing Canadian Pacific. Still, his proposals were popular in British Columbia; the *Daily Colonist* called Shakespeare and supporters of his proposals “on the side of civilization and the white race.” Most shrewdly, Shakespeare began framing the issue of Chinese immigration as a national one as opposed to a localized British Columbia problem, declaring:

> If some stop is not put to the influx of these so-called Celestials you will find that when the Canada Pacific railroad is completed they will pour into Canada, and the factories of Ontario, which to-day are being run by white men, will get into the hands of the Chinese.

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141 Ibid.
In March of 1883, Shakespeare took to the floor to deliver his most significant speech of his tenure in the House of Commons. Shakespeare explained British Columbia’s objections to Chinese immigration point by point. Shakespeare’s passionate plea, however, contained flawed logic. He spoke of the importance of completing the Canadian Pacific Railroad, yet noted the lack of white workers available to complete it. He complained about Victoria’s Chinese strike of 1877, describing how “every Chinaman . . . dropped his tools and ceased labor,” resulting in closed factories, an absence of household servants, and a lack of service at hotels and restaurants. The picture he painted was one of a city who relied on Chinese labor rather than one better off without it. Lastly, Shakespeare cited Chinese working “for one-half of what they [white workers] were willing to accept,” while contradictorily mentioning how Chinese workers grew rich in British Columbia and returned home with enough money to live “like princes all the days of their lives.”

Beyond his logical inconsistencies, Shakespeare also raised fears that events in California might have a damming effect on Canada. With the passage of the Chinese Exclusion Act in 1882, Shakespeare warned, “British Columbia is today the [Chinese] dumping place of the Pacific coast.”

Despite Shakespeare’s speech, the 1883 session of Parliament ended without a legislative victory for Shakespeare and his supporters, but opinion throughout Canada was changing. In the 1884 session, Shakespeare’s anti-Chinese crusade began to bear fruit at the national level. A resolution proposed by Shakespeare declaring it “expedient to enact a law prohibiting the incoming of Chinese to that portion of Canada known as British Columbia” received approval.

The resolution did not bind the House of Commons to a particular policy; hence the victory was


147 Ibid.

merely symbolic. But the resolution did represent progress for the anti-Chinese movement as it had gained recognition and approval from politicians outside of British Columbia. Meanwhile, British Columbia’s Provincial Legislature continued to pester the Dominion Government on the Chinese issue, supplementing Shakespeare’s efforts in Ottawa. Provincial Legislators threatened to continue passing Chinese restrictions with the full knowledge of their unconstitutionality, applying pressure to the federal government for a more permanent solution. The growing pressure from British Columbia to act on the Chinese issue caught up with Canadian Prime Minister John A. Macdonald. Macdonald agreed to a Royal Commission to investigate Chinese immigration.

The 1884 Parliament took no definitive action on Chinese immigration. However, the approval of Shakespeare’s anti-Chinese resolution and the promise of a Royal Commission investigation represented significant movement towards immigration restriction. The *Daily Colonist* noted a “great change in Canadian sentiment on the subject” had occurred. One member of the House of Commons noted that “a few years ago it was impossible to get a hearing in the House on this question. Now the feeling was so changed that fully half the members took the view which British Columbia had for so long taken upon it.” The residents of Victoria credited this national change in sentiment largely to Shakespeare. When he returned from Ottawa at the conclusion of the session, employees from the Albion Iron Works serenaded him at his home as a reward for his work. Shakespeare’s reputation as Canada’s premier anti-Chinese crusader spread to other provinces as well. The *Toronto Mail* made light of Shakespeare’s reputation by

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offering what they saw as a humorous anecdote, claiming members of the House of Commons passed around a wooden Chinese baby during debates over Chinese immigration. When the toy reached Shakespeare, the paper claimed the “baby was heard to cry” suggesting “an exceedingly wise infant.”

Canada’s Royal Commission on Chinese Immigration was an important step toward immigration restrictions. Shakespeare, however, wanted immediate action and refused to participate in the investigation. The report eventually produced by the Royal Commission refuted many of the most sensational criticisms of the Chinese offered by Shakespeare and his supporters. However, the Commission did acknowledge anti-Chinese sentiment moving from British Columbia to other provinces, and recommended that “there should be a moderate restriction, based upon police, financial and sanitary principles.” In July of 1885, Parliament enacted the Chinese Immigration Act, charging a fifty dollar head tax on each arriving Chinese immigrant and limiting the number of Chinese arriving on any one vessel. Victorians learned of the bill’s passage from Shakespeare who personally telegraphed the Daily Colonist with the news. The newspaper credited the bill’s passage to “constant agitation at Victoria and Ottawa by earnest British Columbians,” causing “the Dominion people and government to take an intelligent view.” No single person provided more constant agitation than Noah Shakespeare. His colleagues at the Anti-Chinese Association agreed, publicly expressing that Shakespeare had done more on the issue “than any other member that had represented this province.”

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Noah Shakespeare had based nearly a decade of his career on a single issue before finally achieving his victory. He had little to offer in the political realm once the Chinese Immigration Act passed. He gave an interview to a San Francisco newspaper in a symbolic moment linking British Columbia and California on the Chinese issue (one can speculate that the attention pleased Shakespeare, a keen observer of San Francisco’s anti-Chinese movement). Re-elected to a second term in the House of Commons, Shakespeare resigned his seat in 1888 to take a government job. It was a fitting capstone to his career. Shakespeare gained social respectability in Victoria by using the Chinese cause to further his political fortunes, and used his political fortunes to gain financial respectability. He received a variety of government appointments during the 1870s and 1880s, including tax collector, census commissioner, and justice of the peace in addition to his final position as Victoria’s Post Master.

What should a historian make of the careers, impact, and legacies of California’s Denis Kearney and British Columbia’s Noah Shakespeare? The answer is a complicated one; they were not the only people espousing strong anti-Chinese views leading up to the transnational immigration restrictions placed on the Chinese. Nor was either person in a position to make public policy on their own. The Chinese Exclusion Act and the Chinese Immigration Act likely would have come into existence without their voices. However, in an era where the voices against Chinese immigration in California and British Columbia reached crescendo, no voices spoke louder.

Multiple historians have written about Denis Kearney’s complicated legacy. In one of the earlier examinations of California’s anti-Chinese movement, Elmer Sandmeyer declared “No

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phase of the anti-Chinese agitation attracted such wide attention as the organization and brief
career of the Workingmen’s Party of California, under the leadership of Denis Kearney.”

More recently, Andrew Gyory has credited Kearney with changing national opinions on the
Chinese question. Gyory claims that Kearney’s eastern tour failed to achieve consensus among
the American working class on the Chinese issue, but forced national politicians to recognize it.
“The key legacy of Kearney’s visit was not that he galvanized workers against the Chinese,”
Gyory wrote, “but that he succeeded in making some politicians and segments of the press think
he had.” Once politicians outside of California believed a mass movement against the Chinese
existed, passage of restrictive immigration measures became much more likely.

Neil Larry Shumsky has also observed that the historical significance of Kearney and the
WPC went beyond immigration restrictions. Shumsky argues that Kearney’s “incendiary”
language against the Chinese was carefully calculated; it appealed to his supporters but always
avoided direct support for violence. In analyzing Kearney’s speeches, Shumsky observes that
“Every call to action was a noncall. Every exhortation was carefully qualified by time, place, or
circumstance – if this happened, at that time, in such a place, THEN you should and we will . . .
[Kearney] never issued a single call for direct, immediate action.” More succinctly, Shumsky
explains this style as “Telling the crowd not to rise up – yet.” The use of such language
appealed to people previously marginalized by the political process, people whose only weapon
to date had been uprising, riot, or mob action. By appealing to an underserved electorate, the
WPC provided an important transformative function. Potential rioters left the streets and entered

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161 Andrew Gyory, *Closing the Gate*, 110.
163 Ibid., 179.
164 Ibid., 8.
the socially acceptable institutions of political parties, thereby becoming direct participants in the
democratic process rather than participants in violent upheaval.

While Noah Shakespeare’s oratory failed to match the viciousness found in Kearney’s
speeches, Shakespeare found other avenues to relay a similar message. To be sure, Shakespeare
could, when needed, use highly racist rhetoric to relay his feelings on the Chinese. In 1880, for
eexample, Shakespeare offered his vision of a white British Columbia by claiming Chinese
immigration threatened “the future deprivation of our lands, thus dispossessing our own flesh
and blood and congenial races.”165 In contrast to Kearney, however, Shakespeare’s most
articulate communication of his anti-Chinese message came through actions, not words.
Shakespeare raised the level of acceptable hostility to the Chinese by harassing Chinese
immigrants over tax payments, publically investigating politicians who hired or had associations
with Chinese laborers, and creating theatrical moments like dangling a Chinese queue in front of
an anti-Chinese crowd. While the form of communication utilized by Kearney and Shakespeare
differed, the results were similar: the anti-Chinese movements of California and British
Columbia increased in intensity and fervor.

The historiography of Noah Shakespeare’s legacy is less developed than that of Denis
Kearney. Most historians who have written about Shakespeare narrowly focus on the short-lived
WPA and struggle to assign significance to it. Those historians have described the WPA as “an
anti-Chinese organization, a form of anti-Orientalism, the first labour union in the province, and
a political pressure group.”166 Patricia E. Roy described the WPA as “essentially a political
pressure group with minor interests in encouraging the employment of white men through

165 “Anti-Chinese Association Petition,” 12 April 1880, accessed 1 October 2013,
http://digitalcollections.library.ubc.ca/cdm/ref/collection/chung/id/16437, Wallace B. Chung and Madeline H.
Chung Collection, University of British Columbia.
boycotting firms employing Chinese.”

Rennie Warburton went further, characterizing the WPA as “a form of status politics that sought employment privileges for Euro-Canadian workers, articulated around imperialistic and gendered racism, emergent nationalism, and class consciousness.” What these assessments miss is the importance of Noah Shakespeare specifically to the WPA. It is not an accident or coincidence that the short period of excitement surrounding the WPA, essentially lasting one year, coincided with the year Shakespeare spent at the organization’s helm. The WPA that historians have commented upon was Shakespeare’s WPA, an organization that held influence only when it served as an organ representing Shakespeare’s ideas and efforts.

Whereas Kearney became the most recognizable name among numerous activists in the WPC, Shakespeare, for all reasonable purposes, was the WPA. The WPA lacked direction and a defined message until Shakespeare ascended to its presidency; indeed, the organization almost imploded on itself in the months before Shakespeare took the podium. Although dissenters existed in the WPA ranks over the de-emphasis of workingmen’s concerns under Shakespeare, the organization only achieved clout when Shakespeare used it to further his personal anti-Chinese agenda. When Shakespeare left the WPA, the organization seemingly vanished into thin air with few mentions in the British Columbia press. Likewise, Victoria’s Anti-Chinese Association held influence only when Shakespeare gave his attention to it. While it’s clear Shakespeare held strong anti-Chinese beliefs, the WPA and the Anti-Chinese Association became platforms by which Shakespeare could improve his personal political fortunes. This is the legacy of the two organizations. Shakespeare used the WPA and the Anti-Chinese

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Association to become, in the words of Patricia E. Roy, “the first professional anti-Chinese agitator in British Columbia.”

Kearney and Shakespeare helped shape public sentiment on the issue of Chinese immigration in ways that far exceeded their actual political power. Kearney and Shakespeare popularized the notion of using the Chinese as scapegoats to curry favor with the electorate. Andrew Onderdonk, the construction expert responsible for building both San Francisco’s seawall and British Columbia’s sections of the Canadian Pacific Railroad, summarized this legacy as “Politicians make the chief agitation against them [Chinese] to gain votes from ignorant people.” While both men genuinely held racial presumptions about the superiority of white inhabitants and inferiority of Chinese immigrants, their public actions were also self-serving and helped fulfill their own personal ambitions. Through their belligerent, racist, and sensational words and actions, Kearney and Shakespeare made headlines and changed the Chinese issue from a regional concern to a transnational issue requiring government intervention by two countries. While Kearney and Shakespeare were instrumental in the drive toward restrictive immigration policies, their presence alone did not change public perceptions. Government investigations of Chinese immigration conducted in California and British Columbia also went far in changing public opinion across the United States and Canada. It is those investigations to which we turn in the following chapter.

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Figure 17: Noah Shakespeare, British Columbia’s “first professional anti-Chinese agitator.”

Hannah Hatherly Maynard, “Photographer Noah Shakespeare,” (ca. 1862), BC Archives [A-02458].

Figure 18: Denis Kearney, political leader of California’s anti-Chinese movement.

