

## THE CHINESE EXCLUSION ACT (1882)

Bowing to pressure from the western states, the U.S. government began in 1879 to consider legislation to restrict or exclude Chinese immigration. One problem the government faced was the existence of a treaty with China (the Burlingame Treaty of 1868) that allowed the free emigration of citizens of China and the United States to the other country. At the request of the U.S. government, the treaty was amended in 1880 to allow the U.S. to restrict, limit, or suspend immigration of Chinese laborers. However, it specifically stated that the U.S. could not prohibit Chinese immigration. The first bill to exclude the Chinese passed by the Congress was vetoed by President Arthur because it suspended immigration for 20 years, a period so long that it was not in keeping with the spirit of the treaty. After shortening the time that the law was to be in effect to 10 years, the bill was passed into law.

In 1892, the Chinese Exclusion Act was extended for another 10 years, and in 1904 Congress made the Chinese Exclusion Act permanent.

### U.S. Statutes at Large, v. XXII, pp. 58ff.

Whereas, in the opinion of the Government of the United States the coming of Chinese laborers to this country endangers the good order of certain localities within the territory thereof: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the expiration of ninety days next after the passage of this act, the coming of Chinese laborers to the United States be suspended; and during such suspension it shall not be lawful for any Chinese laborer to come, or, having so come after the expiration of said ninety days, to remain within the United States.

SEC. 4. That for the purpose of properly identifying Chinese laborers who were in the United States on November 17, 1880, or who shall have come into [the country] before the expiration of ninety days after the passage of this act, the collector of customs shall go on board each vessel having on board any such Chinese laborer and on such vessel make a list of all such Chinese laborers, which shall be entered in registry-books to be kept for that purpose, in which shall be stated the name, age, occupation, last place of residence, physical marks or peculiarities, and all facts necessary for the identification of each of such Chinese laborers, which books shall be safely kept in the custom house.

SEC. 14. That hereafter no State court or court of the United States shall admit Chinese to citizenship; and all laws in conflict with this act are hereby repealed.

● QUESTIONS

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1. In your own words, summarize the purposes of this Act:

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2. What reason does the United States Congress give, in the first paragraph, for excluding Chinese immigrants from coming to this country or applying for citizenship? Why is the wording so non-specific?

3. Do you believe Congress passed the Exclusion Act because of the reason cited? What other reasons motivated the Exclusion Act?

4. Which places is Congress referring to by “certain localities within the territory”?

5. According to this Act, who will be excluded from entering the United States? Why was the number of Chinese immigrants entering the United States so effectively reduced by this act?