“Ira B. Cross Gift,” (unknown date), Bancroft Library, University of California, Berkeley [:2 cop. 1].
CHAPTER VI:
OFFICIAL INVESTIGATIONS OF CHINESE IMMIGRATION

The construction of white identity, white privileges, and racial boundaries moved between California and British Columbia through anti-Chinese rhetoric, high profile political agitators, and numerous public policies. While this movement occurred in the region for nearly three decades, anti-Chinese advocates had failed to accomplish their supreme goal of effective restrictions to Chinese immigration by the beginning of the 1880s. Court actions had repeatedly overturned California and British Columbia’s anti-Chinese legislation. The judiciary’s response demonstrated to those who supported the anti-Chinese movement that only federal intervention would bring meaningful relief on the Chinese question. That placed anti-Chinese advocates in California and British Columbia in the position of having to prove the need for immigration restrictions to federal law makers. While public advocacy of anti-Chinese positions aided this cause, transnational change in perception of the Chinese issue also came from a pair of high profile government investigations. The two investigations, one sponsored by California’s government and the other by Ottawa but focusing on British Columbia, differed in scope, content, and mission; however, the similarity in final outcomes and in the language of the investigators and witnesses illustrated the shared regional vision of California and British Columbia as white territories.

The California State Senate conducted the first of these investigations in 1876 through its Special Committee on Chinese Immigration. The California Senate made clear from the outset that the intent of their investigation was not to determine if restrictive immigration measures were necessary but rather why such measures were necessary. California used their investigation
to influence public opinion on the Chinese question beyond their state borders by publishing the results and distributing it widely. The published version went by the name *Chinese Immigration: Its Social, Moral, and Political Effect*, a title that gave away the report’s thesis to even the casual reader. As the investigation sought only to affirm the racial ideology at the core of anti-Chinese beliefs, the testimony and recommendations validated the preconceived notions of investigators rather than exploring a nuanced understanding of the issue.

The investigation in Canada came under different circumstances with somewhat of a different purpose. In 1884, the Canadian Parliament reacted to the demands of British Columbia’s politicians and ordered an investigation of Chinese immigration to the province. Parliament tasked the committee with gathering evidence and recommending a course of action for the federal government. The resulting *Report of the Royal Commission on Chinese Immigration* came with a more balanced perspective than its California counterpart, although in the end the Royal Commission did make recommendations to pass restrictive immigration legislation. Despite some differences in the two investigations, there are striking similarities in the testimony found in each. Some of those similarities are attributable to the ties connecting California and British Columbia, including commonly held beliefs that transcended the region such as beliefs in racial hierarchies and in the importance of protecting white labor. But California’s investigation also had a more direct influence on the work of the Royal Commission. When the Royal Commission launched its investigation, it did not begin by interviewing British Columbia politicians or the residents of Victoria. Instead, the Commissioners began their investigation by first traveling to San Francisco to learn about Chinese immigration from the Metropolis of the West.
Taken together, the two investigations paint a picture of the most common complaints against Chinese immigrants: Standard witness responses included claims the Chinese worked for less money and hurt white labor, they were dishonest or prone to breaking the law, and they were, depending on interpretation, either uninterested or unwilling to assimilate. Such responses echoed the accumulated racial ideology put forth by Samuel George Morton, Josiah C. Nott, George R. Glidden, and the proponents of phrenology and craniometry who claimed the existence of immutable racial hierarchies. The voices of fear mongers who described Chinese degradations in the most salacious language possible drowned the few voices who spoke in favor of the immigrants. The investigations also shared gendered subtexts that the presence of the Chinese threatened the virtue of white women, corrupted the morals of white boys, and demeaned the masculinity of white men. All of these complaints were on full display in witness testimony, the recommendations of the investigators, and even in the way investigators posed questions. Moreover, the investigations served an important role in spreading these complaints to and shaping the opinions of Americans and Canadians outside of California and British Columbia. The California investigation brought attention from national politicians to the anti-Chinese cause thereby serving as motivation for the passage of the Chinese Exclusion Act. In British Columbia, the recommendations resulting from the investigation found their way directly to Parliament in the form of the Chinese Immigration Act.

The catalyst for the first of these investigations came from a sudden increase in Chinese immigration to California and the corresponding political turmoil that accompanied it. The years of 1873-1875 saw more Chinese arrivals in California than any other three year period to that time.¹ The increase of Chinese brought renewed fears of Chinese citizenship which in turn

brought increased demands for immigration restrictions. By January of 1876, the *Daily Alta California* was publishing reports of Chinese immigrants filing naturalization papers. The newspaper explained existing law prevented Chinese citizenship but simultaneously provoked fears by noting “they might outnumber the white voters” if that law changed. In acknowledgement of this public fear, elected officials offered a variety of new policies and investigations throughout the rest of 1876. These actions came from all levels of government, including the Board of Supervisors in San Francisco, California’s Legislature, and, by the end of the year, even the United States Congress.

The first reaction to public demand in 1876 came from state legislators who passed a bill to prohibit shipping remains of the dead to foreign countries. The law attempted to curtail Chinese immigration by attacking the Chinese tradition of sending decedent remains back to China for burial. As the logic of the day went, the Chinese would not come to California if they knew their remains would not return home. The *Los Angeles Herald* summarized the law as a blatant attempt “to prevent Chinese emigration . . . [as] those people will not go to or remain long in a country where in case of their dying the laws would prohibit the removal of their remains to China.” Meanwhile, California’s anti-Chinese movement received a blow from the United States Supreme Court. The Court struck down a short-lived state law barring Chinese passengers from arriving at California’s ports and newspaper reports of the ruling noted the Court offered “severe criticism of the law of California on the subject.” In response to the judicial ruling, the *Sacramento Daily Union* warned that “Mongolianizing this continent would

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4 “Decision of the United States Supreme Court – California Supreme Court Decision Over-ruled – Chinese Case,” *Sacramento Daily Union*, 21 March 1876, 2.
be to extinguish the Republic” and San Francisco’s Mayor, Andrew Jackson Bryant, declared the “Chinese nuisance . . . is becoming intolerable.”

Against this backdrop of increased Chinese immigration, newspapers peddling fear, legislated racism, and anger over judicial rulings, San Francisco’s city leaders began a campaign to bring the federal government to the anti-Chinese side. The Board of Supervisors decided to collect signatures and present a formal petition to Congress asking for immigration restrictions. In March, the city appointed a committee to investigate local feeling on Chinese immigration, prepare a report, and travel to Washington, D.C. to present their findings. The committee sought $5,000 from the legislature to fund their overture, including the printing of a million copies of a memorial stating their objections to the Chinese presence. The committee also sent requests to smaller communities throughout California, asking for their governing bodies to vote on anti-Chinese resolutions and send them to San Francisco for inclusion in the memorial. Mass anti-Chinese protests accompanied each public meeting of the San Francisco committee. One such rally drew 25,000 people to hear speeches and sign the petition. Worries spread throughout the city, especially in the Chinese community, that a riot or violence might soon follow. The growing backlash against the Chinese forced the Six Companies, the consortium of business associations that acted as leaders and advocates for the Chinese community, to publish an address declaring they had sent word to China requesting the cessation of all departures to California.

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7 “An Address of the Six Companies,” *Sacramento Daily Union*, 1 April 1876, 8.
California’s legislature was keenly aware of the events unfolding in San Francisco and the actions of San Francisco’s city government. As evidenced by the spiteful bill prohibiting the shipping of Chinese remains, Chinese immigration remained a key issue debated at the statehouse in 1876. Most politicians publicly denounced the Chinese at every opportunity. Shrewd legislators understood both the need for federal intervention on the Chinese question and the potential political gains of seizing the issue of lobbying the federal government away from San Francisco’s city government. With San Francisco’s Board of Supervisors’ petition drive proving popular, State Senator Creed Haymond offered the legislature his own proposal to study Chinese immigration, publish the findings, and disseminate it to national leaders. Haymond’s vision from the outset focused on influencing national policy, proposing to “investigate the subject, collate facts and figures, and present to the country an exhaustive and at the same time authoritative showing.” The legislature approved Haymond’s plan, appointing six senators to the Special Committee on Chinese Immigration, with Haymond as the Chairman.8

When California’s Senate investigators began their inquiry in April, they declared the purpose of their tribunal was the “ascertainment of the truth.”9 From their slanted perspective, that may well have been accurate. However, the desire to use the investigation as justification for immigration restriction influenced their work from the outset. The bias is evident in the selection of witnesses who were not a representative cross section of California’s population or diversity of opinions. Only a handful of the white witnesses offered testimony in support of the Chinese. In total, the Special Committee interviewed sixty witnesses, eighteen of whom were Chinese

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while the rest were white. All witnesses lived in or near San Francisco or Sacramento, and all witnesses were male.

The most dominant field in which the witnesses worked was law enforcement. Over a quarter of the witnesses either worked in law enforcement at the time of their testimony or had previously done so—eighteen law enforcement witnesses in all. These included two current and one former District Attorney, a judge, a jailer, and ten active and one former police officer. Three additional witnesses had served as chiefs of police. The abundance of law enforcement witnesses meant a significant portion of the testimony dealt with perceptions of the Chinese as law breakers and predisposed to crime based on racial characteristics. State prison statistics did not support such a focus, however. At the beginning of 1876, 16% of state prisoners were Chinese, while estimates place the Chinese as 19% of the total population. Stubborn witnesses ignored such statistics and instead blamed low rates of Chinese incarceration on the overwhelming level of crime in Chinatown making it impossible to police effectively. One police officer argued that while San Francisco was the “best governed city in the world, to enforce the ordinances in the Chinese quarter would require a police force so large as to bankrupt the city.”

The remaining witnesses came from a variety of occupations and backgrounds. The selection of some witnesses made logical sense and brought voices and opinions valid to the discussion of Chinese immigration, such as the three members of the white business community who testified on the pros and cons of employing Chinese labor. Other witness selections appear random, such as two British sailors who happened to be in port at the time of the hearings and whose expertise appeared confined to having made previous port stops in China. Seven of the

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10 Exact population numbers are difficult to assess. However, these statistics are based on the estimates of 750,000 people in California of whom 148,600 were Chinese, as cited in Roger Olmsted, “The Chinese Must Go!,” *California Historical Quarterly* 50 (September 1971), 284-285. California prison statistics are from “The State Prison,” *Sacramento Daily Union*, 1 January 1876, 12.

witnesses brought government perspectives beyond law enforcement, a group that included diplomats, local government officials, and politicians highlighted by the testimony of Fredrick Low whose résumé included stints as California governor and United States Minister to China. Four witnesses served as members of the clergy, including several who ministered to the Chinese and spoke in positive but patriarchal terms of the immigrants. One of these was the Reverend Otis Gibson, a former missionary in China now living in San Francisco who one year later would publish the book *The Chinese in America*, a defense of Chinese of immigration. The remaining witnesses included two journalists, two physicians, a miner, a farmer, and a school superintendent; the latter’s testimony elucidated his belief that Chinese immigration negatively impacted white education by declaring venereal disease found among his students came from Chinese prostitutes.¹²

In analyzing the witness testimony of both the California and British Columbia investigations, three key themes emerge. These themes, each of which reveals deep social and racial anxieties of white witnesses, include the impact of Chinese labor on white labor, whether Chinese immigrants were honest, trustworthy, or law abiding, and whether the Chinese were capable of assimilating with white society. Not all interviews proceeded with the exact same questions, nor did all witnesses use identical language in responding to questions. Yet using an admittedly broad set of parameters, measurements relating to witness opinions on the three themes above can be determined for both investigations. On the issue of the impact of Chinese labor on white labor, answers indicating a belief Chinese labor “degrades,” “displaces,” “demeans,” or “retards” white workers, for example, can be calculated as a total number of witnesses who believed Chinese labor affected white labor negatively. On the subject of Chinese honesty and trustworthiness, answers containing “truth,” “lie,” “perjure,” “oath,” “criminal,” and

¹² Ibid., 113-114.
similar words suggest corresponding opinions. In determining attitudes toward assimilation, key words indicating a witness’ beliefs include “language,” “government,” “Christianity,” “institutions,” and the word “assimilation” itself.\textsuperscript{13}

Fifteen of forty-two white witnesses offered opinions on whether the presence of Chinese laborers in California harmed white laborers, with thirteen of those believing that it did. The most commonly expressed belief was that Chinese labor degraded the earning power of white labor – that the continued presence of the Chinese would, in the words of former San Francisco District Attorney and State Senator W.J. Shaw, “cheapen white labor to such a degree that white labor could not compete with [the Chinese].” Shaw, like others who shared his opinion, believed that Chinese living standards offered an unfair competitive advantage, stating the Chinese “can live here for so much less than can men of our own race.”\textsuperscript{14} Frugality, at least among the Chinese, was not a virtue, and white workers feared losing their competitiveness against those who lived less expensive lifestyles. The anti-Chinese movement masked anxieties of the fallacy that whiteness alone qualified one for a superior economic position. As Patricia E. Roy has noted, anti-Chinese whites “betrayed their doubts about white superiority and revealed their fears that they could not maintain their status or improve their standards of living if the ‘swarming’ millions of Asians were allowed to immigrate and compete freely.”\textsuperscript{15}

In other cases, California’s investigators saw protection of white labor in gendered terms designed to elicit public fear. In an exchange with former Sacramento Police Chief Matt Karcher,

\textsuperscript{13} The sample words expressed here are representative of the kinds of key words used to determine the opinion of individual witnesses, not all inclusive. Measuring the witness responses on these key themes is an exercise in author interpretation.


\textsuperscript{15} Patricia E. Roy, A White Man’s Province: British Columbia Politicians and Chinese and Japanese Immigrants, 1858-1914 (Vancouver: University of British Columbia Press, 1989), viii.
investigators charged the presence of Chinese domestic servants displaced white women workers, thereby increasing the number of white prostitutes:

Q.—Do you think that they [Chinese] drive [white] servant girls from their places, deprive them of an opportunity to make an honest living?
A.—Yes, sir.
Q.—Do you know of any such cases?
A.—Yes, sir. I recall two very distinctly, where white girls have been driven to prostitution by being thus driven from their employments.  

More witnesses commented directly on perceptions of the Chinese as dishonest and untrustworthy. Of the thirty witnesses who commented on this topic, twenty-five concluded the Chinese were not an honest people. Opinions on the depth of Chinese dishonesty varied by witness, ranging from views that Chinese court testimony was unreliable to opinions that the Chinese possessed an inherent predilection toward lawlessness. One witness, D.J. Murphy, claimed “seven-tenths or eight-tenths” of the Chinese were criminals, dismissing an entire race as “naturally vicious, dishonest, and untruthful.” Similarly, a San Francisco police officer referenced the Chinese as a “nation of thieves.” Interestingly, only 7% of the arrests made in San Francisco involved Chinese immigrants. This statistic countered arguments of Chinese criminality, but those with a vested interest in proving otherwise discounted such evidence with assumptions and speculation. “Nearly every Chinaman breaks the laws and the ordinances of the city,” proclaimed San Francisco’s police clerk, “but we cannot catch them so as to convict.”

The issue of Chinese assimilation elicited the most varied remarks of the three key topics. White Californians asserted their sense of superiority by observing and commenting on all aspects wherein the Chinese appeared different from the dominant society. Language problems

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17 Ibid., 88.
18 Ibid., 48.
19 Ibid., 69. The clerk, Alfred Clark, reported 16,825 arrests in San Francisco, of which 1,184 involved the Chinese.
were a frequent topic, as were dress and customs, food preferences, religion, and appreciation for American government institutions. Only four witnesses offered investigators hope that the Chinese could eventually become productive citizens, while twenty-nine declared them unassimilable. Some witnesses debated whether white society might someday lift up the “heathen Chinese,” but the more commonly found viewpoint suggested a fear that positive aspects of white society would be lost on the supposedly inferior Chinese who might only pick up the negative aspects of white working class culture. One witness who subscribed to this latter viewpoint was Matt Karcher. “I cannot see that they have been improved by their contact with the whites,” said the former police chief. “On the contrary, they have learned all of the rascality and none of our virtues.”

White Californians decried the lack of assimilation but such protests masked a deeper issue. If the Chinese could assimilate and function as productive citizens, the whole notion of white racial superiority toppled. Most Californians did not want the Chinese to assimilate. The diplomat Charles Wolcott Brooks indicated as much in his testimony to the Committee: “The Chinese are bad for us, because they do not assimilate and cannot assimilate with our people. They are a race that that cannot mix with other races, and we don’t wish them to.”

Of the forty-two non-Chinese witnesses interviewed in California, thirty-three expressed clear biases against continued Chinese immigration into California. Three witnesses appeared neutral on the subject, but six offered testimony generally supportive of the Chinese. Three of the supportive witnesses (Otis Gibson, A.W. Loomis, and Andrew Aitken) participated in Christian outreach to the Chinese community, either as former missionaries to China or in current missionary activities in California. Another supportive witness, former California governor

\[\text{\footnotesize\cite{20}}\]
\[\text{\footnotesize\cite{21}}\]
Fredrick Low, had been a U.S. diplomat assigned to China. The remaining two represented the views of California’s business class who relied on the labor of Chinese immigrants. Max Morgenthau, the owner of several woolen mills and factories, employed over 1,000 Chinese workers and reported having significant problems with keeping white workers committed to their employment. Morgenthau’s white employees frequently abandon their jobs or gave themselves days off for which they were not entitled, leaving him to report “If we had to employ only white men, we could not run our factories.” Likewise, A. Schell noted of his grape growing business that “were it not for Chinamen, much of my work would be left undoing.”

The avalanche of anti-Chinese testimony buried statements supportive of the Chinese or dismissive of the superiority of white labor. Since the purpose of the investigation was to prove the need for immigration restrictions to Congress, investigators framed the testimony with leading questions and challenged witnesses who offered narratives conflicting with what investigators wanted to hear. One of the first witnesses called to testify was the Reverend Otis Gibson, the operator of a Christian mission in San Francisco working with the Chinese. By the standards of the era, Gibson offered an articulate and educated defense of the Chinese community, noting for example, that while Chinese immigration “brought some evils,” the Chinese “are a benefit; for there are more white people at work in California to-day than there would have been, or could be, if the Chinese were not here.” Since Gibson’s testimony countered the predetermined narrative of the investigation, the committee challenged Gibson’s words at multiple points, including calling his character into question several times after Gibson had left the stand. The investigators used the witness following Gibson, Charles Wolcott Brooks, as a rebuttal witness to Gibson’s testimony, opening the questioning by asking Brooks “Have

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22 Ibid., 67.
23 Ibid., 84.
24 Ibid., 26.
you heard the testimony of Mr. Gibson?" Committee investigators badgered later witnesses into asserting Gibson profited from renting a slum to Chinese immigrants. In one such instance, investigators asked a witness, “Do you think it possible for any living being to live in a dirtier, filthier place than this house of Gibson?” Another witness connected Gibson to the supposedly nefarious authority of the Six Companies over the Chinese community, suggesting Gibson and the Six Companies jointly held the power to grant or deny permission to Chinese immigrants who wished to return to China. The following year when Gibson published his book, *The Chinese in America*, he recalled of the investigation “the class of questions constantly proposed by this committee . . . had the tendency to bring into notice all the testimony unfavorable to the Chinese, and to throw into the shade important and reliable testimony in their favor.”

To other witnesses the senators posed questions laden with enough bias so as to cease being questions, instead becoming statements of opinion placed in the context of a question. Investigators asked one witness, “Haven’t they [the Chinese] rather lax ideas on the subject of honesty?” Senators asked a police officer what proportion of the Chinese “live off the wages of the criminal classes?” Yet another series of questions touched on Chinatown, with investigators asking “Taking the Chinese quarter as a whole, is it as filthy as it can be?” As to Chinese criminal habits, investigators asked a witness “Do you know of any population in any city as vicious as the Chinese?” In perhaps the most convoluted question of all, Committee Chairman Creed Haymond posed the following: “[San Francisco] is the only white city in the world where they have Chinese in any numbers, and coming from the lower working classes, as they do, they

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25 Ibid., 35.  
26 Ibid., 90.  
27 Ibid., 145.  
28 Ibid., 325.  
29 Ibid., 28.  
30 Ibid., 111.  
31 Ibid., 47.  
32 Ibid., 132.
necessarily degrade labor and debase the moral standard— injure the community, in many ways, do they not?” California’s senators even scoffed at the missionary zeal of the Reverend A.W. Loomis, asking of his work with the Chinese “so you try to elevate them, and if they have any shortcomings you try not to see them?” Loomis defended the Chinese by countering, “I think we have people in this city who are worse than any Chinaman that can be picked up. Don’t you?” Senator M.J. Donovan replied curtly, “I don’t know about that. I think our people are better.”

Eighteen Chinese witnesses appeared before the California Senate Committee. The Chinese witness list included presidents and representatives from each of the Six Companies, the chief advocates for the Chinese community. Two of the Chinese witnesses worked professionally as interpreters, while the rest worked in a variety of fields and occupations that included miners, cooks, a teacher at the Chinese mission, and a storekeeper. Chinese witnesses faced questioning far different from that of the white witnesses. Investigators did not ask the Chinese questions about employment competition, their opinions on white or Chinese morality, or the desire of Chinese immigrants to assimilate with American culture. Instead, the questioning concerned what the Chinese knew about gambling and prostitution in their communities, if they were Christians or knew any Chinese Christians, or how the Six Companies operated. Regardless of the questions asked, the most common answer supplied by Chinese witnesses was a simple “I don’t know.” Sometimes the Chinese answered that way because they truly did not know the answer to the question; in other cases, the Chinese answered that way as a form of protest to the whole affair. Mary Roberts Coolidge, writing roughly thirty years after the California Senate investigation, noted that “From the standpoint of Chinese manners, such questions were an

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33 Ibid., 38.
34 Ibid., 58.
extreme personal insult and they naturally refused to reply, or replied only in monosyllables.”^{35}

One Chinese witness, however, offered a brief defense of his fellow immigrants and challenged the investigators over their treatment of the Chinese. Senators asked Lem Schaum, a recent Chinese convert to Christianity, “they [the Chinese] don’t learn much good after they come here, do they?” Schaum snapped back, “That is your own fault. No Chinaman can take a walk up and down the street unless you find an Irishman or a Dutchman [to] strike them down.”^{36}

While California’s Special Committee reveled in reports of gambling, prostitution, opium smoking, and other vices occurring in San Francisco’s Chinatown, they were indifferent to reports of corruption in its policing. Several Chinese witnesses admitted to paying off police officers in order to protect illicit interests, even claiming payments to one of the police officers who appeared as a witness during the investigation.^{37} The press picked up on this aspect of the investigation, begging the Committee to “go a little deeper” on the issue and investigate the fact Chinatown’s police “beats have been bought and sold like seats in the Board of Brokers” because of their lucrative potential.^{38} But the investigators chose to ignore this aspect of the testimony. Exploring corruption implicating white police officers did nothing to further the purposes of the investigation to convince law makers outside of California to restrict Chinese immigration. To investigate white police corruption would counter the predetermined narrative where white society represented a moral pinnacle contrasted with Chinese debauchery. Admitting to moral failings in the white community impaired arguments about white superiority and the impossibility of white and Chinese cultures co-existing. Thus investigators masked the moral

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^{37} See the testimony of Ah You, Wong Ben, and Ah Gow in Ibid., 73-74, 98-99, and 111.
^{38} “Fat Pickings,” Sacramento Daily Union, 18 April 1876, 2.
failings of the white population in order to selectively highlight examples that supposedly demonstrated moral corruption associated with the Chinese.

When the California Senate Special Committee on Chinese Immigration released its final report, the findings included sordid tales of prostitution, fear riddled exaggerations of Chinese criminal behavior, disgusting descriptions of Chinese living conditions, and multiple opinions on how the Chinese presence supposedly damaged the interests of white labor. The evidence presented was long on innuendo, opinion, hearsay, and rumor, backed by few hard facts. The essence of the final report was the idea that white Americans in California and Chinese immigrants could not coexist. “If any one ever hoped they would assimilate with our people,” the Committee Chair Creed Haymond wrote, “that hope has long since been dispelled.” In support of Haymond’s argument, the California Senate included in its final report an essay by a San Francisco lawyer. The essay had little relevance to the actual investigation other than its title lent credence to the assertion that white Californians and Chinese immigrants were incompatible, “The Conflict of Races in California: ‘Caucasian vs. Mongolian.’”

Haymond’s final report invoked patriotic and nationalistic themes designed to bring other Americans to the Californians’ cause. Haymond argued the entire United States should pay attention to the Chinese issue because “the safety of our institutions depends upon the homogeneity, culture, and moral character of our people.” For Haymond, the Chinese represented a challenge to this homogeneity. Despite over twenty years of interaction between whites and the Chinese on the Pacific Coast, Haymond concluded the Chinese “remain separate, distinct from, and antagonistic to our people in thinking, mode of life, in tastes and principles,

and are as far from assimilation as when they first arrived."\textsuperscript{42} In some cases these supposedly insurmountable differences were trivial matters, such as the Chinese preference for “rice, dried fish, tea” when American men required “meat and bread.”\textsuperscript{43} In other cases, the Committee reaffirmed the belief in the superiority of white intellectual capacity, claiming the Chinese “fail to comprehend our system of government; they perform no duties of citizenship.”\textsuperscript{44} Yet despite hundreds of pages of testimony on the issue, the Special Committee concluded its report with just three tangible policy suggestions. They proposed a working relationship with Great Britain (who controlled the port at Hong Kong) to prohibit the traffic of coolie labor, renegotiating Chinese treaties allowing open migration to the United States, and limiting the number of Chinese arriving on any ship to ten (an idea modified in 1879 for the Fifteen Passenger Bill vetoed by Rutherford B. Hayes).\textsuperscript{45}

The California Senate investigation did not result in an immediate policy response from the American government but it did place Chinese immigration in the national spotlight. California widely distributed copies of the testimony and its accompanying address to the American people, including sending copies to leading national newspapers, each member of Congress, and every state governor.\textsuperscript{46} Californians put their grievances directly into the hands of key policy makers hoping to create political pressure for their cause. The Special Committee noted that since the release of their report, “popular feeling against Chinese immigration has steadily increased.”\textsuperscript{47} Not every anti-Chinese Californian held the results of the investigation in high esteem. Denis Kearney, whose career as an anti-Chinese agitator began the following year,

\textsuperscript{42} Ibid., 8-9.
\textsuperscript{43} Ibid., 47.
\textsuperscript{44} Ibid., 9.
\textsuperscript{45} California State Senate, “Memorial to the Congress of the United States,” in \textit{Chinese Immigration}, 65.
dismissed the study for a lack of immediate results. In 1878 Kearney told a St. Louis reporter his inspiration for political participation resulted from the “the lying testimony taken before the Commission sent out to look into the Chinese question.”

The timing of the California Senate investigation also had national political implications. California held six contested electoral votes in the 1876 presidential election, an election that promised to be close. It is no coincidence that the Republican Party added an anti-Chinese plank to their platform the same year as the California Senate investigation. Both Democrats and Republicans now had anti-Chinese planks in their platform, an acknowledgment of the growing outcry from the West Coast and of California’s political importance. The timing of the California investigation, just a few months before the Republican Convention, was also no coincidence. As historian Andrew Gyory notes, “In dangling the bait of electoral votes, California hoped to lure politicians thousands of miles away to its cause.” Republican Rutherford B. Hayes went on to win California’s six votes en route to a 185-184 electoral victory, prompting the Chicago Times to say California “would never have given him her vote if there had not been an anti-Chinese plank” in the Republican platform.

The political pressure created by the California Senate also prompted Congress to stage its own investigation of Chinese immigration. Just a few months after California’s Senate investigation ended, a joint committee of Congress descended on California. Interviewing some of the same witnesses as the California Senate, the Congressional delegation produced 1,200 pages of testimony on Chinese immigration. The Report of the Joint Special Committee to Investigate Chinese Immigration “found a great diversity of opinion” on the subject, but

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48 “Dennis the Drayman,” St. Louis Globe-Democrat, 23 August 1878, NCUSN, GDC.
49 Andrew Gyory, Closing the Gate, 78-85.
50 Ibid., 79.
51 Quoted in Ibid., 90.
ultimately came to similar conclusions as California’s legislators. The Congressional Committee admitted that Chinese immigration had proved beneficial in developing California economically, but found “social and moral evils” that “counterbalance the advantages gained by the present rapid production of wealth.”

Just as the California Senate investigation dismissed testimony supportive of the Chinese, the Congressional Committee did too. The Six Companies sent a protest to the Congressional Committee, arguing the suppression of the “testimony of many of their witnesses who held contrary views.” Samuel E.W. Becker, a secretary to a Catholic bishop and former professor at the University of Virginia, agreed with the Six Companies and published his own review of the Congressional investigation. Becker claimed Congress “saw just what it wanted to see, saw nothing else, and reports in accordance. But the members might just as well have reported before leaving Washington, and would have reported just the same thing that they do now.”

The Congressional Committee ignored the comments by the Six Companies and Becker in favor of the more politically expedient approach of appeasing the majority of Californians. At the heart of Congressional objections to Chinese immigration was the belief that race determined fitness for government participation. “The American race is progressive and in favor of a responsible representative government,” wrote the Congressional Committee. In contrast, “The Mongolian race seems to have no desire for progress, and to have no conception of representative and free institutions. . . . there is not sufficient brain capacity in the Chinese race

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53 Ibid., iv.
54 Six Chinese Companies, *An Address to the Senate and House of Representatives of the United States* (San Francisco: 1877), 3.
to furnish motive power for self-government.” The Congressional Committee ultimately recommended both amending the treaty with China and legislating immigration restrictions to appease Californians “patiently waiting for relief from Congress.” While such words did not have effect of law, they are no less important: The United States Congress, prompted by the publicity and impact of California’s Senate investigation, had officially gone on record as supporting Chinese immigration restrictions.

California’s press did their part to keep anti-Chinese agitation alive north of the border in Canada both during and after the investigation of 1876. During the investigation, one California newspaper said of Victoria “the Chinese question would soon assume a serious form here [Victoria], as the people of California were driving them from their shores.” The comments were not mere boasting; the number of Chinese entering California decreased by over 40% from 1873-1876 to 1877-1880. Later, after the passage of the Chinese Exclusion Act in 1882, California newspapers put pressure on British Columbia to follow suit when Chinese immigrants began secretly crossing the American/Canadian border. The pressure included stoking the fires of paranoia by publishing rumors of mass Chinese migration to British Columbia due to the construction of the Canadian Pacific Railroad. Andrew Onderdonk of the Canadian Pacific had complained about his inability to find white laborers to finish the railroad construction, even when trying to recruit white workers from throughout the Pacific Northwest. Chinese employment on the railroad peaked in 1883 at 6,500 trackmen, but that did little to stop rumors

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57 Ibid., viii.
of far greater numbers coming to British Columbia. Yet the *Daily Alta California* urged “Victorians to do very little talking, but to be prompt in action. . . . In California we shall await with curiosity the action of our cousins up north, and warn them that they have to grapple with the question now or never.”

Meanwhile, the *Sacramento Daily Union* published a report of Chinese property purchases and warehouse building along Victoria’s waterfront, supposedly a base for smuggling Chinese immigrants from British Columbia to California.

By 1884, British Columbia was taking lessons from California’s fight against Chinese immigration to heart. California had learned from repeated court defeats of anti-Chinese legislation that they needed to gain the attention of federal law makers. In Canada, the situation was proving eerily similar as the courts overturned anti-Chinese tax laws in British Columbia in 1878 and 1881, leaving the province keenly aware of the limitations of provincial authority. Yet British Columbia’s politicians vowed to continue fighting the Canadian government on the issue. In 1884 British Columbia passed two pieces of anti-Chinese legislation, an Act to Prevent Immigration of Chinese and an Act to Regulate the Chinese Population of British Columbia. The province’s Attorney General, A.E.B. Davie, admitted British Columbia lacked the authority to pass the laws, but hoped they would “go a long way to show the Dominion government what our grievances are” against the “unmitigated evil” of Chinese immigration.

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61 Ibid., 359.
British Columbia even threatened to enforce their short-lived acts; in one instance, they threatened to halt the next vessel arriving from China and apply a $200 penalty on each Chinese passenger.\footnote{“The Anti-Chinese Immigration Bill,” \textit{Victoria (B.C.) Daily Colonist}, 4 April 1884, 3.}

When the Canadian Parliament met in 1884, Victoria’s MP Noah Shakespeare proposed a resolution declaring it “expedient to enact a law prohibiting the incoming of Chinese to that portion of Canada known as British Columbia.” The resolution won approval in a non-binding vote. In response, Prime Minister John A. Macdonald offered an olive branch to British Columbia. Macdonald, however, did not initially offer the legislation Shakespeare wanted. Instead, the Prime Minister proposed a special Royal Commission to investigate the issue of Chinese immigration. Parliament followed Macdonald’s lead, rescinding Shakespeare’s resolution pending the outcome of the investigation.\footnote{“Passage of Shakespeare’s Anti-Chinese Resolution,” \textit{Victoria (B.C.) Daily Colonist}, 4 April 1884, 3.}

John A. Macdonald was a practical politician. He understood the issue of Chinese immigration from multiple perspectives. On one hand, Macdonald empathized with British Columbia’s anti-Chinese outcry having declared that “These people are not our people. They are not of our race. They do not mix with us at all.” Yet on the other hand, Macdonald also recognized the existence of “some considerations which one must not lose sight of.”\footnote{“Chinese Immigration,” \textit{Victoria (B.C.) Daily Colonist}, 13 April 1884, 1.} These considerations included potential delays and cost increases in the completion of the Canadian Pacific Railroad. Railroad construction would conclude the following year provided Canada retained access to Chinese labor. Labor shortages in British Columbia had initially forced railroad contractor Andrew Onderdonk to use white workers from San Francisco, but Onderdonk
found them “the most useless lot of broken down gamblers, barkeepers, etc. ever collected in one place.” He quickly imported Chinese labor to complete the project.\textsuperscript{70}

The use of cheaper Chinese labor over more expensive white labor on the Canadian Pacific was a concern for all of Canada for reasons beyond those expressed in British Columbia. The completion of the Canadian Pacific was part of a national plan that involved bringing permanent settlers to western provinces. With Western Canada settled, Canadians hoped the railroad would allow the region to become a center of wheat production for the British Empire and open trade with Asia. The Canadian government invested nearly 100 million dollars in the railroad’s completion; at one point railroad construction expenditures accounted for three fourths of the Canadian national debt. Thus the Canadian government had ample incentive to not only complete the Canadian Pacific as soon as possible, but to do so with the least amount of expense. Yet when Andrew Onderdonk arrived in 1880 to supervise construction of the British Columbia portion, he estimated a need for 10,000 laborers in a province that only had a population of 35,000.\textsuperscript{71} Canadian leaders like John A. Macdonald thus considered Chinese labor in British Columbia a necessity, albeit a temporary one that they hoped would not become a permanent part of the provincial character. In 1882, Macdonald pledged to work toward “preventing the permanent settlement . . . of Mongolian, Chinese or Japanese immigrants.” However, Macdonald also reminded British Columbians bluntly that “At present it is simply a question of alternative – either you must have this [Chinese] labor or you cannot have the railway.”\textsuperscript{72}

\textsuperscript{70} Quoted in Patricia E. Roy, \textit{A White Man’s Province}, 50.  
Proposing a Royal Commission amounted to a delay tactic designed to appease British Columbia while simultaneously allowing the completion of the railroad on time and within budget. Since completion was near, Macdonald was willing to begin acting on the Chinese issue. Even as Macdonald was proposing the Royal Commission, he was writing to British Columbia Premier William Smithe promising the “Canadian Government will be prepared to submit to Parliament at its next session a measure to restrict or regulate the immigration of Chinese into Canada.” Some members of Parliament, including those from British Columbia, favored immediate action and balked at the Royal Commission proposal, but Macdonald garnered enough support to push his plan through.

The appointment of the Royal Commission soon followed. Macdonald chose two men to lead the Commission, J.A. Chapleau, the Canadian Secretary of State, and J.H. Gray, a member of British Columbia’s Supreme Court. The Royal Commission investigation, in principle, sought to learn public opinion rather than affirm it. Chapleau defined the Commission’s charge as “to make enquiry into and concerning all the facts and matters connected with the whole subject of Chinese relations as well as the social and moral objections taken to the influx of the Chinese people into Canada.” Thus the Royal Commission report ultimately differed from California’s Senate investigation in several ways, most prominently in the intent of the investigators. The California Senate sought to influence public opinion in support of immigration restrictions and they conducted its investigation so as to prove a preconceived point.

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73 John A. Macdonald to William Smithe, 10 April 1884, British Columbia Premier Originals, 1883-1887, Official Correspondence, Box 1, File 2, BC Archives.
These differences proved significant in the tone, themes, and the structure of the investigations. The Royal Commission interviewed witnesses both inside and outside of British Columbia, where California confined its investigation to San Francisco and Sacramento. In addition, the Royal Commission circulated a written questionnaire and invited the public to submit their responses as part of the final published report. The makeup of witnesses differed as well. The California Senate interviewed eighteen Chinese witnesses and no women, while the Royal Commission failed to take testimony from any Chinese but did interview one woman.

Despite these differences, linkages existed in the two investigations in concept, spirit, and execution. Royal Commission witness testimony and the co-chairs’ summaries made clear the binding ties between British Columbia and California. California’s fingerprints are visible throughout the Royal Commission’s final report. Henry Crease, a member of British Columbia’s Supreme Court, commented on the historic economic ties of the two places, recounting British Columbia’s early years when “everything required for civilization the first settlers had to do ab initio, out of their own labor and savings, or money they could borrow from San Francisco.”76 John Robson, a future British Columbia Premier, recalled the first Chinese to arrive in the province “came from California.”77 The Chief Justice of the British Columbia Supreme Court, Matthew Begbie, remembered anti-Chinese animosity during the gold rush with “the mining population being very Californian in its prejudices, its likings and dislikings.”78 And W.C. Ward of the Bank of British Columbia noted that the province’s anti-Chinese agitation was “chiefly

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77 Ibid., 63.
78 Ibid., 72.
political, with a view to the laboring class vote. It became prominent here soon after the agitation in California by Kallock [sic] and other demagogues.”

The actions of Royal Commission co-chair J.A. Chapleau provided the most direct connection to California. Chapleau chose to begin his inquiry into Chinese immigration not by traveling to Victoria, but by first visiting San Francisco. Chapleau interviewed eleven people in California on the subject, including several who had testified before the California Senate and the Congressional inquiries. Chapleau argued the California inquiry provided “an opportunity of studying it [Chinese immigration] on the spot in that State where it has appeared on the largest scale and under circumstances analogous to those existing in British Columbia.” In making his argument for initiating the investigation on foreign soil, Chapleau admitted that California and British Columbia faced the issue of Chinese immigration jointly. California’s experiences, including the lessons of the state’s incessant and ultimately successful lobby for federal immigration restrictions, held considerable weight as Chapleau deemed “the present of California may prove the likeness of the future of British Columbia.”

After concluding their work in San Francisco, the Royal Commission spent several days in Victoria gathering evidence and interviewing twelve witnesses. The bulk of the witness testimony, however, did not come from direct interrogation. An additional thirty-nine witnesses submitted written statements through the aforementioned questionnaire or via letters to the Royal Commission. The questionnaire posed twenty-seven questions relating to the desirability of continued Chinese immigration. The respondents were asked questions ranging from the threats posed by the Chinese to the public health (“What personal knowledge have you of the presence of leprosy amongst them?”) to advice on how rid the province of the newcomers (“what manner

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79 Ibid., 103.
would you suggest should be adopted to restrict or regulate their coming?"). The majority of the questions, however, focused on perceived differences of Chinese and white laborers in work habits and morality. Such questions illustrated the construction of contrasting racial identities and challenged Chinese suitability as permanent settlers. As in California, few witnesses or respondents provided hard data or empirical evidence supporting their claims, instead relying on perceptions and anecdotal evidence.

The Royal Commission sought to determine if exclusionary immigration policy was necessary. However, the questionnaire they circulated featured socially exclusionary language. Of the twenty-seven questions, eleven failed to refer to the Chinese as “Chinese,” opting instead for “otherizing” terms such as “they,” “their,” and “them.” Moreover, the questions point to white society as the ideal by which to measure Chinese newcomers. The following sample questions illustrate this point:

- Do they [Chinese] respect their engagements with white men, and carry out their contracts?
- Do they [Chinese] show any disposition to interfere with the prospect of the white population in any way beyond the competition which they offer in the labor market?
- Has white immigration been retarded by the presence of Chinese immigrants in this province [British Columbia]?

In total, the Royal Commission entered the testimony of fifty-one people from the Canadian portion of the investigation. Six representatives of British Columbia’s law enforcement community (judges, jailers, and police officers) offered statements, a contrast to California’s over reliance on police witnesses. Thirteen of the witnesses came from British

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82 Ibid.
83 The testimony calculated here is only the Canadian testimony, therefore excludes Royal Commission testimony received at San Francisco and Portland, Oregon.
Columbia’s comparatively pro-Chinese business community, including a bank president, a lumber merchant, and several railroad executives. The inclusion of the business leaders coincided with J.H. Gray’s declaration at the opening of the investigation “to hear the evidence on both sides, and fairly report it to Ottawa.”\(^84\) Eleven witnesses came from British Columbia’s governmental leaders, including mayors and members of Parliament and the Provincial Parliament. The remaining witnesses included laborers and physicians among the occupations.

The Royal Commission’s final report produced a more balanced view of Chinese immigration than California’s Special Committee. Part of this is attributable to the purpose of each report. Whereas California sought to influence national opinion, the Royal Commission sought greater information on Chinese immigration in general. Most Ottawa politicians had little personal understanding of the issue outside of the problems they heard about from British Columbians; an 1881 estimate suggested less than fifty Chinese lived in Canada outside of British Columbia.\(^85\) The differences between the results of the California and British Columbia investigations are also due to witness selection. The California Senate handpicked its witnesses, limiting or ostracizing the voices of those who offered opinions contrary to their predetermined narrative. The Royal Commission witness list was more inclusive, accepting the testimony of those who supported continued Chinese immigration and soliciting a broader range of opinions through the use of their questionnaire. The diversity showed in the responses elicited. Of the fifty-one people who provided statements, twenty-three reported a general positive influence on the province from Chinese immigration, while twenty-five had a negative view of the Chinese; the remaining witnesses were neutral.


\(^85\) Patricia E. Roy, *A White Man’s Province*, 269.
As in California, tabulations can made of the responses in the Royal Commission’s testimony on the three key topics of the Chinese effect on white labor, the honesty of the Chinese, and their capability for assimilation. On the topic of the Chinese effect on white labor, twenty-four respondents had the opinion that the Chinese inhibited, demoralized, or cheapened the labor of whites through unfair competition. A competing twenty-one dismissed such claims, arguing that Chinese labor had benefited the province and should continue to do so. It is noteworthy that those who supported Chinese labor did so in bland statements, like those of Canadian Pacific Railroad contractor Andrew Onderdonk who declared “ninety-nine percent of the Chinese here are industrious and steady” and “the presence of Chinamen give much business to whites.”86 Such statements may have been honest appraisals, but they did not elicit reaction from the public in the same way as the more provocative anti-Chinese sentiments. James Young of Nanaimo, for example, instilled fear by stating the Chinese were “entering into every branch of industry and actually crowding white people out.”87 Another Nanaimo man, J. Pawson, argued the only supporters of Chinese labor were wealthy “monopolists who desire them as a standing threat against the liberty of white labor.”88 A representative of the Knights of Labor drew a bleak picture of British Columbia’s future by saying “our children must seek employment in other countries to make room for a race of cuckoos.”89 Most provocatively, immigration official John Jessop preyed upon notions of provincial identity by relaying stories of white workers abandoning the province with the bitter eulogy “the province should be called ‘Chinese Columbia’ instead of British Columbia.”90

87 Ibid., 87.
88 Ibid., 132.
89 Ibid., 66.
90 Ibid., 63.
On the issue of honesty, twenty-two British Columbians found the Chinese trustworthy while sixteen disagreed. While this finding is surprising in that a majority countered the era’s popular stereotype of the deceitful Chinese, the responses suffered from the same problem that plagued answers about the effect of Chinese immigration on white labor. Those who believed the Chinese dishonest stated so in more colorful quotes – quotes more likely to provoke emotional responses and receive notice by the general public. One attorney dismissed the entire race as “utterly unacquainted with the truth.”91 Another witness drew a portrait of frequent thefts, saying when the frugal Chinese “practice extravagance . . . it is at the expense of some poor white man’s chicken roost, orchard, or garden.”92

As to the possibility of Chinese assimilation, the people of British Columbia presented a more unified stance. Only eleven respondents believed the Chinese could co-exist with white society, while twenty-eight thought the Chinese incapable of assimilation. Witnesses opposed to the Chinese presented white and Chinese cultures in binary terms, with no possibility of synthesis. The very notion of Chinese assimilation convoluted the era’s racial assumptions – if the Chinese were capable of grasping Western political institutions and culture it called into question the validity of white superiority. Answers to questions about assimilation reflected this fear. When J.A. Chapleau asked British Columbia Attorney General A.E.B Davie if the Chinese had a “chance of assimilation with other people,” Davie replied “No, they are a foreign element, and certainly there was no desire for it from the whites, and probably none on the part of the Chinese.”93 Henry Crease, whose testimony was largely supportive of the Chinese, offered a blunter assessment: “They will never assimilate with the Anglo-Saxon race, nor is it desirable

91 Ibid., 154.
92 Ibid., 135.
93 Ibid., 52.
that they should.”94 Another witness refused to entertain the possibility of assimilation with people he dramatically labeled “shamelessly wanton in their licentiousness.”95 One self-identified “working man,” John A. Bradley, offered more personal, if not absurd, arguments against assimilation with the Chinese – incompatibility in the areas of food and alcohol consumption. Bradley proclaimed the Chinese poor drinking companions as “drink does not affect them like Europeans. They only get stupidly drunk, like animals when intoxicated. A man must have brains to get hilariously tipsy and noisy under the influence of strong drink.” In addition, Bradley added “as cooks they are failures, and in this respect they inflict untold misery on the community.96 For his part, Royal Commission Co-Chair J.A. Chapleau believed that the Chinese could assimilate, but placed the blame for failure to do so on the Chinese themselves. Chapleau hypothesized “That if Chinamen dispensed with those conditions of Asiatic civilization which they have hitherto insisted on taking with them everywhere. . . . hostility against them would gradually disappear.”97

Chapleau and Gray wrote separate summaries and conclusions to their investigation, although they ultimately came to similar recommendations. Chapleau urged “gradually-achieved results” through “legislation regulating, not excluding Chinese laborers.”98 Gray was more specific, proposing a ten dollar duty on each person from China entering the province.99 Despite arriving at similar recommendations, Chapleau and Gray came to their conclusions independently. Chapleau focused on the protection of white laborers while dismissing the

94 Ibid., 145.  
95 Ibid., 133.  
96 Ibid., 160-161.  
98 Ibid., cxxxiv.  
complaints against Chinese immorality as “grossly exaggerated.” Such exaggerations did not diminish Chapleau’s willingness to believe other claims, however. Calling the Chinese “a non-assimilable race, clearly marked off from white people by color and national and race characteristics,” Chapleau argued their presence brought too much in the way of “irritation, discontent and resentment.” In Chapleau’s most pivotal statement, he argued “the sentiment of race superiority on the part of the whites leads these to feel humiliation at working by the side of the Chinamen.” With the completion of the Canadian Pacific near, Chapleau acknowledged the fears of British Columbia’s white laborers while simultaneously making clear that Canadian labor and white labor were synonymous.

In contrast, J.H. Gray’s conclusion poked holes in arguments about the superiority of white society and white labor. As a justice of the provincial Supreme Court, Gray made a living through logical reasoning and analyzing competing arguments. According to Gray, if the commonly accepted racial views were true, white labor should have little to fear from the Chinese. Gray wrote “It is something strange to hear the strong broad-shouldered superior race, superior physically and mentally, sprung from the highest types of the old and the new world, expressing a fear of competition, with a small, inferior, and comparatively speaking, feminine race.” He went on to say that Canada faced little threat to continued progress if Chinese immigration continued, but predicted the evidence would not change public opinion, no matter how persuasive. In addition to evidence, “there is another element to be considered, that is Public sentiment,” wrote Gray. Public sentiment had long ago turned against the Chinese in British

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101 Ibid.
102 Ibid.
Columbia. Such sentiment came through clearly in the Royal Commission testimony, drowning out suggestions that the Chinese presence was benign or beneficial. Thus a conflicted Gray gave in to public demand, writing “Masses of people do not always reason logically, but sometimes instinctively arrive at conclusions, and the public in British Columbia have almost unanimously, in the evidence, expressed a wish that some legislation should be had on this subject.”\textsuperscript{104}

The Canadian Pacific Railroad never became a dominant theme of the Royal Commission’s interrogations. However, since Prime Minister John A. Macdonald appointed co-commissioners Chapleau and Gray, Macdonald’s insistence that Chinese labor complete the railroad in British Columbia did emerge in the testimony. While the co-commissioners were open to suggestions of immigration restriction, they deferred to Macdonald’s preference to postpone such restrictions until after the completion of the railroad. Chapleau’s comments noted that the “testimony can leave no doubt of the efficiency of Chinese labor on railways.”\textsuperscript{105} Gray likewise acknowledged of the Chinese that “without their labor, the construction and completion of the Canadian Pacific Railway would have been indefinitely postponed.”\textsuperscript{106} Railroad executives supported these views in the testimony. Michael Haney, a superintendent of the Canadian Pacific, noted “at present large works could not be carried on without them, without entailing large expense.”\textsuperscript{107} Contractor Michael Onderdonk tried to assuage the fears of British Columbia’s anti-Chinese residents by declaring that the Chinese would disappear when railroad

\textsuperscript{104} Ibid., lxxii.
construction finished. “I am confident that the matter of Chinese immigration will regulate itself,” said Onderdonk, “that Chinamen will cease to come when they are not in demand.”

The Macdonald government in Ottawa hoped the Royal Commission would pacify the calls for immigration restriction coming out of British Columbia. Many British Columbians, however, saw the Royal Commission in less than flattering terms or as a political ruse paying lip service to the issue in lieu of taking meaningful action. Others took the presence of the Royal Commission as an insult, a message that Ottawa did not trust what they had heard from British Columbia politicians or that British Columbia’s leaders were incapable of forming their own valid opinions on the Chinese without Canada’s assistance. Victoria’s leading anti-Chinese agitator, Noah Shakespeare,smarting over the withdrawal of his anti-Chinese motion in Parliament in favor of Macdonald’s investigation proposal, denounced the Commission repeatedly. When the co-chairs refused an invitation to address an anti-Chinese meeting called by Shakespeare, he felt further insulted and denounced the Commission as “uncalled for and superfluous.” Shakespeare attended sessions of the Royal Commission in Victoria but refused an invitation to participate as a witness. Moreover, Shakespeare encouraged local leaders to boycott participation in the investigation. While Shakespeare clearly objected to the spirit of the Royal Commission, it is also likely that as the acknowledged leader of British Columbia’s anti-Chinese movement he feared competition from others who might use the Royal Commission to steal his constituency.

Shakespeare was not the only British Columbian to question the validity of the Royal Commission’s work. British Columbia Premier William Smithe refused to comply with Royal Commission requests for statistics and other information from the provincial government, disingenuously claiming his staff had inadequate time to prepare and that was he unaware of the Royal Commission’s existence.  

Residents of Victoria objected to the selection of the co-chairs, arguing Chapleau, despite his role as Canada’s Secretary of State, had no experience with the issue and charging Gray as either sympathetic to the Chinese or too preoccupied with his role in the judiciary to dedicate adequate attention. When the Royal Commission issued its final report, the most ardent members of the anti-Chinese community objected to recommendations to restrict rather than exclude Chinese immigration.

Yet Prime Minister John A. Macdonald remained true to his word. When the Canadian Parliament met in 1885, it took a compromising stance between the calls for full Chinese exclusion and the ten dollar head tax proposed by J.H. Gray of the Royal Commission. In July, Parliament enacted the Chinese Immigration Act, charging a head tax of fifty dollars on each arriving Chinese immigrant and limiting the number of Chinese arriving on any one vessel. Victoria’s *Daily Colonist* credited the act’s passage to “constant agitation at Victoria and Ottawa by earnest British Columbians” causing “the Dominion people and government to take an intelligent view.” The Shakespeare crowd wanted more stringent exclusionary actions but despite the claims of white workers labor shortages still existed in the western province. The *New York Post* claimed “The Kearney type of politicians re-echo the cry of the Californians for

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absolute exclusion of the intruders, but the wiser opinion among the British Columbians themselves is in favor of a policy of regulation.”

Two additional patterns emerge worth noting when analyzing the testimony in the California Senate’s Special Committee on Chinese Immigration and the Royal Commission on Chinese Immigration. The first is the degree to which class distinctions influenced the views of witnesses. White manual laborers typically opposed Chinese immigration, believing a lower Chinese standard of living allowed them to work for lower wages, undercutting the wages of white laborers. Conversely, whites involved in the administration side of businesses with high employee counts, such as those working in mining, lumber, manufacturing, and railroad construction, supported Chinese immigration. J.A. Chapleau’s summary of the Royal Commission’s testimony noted as much, stating “In British Columbia those who are not dependent in one way or another on the support of the laboring classes are, as a rule, unfavorable to anti-Chinese legislation.”

The distinction of class is integral in understanding the motivations of the anti-Chinese movement. Although economically marginalized, white workers asserted their claim to citizenship by using language contrasting the Chinese with their own claims of patriotism. Members of British Columbia’s anti-Chinese Workingmen’s Protective Association, for example, used imagery describing the Chinese as a “weakness to the nation” or “undesirable settlers” while simultaneously portraying themselves as a “free community of Anglo-Saxons”

and “masters of the Continent.” By emphasizing their whiteness in contrast to the Chinese, white workers demonstrated their suitability for increased economic opportunities and citizenship to those of a higher social class. Emphasizing race allowed white workers to place themselves on equal footing with economic and political elites in ways otherwise denied.

A second pattern emerges in relation to views on gender. Neither the California Senate nor Royal Commission demonstrated an interest in the opinions of women. Only one woman appeared as a witness between the two investigations. The Royal Commission interviewed Emily Wharton (a pseudonym), a twenty year old prostitute in Victoria, but the Commission did not question her on opinions of Chinese immigration. Instead, the questioning focused on Wharton’s opium addiction and the potential problems associated with Chinese opium dens.

Women did, however, feature prominently as subjects of discussion in the testimony of both investigations. Although white laborers feared competition from the Chinese in typically male pursuits such as railroad construction, the Chinese also accepted positions more commonly staffed by women during the nineteenth century. Royal Commission Co-Chair J.H. Gray indirectly admitted as much in referring to the Chinese as a “feminine race.” The Chinese found regular employment as domestic servants, cooks, and washing house employees, positions deemed “women’s work” by the era’s gender roles. Anti-Chinese witnesses charged immigrants with stealing women’s jobs and rendering such positions unfit for white women through fears of racial mixing. In British Columbia, witness M.W.T. Drake claimed the Chinese “invaded the

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117 Neither Wharton nor the investigators state Wharton is a prostitute. However, Wharton answers in the affirmative to the question “I do not want to be offensive, but are you what is called a fast woman?” See Government of Canada, “Minutes of Evidence,” in Report of the Royal Commission on Chinese Immigration, 151.
washing interests and gradually ousted the women who did this work.” Other witnesses, like John Jessop and J. Pawson, worried more about protecting white women from miscegenation. Jessop claimed white women voluntarily abandoned the field of domestic work in refusal to work alongside the Chinese, while Pawson called the prospect of white women working next to a Chinese man “repulsive.” The deep convictions of white racial superiority and female purity promoted calls for patriarchal protection of women in California and British Columbia.

The threat of economic competition from a supposed feminine race also threatened the masculinity of white males. In some instances, that threat carried over from work to home. Royal Commission investigators asked several witnesses, including Victoria physician John Sebastian Helmcken, questions related to the persistent rumor that male Chinese domestic servants scrubbed the bodies of prominent white women during baths, a rumor that dated at least to 1879. The witnesses denied the rumor’s validity. Yet the allegations tapped into racial fears, even if untrue. The rumor mongers did not need to fully assail the virtues of prominent white women by suggesting they engaged in sexual intercourse with Chinese men. The rumor mongers only needed a tale with a lingering hint of sexuality to make Chinese domestic help appear lecherous. Moreover, the tale did not need to be true, only repeated, to become a useful tool against the Chinese. The specter of a feminine race of men – a lesser race of men – touching naked white women attacked the masculine interests of British Columbia’s males.

The California Senate investigation’s discussion of women most commonly occur during questions and answers related to prostitution. Many, if not most, Chinese women living in

\[\text{120} \text{ Ibid., 63-64 and 133.}\]
California and British Columbia at this time were in fact prostitutes. Chinese men typically immigrated without families and with the intent of eventually returning to China. The few Chinese women who did arrive often came against their will for the purposes of prostitution. Race did not limit the customers of Chinese prostitutes, as both white and Chinese men visited Chinese brothels with equal frequency. In addition, a former Sacramento police chief even alleged the Chinese male presence increased white prostitution by driving white women from respectable employment positions. As the California Senate built its case against the morality of the Chinese, prostitution was an easy target.

An interesting and surprising plot point occurs when Californians asserted the superiority of the white race over the Chinese by virtue of having morally superior prostitutes. Witnesses accused Chinese prostitutes of regularly entertaining white boys as young as ten in their dens. A school superintendent reported fifty of his white boys over the previous two years had contracted venereal disease in Chinatown (investigators chose not to amplify that the students attended a reform school). Along with the predictable outrage over such proclamations came calls that such corruption of white youth was only possible by way of Chinese prostitutes. White boys, argued several witnesses, would “not take the liberties with white women that they do in Chinatown.” Moreover, white prostitutes “would not allow boys of ten, eleven, or fourteen years of age to enter their houses.” Investigators and witnesses were not content to assert Chinese prostitutes corrupted white youth, they also minimized any corrupting influence attributable to

122 The statistics provided to the Royal Commission by Chinese Consulate official Huang Sic Chen admit that there were 70 Chinese prostitutes in British Columbia as compared to only fifty-five married Chinese women. See Government of Canada, “Appendix C,” in Report of the Royal Commission on Chinese Immigration, 363-366.
123 As late as 1911, Canadian estimates indicate only 3% of the Chinese population was female. See Patricia E. Roy, A White Man’s Province, 269.
white prostitutes. Had prostitution in general been a social distress, the Special Committee had ample opportunity to investigate its effects further. No such inquiry occurred. To the minds of the California Senate investigators, it was not the profession of prostitution that corrupted youth, but the race of the prostitutes.

The California Senate Special Committee on Chinese Immigration and Canada’s Royal Commission on Chinese Immigration occurred eight years apart, with different purposes, and under different circumstances. Yet similarities link the two investigations in more meaningful ways than the initial differences might suggest. The testimony of Californians and British Columbians displayed their shared views on race as a qualification for political, social, and economic acceptance. Both investigations came to similar conclusions based on testimony indicating widely held beliefs that the Chinese represented unfair labor competition, were a dishonest and criminal people, and were incapable of adapting to American or Canadian white culture. Moreover, both investigations ultimately recommended that their respective federal governments implement some form of immigration restriction against the Chinese.

In California, the investigation resulted in increased national attention to what had previously been a West Coast issue in the United States. The California Senate helped shape national opinion on the Chinese question by publishing the testimony and adding anti-Chinese addresses to the American people and to Congress. National political leaders then authorized their own Congressional investigation of Chinese immigration and forced the Republican Party to join with Democrats in adopting an anti-Chinese plank in their party platform. As evidence of the California investigation’s impact, three years after its completion Congress passed the Fifteen Passenger Bill of 1979 limiting the allowed number of Chinese arriving on any one ship. It was a
conceptually similar idea to the California Senate’s recommendations to limit the number to ten. Six years after the conclusion of the investigation and following additional agitation from California, the United States adopted the Chinese Exclusion Act.

The close proximity of California and British Columbia in geography, culture, economics, and identity meant meaningful immigration restrictions had to occur jointly in order to be effective. When the Royal Commission completed its investigation of Chinese immigration in British Columbia, federal immigration policies followed immediately. Prime Minister John A. Macdonald had publicly stated his desire to restrict Chinese immigration prior to the investigation, but cautioned such restrictions could come only after completion of the Canadian Pacific Railway. With construction winding down, Macdonald was willing to accept recommendations from the Royal Commission. With Chinese immigration nearly unknown in Canada outside of British Columbia, the Royal Commission’s findings provided many Canadians with their first glimpse of white opinions on the subject. When each co-commissioner of the Royal Commission made recommendations for immigration restrictions in 1884, Parliament adopted the Chinese Immigration Act and its head tax on Chinese immigrants the following year with Macdonald’s blessing.

The two investigations greatly influenced the passage of restrictive immigration policies in the United States and Canada. By exposing areas beyond the West Coast to the most common white complaints against the Chinese, the investigations shaped transnational public opinion in the United States and Canada. By the middle of the 1880s, California and British Columbia had used the issue of Chinese immigration to place the United States and Canada on a new course, a course where race determined the suitability of future immigrant groups.
CHAPTER VII:
THE LEGACY OF THE ANTI-CHINESE ACTS

In 1886, just four years after the United States passed the Chinese Exclusion Act and one year after Canada passed the Chinese Immigration Act, New York City added one of the most distinctive features of its modern skyline. The new addition was the Statue of Liberty, the 150-foot tall homage to American freedom that became a symbol of welcome to European immigrants arriving in New York Harbor. The dedication of the Statue of Liberty provided a stark contrast to the sentiments toward Chinese immigration that triumphed in California and British Columbia. On the West Coast, no statue greeted arriving Chinese immigrants. Instead, government officials demanding payment of the head tax greeted the Chinese arriving in British Columbia. After 1910, California’s greeting consisted of a stay at the new immigration station at Angell Island in San Francisco Bay – a stay that could last months as immigration officials determined the immigrant’s eligibility to enter or re-enter the United States.

In arguing against passage of the Chinese Exclusion Act in 1882, a Massachusetts Senator, George Frisbie Hoar, noted of the United States, “We go boasting of our democracy, and our superiority, and our strength,” Hoar said, before lamenting that “a hundred thousand Chinese land in California and everything is changed.”¹ The most visible, lasting change was to American and Canadian policies of open immigration. After the 1880s, open immigration gave way to a completely new course of immigration restrictions based on the race of the potential immigrants. With the passage of the Chinese Exclusion Act and the Chinese Immigration Act, the United States and Canada began institutionalizing race as a qualification for entrance.

¹ Quoted in Andrew Gyory, Closing the Gate: Race, Politics, and the Chinese Exclusion Act (Chapel Hill, NC: University of North Carolina Press, 1998), 225.
How and why did a transnational link of race-based immigration policies develop? How did the relatively isolated region that included California and British Columbia come to so heavily influence the national immigration policies of the United States and Canada? Those have been the primary questions this research project has sought answer. To summarize the answers requires a brief summary of the evidence of the previous six chapters.

California and British Columbia, while in different countries, shared a distinct region bound together by geography, economic and cultural exchange, and thus historic development. Both shared the coastline of the Pacific Ocean and initially existed in relative isolation from the rest of their respective countries, cut off by the difficulties in traversing the Rocky Mountains. Neither shared the direct historical legacy of the American Revolution, the event that created the geopolitical separation of the United States and Canada. Instead, they developed as territories independent of the traditional narratives of their nations’ founding. Gold rushes brought significant white population to California and British Columbia for the first time, driving their progression in becoming a state and province. San Francisco, California’s largest city, served as the epicenter of commerce, trade, and travel for the entire Pacific Northwest, including British Columbia, even after that territory became a Canadian province in 1871. Much of British Columbia’s early non-indigenous population came from or by way of California, including the first Chinese immigrants and many of British Columbia’s first merchants, shopkeepers, financiers, and journalists.

When the Chinese first began arriving in significant numbers during the 1850s, they did not disperse evenly throughout the United States and Canada. The Chinese primarily came to and settled in California and British Columbia. By 1880, California was home to 71% of the Chinese
in the United States while British Columbia was home to 99% of those in Canada. Although anti-Chinese bias in California and British Columbia permeated all socio-economic classes, it was more heavily concentrated among the white working class. Anti-Chinese campaigns were at their heaviest during times of economic hardships, when Chinese laborers entered occupations previously dominated by white laborers creating economic competition between them. White laborers used their race as a point of solidarity with the region’s elites, arguing that their whiteness entitled them to economic protections from the competition of other races.

Such arguments stemmed from long standing presumptions about white racial supremacy that included beliefs in the superiority of white or Western civilizations, cultures, and forms of government. What passed as accepted scientific racial knowledge (but is more accurately described as ideology) circulated readily between Western, predominantly white nations, informing the production of an image of the Chinese as perpetually foreign, possessing strange customs, and incapable of assimilating to Anglo-American or Anglo-Canadian culture. In the minds of the white majority in California and British Columbia, the failure to assimilate to what they perceived as their superior culture represented an admission of Chinese inferiority. Meanwhile, white Californians and British Columbians reaffirmed their superiority by erecting barriers to Chinese assimilation, including removing Chinese participation in the public sphere through the denial of citizenship, voting rights, and equal treatment in the legal system.

Between 1850 and 1885, California and British Columbia served as surrogates for their respective nations, embarking on a transnational effort to inhibit Chinese immigration to their shared region. This effort included a series of anti-Chinese public policies enacted at the local, state, and provincial levels, including special Chinese taxes, immigration restrictions, and even

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spiteful policies punishing the Chinese simply for their ethnicity. Regional politicians began using anti-Chinese rhetoric both to secure votes from the anti-Chinese electorate in addition to using the Chinese issue to fuel their own personal and professional ambitions. Those same politicians initiated efforts to move the issue beyond the Pacific Coast and into the hands of policymakers in Washington, D.C., and Ottawa, seeking a national response to a largely regional political issue. The published results of government sponsored investigations into the Chinese question in California and British Columbia provided additional national exposure to the issue and pressured federal lawmakers to take action so as to appease the West Coast voices of discontent. While this transnational exchange was rarely formal or organized, the evidence is clear that both California and British Columbia paid close attention to each other, mimicking each other’s efforts in pursuit of a shared goal of Chinese immigration restrictions.

This project has had secondary purposes beyond answering the aforementioned research questions. These purposes include recasting the parameters by which we define historical regions. California and British Columbia are shown as part of a unique region in the latter half of the nineteenth century, despite lacking a shared border and locations in separate nations. This argument does not preclude including California and British Columbia as part of other defined regions; historical regions can and do overlap. As examples, one can argue that parts of California also comprised a special transnational region with Mexico during this same period, or that California, Oregon, and Washington comprised a special American Pacific region or that British Columbia was part of a larger region of the Canadian West. None of these arguments, however, diminish the special relationship of California and British Columbia in the late nineteenth century. Through its epicenters at San Francisco and Victoria, this region remained bound together by geographic, economic, social, and ideological factors that ultimately defined
immigration policy for two nations. It is hoped that future researchers will continue to expand and redefine our understanding of this region and others.

In addition, this project is an attempt to refocus the lens through which we view historical enquiry, to widen it in order to capture a fuller, more detailed picture of the historical processes that shape the world we inhabit. The lens chosen here is one that answers the call of cutting edge historians who argue for a transnational approach to the study of history. Transnational history does not make national histories obsolete, rather it adds new layers to our knowledge of nations by broadening the way we understand them and acknowledging the mobility of historical forces to leap across national boundaries. The historical trajectory of a nation is in part shaped by events happening outside of its borders and the call to transnational history recognizes these developments. By placing a microscope over the transnational California/British Columbia region, we see the exchange of ideology that launched both nations on paths of racialized immigration policies. Moreover, we can expose the fallacies of not one, but two national myths – the myth of the American melting pot and the myth of the Canadian mosaic. The national histories of the United States and Canada are intertwined, and the transnational passage of restrictive anti-Chinese immigration policy is just one of many possible examples that historians can use to demonstrate this. It is hoped that this research project encourages future work that continues to illustrate the historical connections of the United States and Canada.

As a result of the relentless thirty year effort by California’s anti-Chinese activists, in 1880 the United States renegotiated the Burlingame Treaty with China that governed relations between the two countries. The key revision to the treaty granted the United States permission to
suspend the acceptance of Chinese immigrants. With that barrier removed, it was only a matter of time before the United States government moved on to formal restrictions.

Not surprisingly, one of the most prominent speeches during the Congressional debates over the Chinese Exclusion Act came from a California Senator, John Franklin Miller. Miller had a strong anti-Chinese résumé having served as the chair of the Anti-Chinese Committee at California’s 1879 Constitutional Convention (ironically, Miller had run as a delegate on the Non-Partisan Peoples’ Ticket, whose motto was “Equal Rights and Exact Justice to All!”). He spoke for two hours on the Senate floor, the thesis of his speech encapsulated in the statement “We ask you to secure to us American Anglo-Saxon civilization without contamination or adulteration with any other.” Miller, like many other Californians, had come to view his state, his country, and his region as the domain of a white populace.

Signed into law in 1882, the Chinese Exclusion Act was to remain in effect for just ten years. The law did not technically ban all Chinese. Instead, it expressly banned Chinese laborers, a nearly direct admittance that the political constituency driving its passage was California’s workingmen. Superficially, non-laborer Chinese could still come to the United States but few Chinese outside of the laboring class had reason to immigrate. The Exclusion Act also required the Chinese remaining in the United States, and those wishing to travel outside of the country and return, to register with government authorities and carry identification papers. In addition, the Exclusion Act reinforced the prohibition on Chinese citizenship, repealing any existing laws that might allow it. The Chinese had been integral in creating wealth for California by extracting its gold, building up its economy by staffing its factories, and connecting California to eastern

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4 Andrew Gyory, *Closing the Gate*, 223-224.
states through the construction of western portions of the Transcontinental Railroad. But the new law made the racial hierarchy clear – Chinese labor was good enough to build up California, but Chinese laborers were not good enough to be Californians (or by extension Americans).

Canada took a different path with the 1885 Chinese Immigration Act. Rather than exclude Chinese laborers wholesale, the Canadian Parliament opted to discourage Chinese immigration while simultaneously filling the public coffers. The Act established a fifty dollar head tax on all Chinese entering Canada, with exceptions made for diplomats, tourists, and students. Like the American law, the Canadians also required certificates of identity from all arriving Chinese. In addition, the Canadian government limited the number of Chinese arriving on any one ship to one immigrant for every fifty tons of weight on the ship.6 By restriction rather than exclusion of the Chinese, Canada hedged her bets. The head tax could initially lessen the number of Chinese immigrants, but it also left the possibility of attracting new Chinese laborers should the need arise. The completion of the Canadian Pacific Railway in 1885 had only occurred with the aid of thousands of Chinese immigrants; it was no coincidence that the implementation of the head tax coincided with the railroad’s final spike. An American scholar writing in 1913 found the Canada’s effort at leaving the door slightly ajar for the Chinese as superior to full exclusion, arguing “The Canadian law is free from all the vexations and spiteful restrictions which hedge in the Chinese by the law of the United States as regards entry and registration.”7 But the fifty dollar head tax would prove temporary, and harsher Chinese restrictions would follow in later years.

The passage of the two laws had several unintended consequences. Just as earlier anti-Chinese acts in California and British Columbia and the denial of equal access to the courts had

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6 Ibid.
sanctioned anti-Chinese violence, so too did the Chinese Exclusion Act and the Chinese Immigration Act. Rather than ending hostility against the Chinese, the acts reaffirmed through national legislation that the Chinese were an unwanted and vulnerable people. Multiple examples of violence followed in the years after the acts’ passage. In the United States, the propensity toward violence against the Chinese spread outward from its California origins. In 1885 in Rock Springs, Wyoming, economic and racial tensions between white and Chinese coal miners took a deadly turn when a fight over which group had rights to work a specific location became a mob rampage. White miners took the fight to Rock Springs’ Chinatown, murdering at least twenty-eight Chinese miners and burning their homes. The remaining Chinese residents of Rock Springs fled, leaving their homes and jobs behind.\(^8\) In 1887, a white gang killed as many as thirty-four Chinese miners (estimates vary) while stealing between $4,000 and $5,000 in gold on the Snake River in Oregon. Although a trial followed the incident, there were no convictions.\(^9\) In Canada, British Columbia still remained home to nearly all of the nation’s Chinese, but violence moved out of the mining camps and Victoria to new locations. A mob hauled twenty-four Chinese immigrants from their homes and burned their possessions near present day Vancouver in 1887. In 1907, anti-Asian riots in Vancouver, in part inspired by American labor leaders, nearly destroyed that city’s Chinatown.\(^10\)

A second unintended consequence of the laws was a reshaping of the American/Canadian border. Prior to the turn to restrictive immigration policies, the border was largely a theoretical

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8 The most significant scholarly work to date on the Rock Springs massacre is Craig Storti, *Incident at Bitter Creek: The Story of the Rock Springs Chinese Massacre* (Ames, IA: Iowa State University Press, 1991). While the book contains many factual aspects, other historians have criticized Storti’s interpretation for partially blaming the Chinese for their failure to assimilate. See for example the review by Roger Daniels in *Pacific Historical Review* 61 (February 1992), 144-145.


barrier or a symbolic point, a dotted line on a map. Restrictive immigration measures changed that. Chinese immigrants could enter either country by sea, but they could also land in one country and attempt to cross the border into the other. Now that regulations controlled who could cross those borders and under what circumstances, the border out of necessity became a fixed location. Borders now had to be maintained, regulated, guarded, monitored, and staffed.\textsuperscript{11} The initial differences in American and Canadian policy, exclusion versus restriction, meant the border initially had a different level of importance to each nation. To the United States the border became a barricade against Chinese immigration, while on the Canadian side the border was both barrier and toll gate for the collection of the head tax. For the United States to adequately enforce their exclusion policy required Canadian assistance. In 1891, for example, the American Secretary of the Treasury (then in charge of American immigration policy enforcement) stated “any legislation looking to exclude will fail of its full purpose so long as the Canadian government admits Chinese laborers to Canada.” As a result, the border became the subject of international diplomacy between the two nations as the United States pressured Canada to assist in enforcing American policy. In 1903, Canada increased the Chinese head tax to 500 dollars, partly in response to this American pressure. That same year, the two nations signed an agreement that strengthened border security and increased inspections.\textsuperscript{12}

The anti-Chinese acts also contributed to a new categorization of residents in the United States and Canada, that of the \textit{illegal immigrant} or \textit{illegal alien}. Under the two acts, an illegal immigrant might be a Chinese laborer who entered the United States, a Chinese person who

\footnotesize{\textsuperscript{11} Matthew Annis, “The ‘Chinese Question’ and the Canada-US Border, 1885: ‘Why Don’t Governor Squire Send His Troops to Semiahmoo to Prevent the Twelve or Fifteen Thousand Pagans from Crossing our Borders from British Columbia?’,” \textit{American Review of Canadian Studies} 40 (September 2010), 352. See also Kornel Chang, “Enforcing Transnational White Solidarity: Asian Migration and the Formation of the U.S.-Canadian Boundary,” \textit{American Quarterly} 60 (September 2008), 671-696. 
falsified or misrepresented identification documents to enter the United States or Canada, or a Chinese person who entered Canada without paying the head tax. Thus at its conception the concept of illegal status had racial connotations where such immigrants were presumed to be non-white. The racial stigma attached to the illegal immigrant only served to further notions that citizenship in the United States and Canada was the domain of the white racial majority.

Moreover, the illegal alien created new social and political problems for both the United States and Canada. As Mae M. Ngai has written:

> Immigration restriction produced the illegal alien as a *new legal and political subject*, whose inclusion within the nation was simultaneously a social reality and a legal impossibility – a subject barred from citizenship and without rights. . . . illegal aliens posed enforcement, political, and constitutional problems for the modern state. The illegal alien is thus an ‘impossible subject,’ a person who cannot be and a problem that cannot be solved. ¹³

As immigration restrictions grew to include migrants of multiple nationalities and ethnicities, the image of the illegal alien expanded as well. As of 2013, neither the United States nor Canada had established a satisfactory method of addressing these “impossible subjects” and undocumented immigration remains a volatile political issue.

Laws excluding and/or restricting the Chinese did not end race-based immigration policies in the United States and Canada; once these laws passed, they opened the door for politicians to implement additional restrictions. The Chinese Exclusion Act and Chinese Immigration Act became the foundations on which to build future race-based immigration restrictions in each country. Nor did the laws of 1882 and 1885 end immigration restrictions directed solely at the Chinese. Since the Chinese Exclusion Act of 1882 was initially to last only ten years, the Chinese question again hit Congress in 1892. This time, Congress implemented the Geary Act, introduced by and named after California Congressman Thomas J. Geary, renewing

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the basic points of the Exclusion Act while adding additional restrictions. The Geary Act allowed for the deportation of Chinese found without the appropriate documents and who could not produce a credible white witness to vouch for their status.\textsuperscript{14} In 1902, the United States avoided the debate over another ten year extension by indefinitely extending Chinese exclusion.

In Canada, Ottawa increased the original 1885 head tax of 50 dollars to 500 dollars (the equivalent of two years wages for most Chinese workers) in 1903 in hopes of further limiting Chinese immigration. Had the Canadian government wished to implement outright exclusion at that moment in time, their status as a dominion under British authority tied their hands. Treaty obligations between Great Britain and China negated the possibility of an exclusion policy. However, in 1923, Canada gained the right to negotiate foreign policy independent of Great Britain. Not coincidentally, that same year Canada abandoned the head tax and joined the United States in outright Chinese exclusion, making exceptions only for merchants, students, and diplomats. Few qualified for these exemptions; between 1923 and 1946 (the last year of the exclusion policy), Canada admitted less than twenty-five Chinese immigrants. The implementation of this new Chinese exclusion also had symbolic importance in defining a racial component of Canada’s national identity; the first day of enforcement was July 1, Canada Day, the anniversary of the nation’s founding. In the Canadian Chinese community, the anniversary took on a new name, “Humiliation Day.”\textsuperscript{15}

With the Chinese restrictions opening the door to immigration restrictions based on race, new immigration laws targeting additional non-white races emerged. In 1917, the United States

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\item \textsuperscript{14} U.S. Congress, An Act to Prohibit the Coming of Chinese Persons into the United States [Geary Act], 52nd Cong., 1\textsuperscript{st} Sess., Chap. 60 (5 May 1892).
\end{itemize}
\end{footnotesize}
established an Asiatic Barred Zone encompassing the majority of Asia and the Pacific Islands, extending Chinese exclusion to include most of Asia.\footnote{Bill Ong Hing, \textit{Defining America Through Immigration Policy}, (Philadelphia: Temple University Press, 2004), 46-47.} By the 1920s, the United States overhauled their immigration regulations to establish a quota system wherein only a specific number of people from individual countries outside the barred zone could immigrate. The stated purpose of the quota system was to keep the ethnic balance of the country permanently at its 1890 percentages, thereby preserving an Anglo-American identity. Immigration numbers fell across the board, but the laws especially targeted Southern and Eastern European immigrants in addition to the now banned Asians.\footnote{Ibid., 68-69.} There was no secret behind the reasons for the laws. The United States sought to formalize their belief in the superiority of their society through immigration policy, a belief that hinged on the superiority of whiteness and especially Anglo-American whiteness. As one historian has noted, “The \textit{fundamental American} stock was western European, and the quota laws were designed to keep it that way.”\footnote{Ibid., 69.}

Canada’s immigration policy followed a similar racialized trajectory to the United States in spirit, although not always in the same form. In 1910, Canada passed a new law that allowed the Cabinet discretion in enacting future regulations in regards to the number, ethnicity, and occupations of future immigrants. The 1910 law also included the infamous “Section 38,” the provision that further allowed the government to prohibit “immigrants belonging to any race deemed unsuited to the climate or requirements of Canada,” a provision that demonstrated preference for European or white immigrants over those from Asian or African nations.\footnote{Valerie Knowles, \textit{Strangers at our Gates}, 110-111.} In 1919, Canada used Section 38 to enact broad measures restricting immigrants based on “their peculiar customs, habits, modes of life . . . and because of their probable inability to become
readily assimilated or to assume the duties and responsibilities of Canadian citizenship within a reasonable time after their entry.” These guidelines helped Canada justify the acceptance of less than 5,000 Jewish refugees during the World War II era, one the lowest cumulative numbers among the world’s democratic nations. By 1953, Canada’s immigration policy largely limited new arrivals to those who shared an Anglo-British racial heritage, including British subjects from the United Kingdom, Australia, New Zealand, and South Africa, in addition to white immigrants from the United States, Ireland, and France.

The era of formal racial restrictions in immigration policy ushered in by the Chinese Exclusion Act and Chinese Immigration Act lasted for parts of eight decades. The anti-Chinese policies remained on the books until the 1940s, when foreign policy developments related to World War II dictated an acknowledgement of the wartime contributions of China. The United States and Canada were allies of China during the war, leading to the United States’ repeal of the Exclusion Act in 1943 and a Canadian repeal of the Chinese Immigration Act in 1947. By the 1960s, the Civil Rights era’s emphasis on racial tolerance and equality drove new changes to immigration policy. Canada went first in 1962, followed by the United States in 1965, both implementing immigration overhauls that removed race from consideration, replacing it with admission criteria based on economic needs of the nation, occupation, education, skills, and family reunification. For the first time since the 1880s, Chinese immigrants were on equal footing with other ethnic groups and nationalities in gaining admittance to the United States and Canada.

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[22] Ibid., 326.
At the time of this writing, four decades have passed since the United States and Canada removed racial qualifications for immigration – ample time for Americans and Canadians to reflect on the legacy of anti-Chinese policies. During that time, a movement on both sides of the border emerged to acknowledge the damage done by the Chinese Exclusion Act and the Chinese Immigration Act. Activists in both countries lobbied lawmakers to offer government apologies in hopes such action would allow reconciliation and move the issue of race relations forward. One such example was the 1882 Project, a partnership of five different Chinese American and Asian American interest groups “focused on educating policymakers and the public about the Chinese Exclusion Laws and the impact such legislation had on our history.”

Canada, however, was the first of the two nations to address the issue. In June of 2007, Canadian Prime Minister Stephen Harper began a public announcement with the Cantonese words “Ja Na Da Do Heep,” which translates to English as “Canada apologizes.” Harper’s official statement acknowledged “For over six decades, these malicious measures, aimed solely at the Chinese, were implemented with deliberation by the Canadian state. . . . This was a grave injustice, and one we are morally obligated to acknowledge.” In addition to the formal apology, Harper’s government offered a symbolic payment of $20,000 to the few remaining living Chinese Canadians who had paid the head tax. Canada appropriated an additional $24,000,000 for community projects recognizing the impact of past immigration restrictions.

The actions of the Harper government encouraged more localized efforts within British Columbia to apologize for anti-Chinese policies. In New Westminster, plans to build a high

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school on top of an old Chinese cemetery prompted complaints that begat a municipal investigation. In 2010, New Westminster’s mayor apologized to the city’s Chinese community after “unearthing evidence of racist policies spanning a 66-year period in the city archives.” At the provincial level, the British Columbia government planned on issuing a formal apology to its Chinese residents in 2013. However, a minor political scandal derailed those plans. In the weeks prior to the planned apology, leaked papers from the governing political party, the BC Liberals, exposed a “quick wins” campaign offering apologies to multiple ethnic groups in order to gain political support. Fallout from the controversy prevented the apology’s issue as of the date of this writing. The tactics and the sentiments may have changed, but the incident demonstrated that over 100 years after the career of Noah Shakespeare, British Columbia’s politicians were still cynically using the presence of Chinese residents to score political points.

In the United States, contrition for anti-Chinese policies first came from the very place where those policies began. In a 2009 joint resolution of California’s Legislature, the state confessed to its role in influencing national immigration restrictions. The resolution declared “California lobbied Congress for years to strictly prohibit immigration from China, and in 1882, was successful in convincing Congress to enact the Chinese Exclusion Act, the first federal law ever passed excluding a group of immigrants solely on the basis of race or nationality.” The legislature further admitted its own ugly history of passing policies that “targeted traditional

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Chinese culture and customs,” while acknowledging the significant “contributions made to the State of California by Chinese Americans and Chinese immigrants.”

In 2011 and 2012, the United States Congress joined Canada and California in expressing contrition for its anti-Chinese history. The House and the Senate passed separate “resolutions of regret,” the purpose of which, according to the Senate version, was “to educate the public and future generations regarding the impact of these laws on Chinese and other Asian persons and their implications to all Americans.” Although a step forward, the language of the resolutions were admittedly only symbolic and did little to directly address the “induced trauma that persists within the Chinese community” resulting from the Chinese Exclusion Act. Some activists, including Los Angeles County Supervisor Michael Antonovich, noted with disdain that Congress had only issued “resolution[s] of regret” as opposed to formal apologies. However, dismissing the resolutions as strictly hollow gestures also ignores the rarity of similar Congressional acknowledgments. Congress has offered official apologies or statements of regret only four times in the last twenty-five years, including apologies for slavery and racial segregation, Japanese-American internment during World War II, and the overthrow of the Hawaiian monarchy.

The majority of this project has looked at factors contributing to the implementation of anti-Chinese policies and the policies themselves. Therefore much of what the research here has emphasized is the reactions and actions of those in the white majority in California and British

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Columbia during the nineteenth century – reactions to Chinese immigration and actions to restrict it. The Chinese themselves have been supporting characters in this project by virtue of their exclusion from the policy and political process. In closing, therefore, it is appropriate to take a brief look at three people of Chinese ethnicity who directly challenged the logic that anchored California and British Columbia’s anti-Chinese policies. During the 2000s, each of the three made key contributions to the campaigns for government recognition and atonement for the history of anti-Chinese policies.

The ideology of the nineteenth century held, in the words of the United States Senate’s resolution, that the Chinese were “unworthy of American citizenship,” “incapable of assimilation into American society,” and “dangerous to the political and social integrity of the United States.”33 If one substitutes “American” for “Canadian” in the previous sentence, the statement is no less accurate of the era’s Canadian policymakers. Yet those beliefs are not reconcilable with the stories of Canada’s Gim Foon Wong and James Pon, or the American Judy Chu.

If the Chinese were “unworthy of citizenship,” how does one explain the actions of Gim Foon Wong? Wong’s parents had paid the Canadian head tax, and despite his birth in Canada, Wong had been refused citizenship and the right to vote. Although Canada did not recognize Wong as a citizen, Wong recognized Canada as his country. During World War II, the military turned down multiple attempts by Wong to enlist before finally accepting him in 1944. He excelled in training, became a commissioned officer, and served Canada for the remainder of the war. As a retiree, Wong wanted to raise awareness of the injustice done to Chinese immigrants during the head tax and exclusion eras. To gain recognition for the issue, he embarked at the age of eighty-two on a cross country motorcycle journey from Victoria to Ottawa. During his

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publicized trek, Wong proudly rode with a small banner flying from his bike that read “I am a Canadian.”

If the Chinese were “incapable of assimilation into society,” what accounts for the life of James Pon? He came to Canada at five years old, his parents paying his $500 head tax. By adulthood Pon was making significant contributions to the welfare of Canada, a key measure of assimilation by any standard. He helped design aircraft during World War II for the Canadian military before ending his professional career as a nuclear engineer with Atomic Energy Canada. Despite his success, Pon felt ashamed of his past and initially hid his head tax certificate from his children, afraid the legacy of the injustice might damage their opinion of Canada. It was not until late in life that Pon undertook the effort to exact an apology from the Canadian government. Pon’s efforts ultimately earned the label the “face of the movement,” appearing in photos with Prime Minister Harper on the day Harper issued the Canadian apology.

Lastly, if the Chinese were “dangerous to the political and social integrity” of the United States and Canada, how does one account for the career of Judy Chu? Born in California, Chu earned a doctorate degree and was a college professor before entering California politics. She served as a member of the city council in Monterey Park before serving three terms as that city’s mayor and later as a member of the California State Assembly. In 2009, Chu became the first Chinese American woman elected to Congress, serving as a member of the House of Representatives. Nearly 160 years after California barred testimony from Chinese witnesses against white defendants, Chu currently serves on the House Judiciary Committee. In 2012, Chu sponsored the resolution that became the House of Representatives’ expression of regret over the

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35 Noreehn Shanahan, “James Pon Led the Call for Chinese Head-Tax Redress.”
Chinese Exclusion Act.\textsuperscript{36} The lives and actions of Wong, Pon, and Chu illustrate the fallacy of those in California and British Columbia who pushed for Chinese immigration restrictions. It was possible, is possible, to be Chinese and be American, to be Chinese and be Canadian.

**Figure 19:** Driving the last spike of the Canadian Pacific Railway. In this celebrated photo from Craigellachie, B.C., no Chinese laborers appear despite building much of the railroad.

*Driving the Last Spike of the C.P.R.* (Craigellachie, BC: 1885), Library and Archives Canada [DAPDCAP4810].

**Figure 20:** U.S. Representative Judy Chu.


**Figure 21:** A 1919 head tax certificate for Jung Bak Hun.

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