

THE PENNSYLVANIA STATE UNIVERSITY  
SCHREYER HONORS COLLEGE

DEPARTMENT OF HISTORY

TRAVERSING THE BORDER: CHINESE IMMIGRATION THROUGH THE U.S.-  
MEXICO BORDER IN THE EARLY EXCLUSION ERA, 1882-1900

Patrick Chung  
Spring 2010

A thesis  
submitted in partial fulfillment  
of the requirements  
for a baccalaureate degree  
in History  
with honors in History

Reviewed and approved\* by the following:

Grace Peña Delgado  
Assistant Professor of History  
Thesis Supervisor

Catherine Wanner  
Associate Professor History  
Honors Adviser

\* Signatures are on file in the Schreyer Honors College.

### **Abstract**

“Traversing the Border” explores the continued influx of Chinese immigrants through the Mexican border during the first two decades of the Chinese exclusion era (1882-1900). It seeks to answer why it was that Mexico became the principle route for illegal Chinese immigrants by exploring the circumstances surrounding one of the major pathways taken by illegal Chinese immigrants from Mexico into the United States, the Baja California-Southern California route. In particular, this work looks at the different challenges faced by customs agents in San Diego in stopping illegal Chinese immigration. These challenges can be broken down into three types: political, logistical and bureaucratic. The combination of all three of these factors made enforcing exclusion a difficult task for San Diego immigration officials and explains the success that many Chinese immigrants had in illegally crossing the border there. By investigating Baja California-Southern California route, it is hoped that a greater understanding can be gained about the manner in which Chinese immigrants eluded U.S. immigration officials, not only along this one route but also along the entire Mexican border.

## **Acknowledgements**

I would like to take this chance to thank all of those who have contributed to the completion of this thesis. My adviser, Dr. Grace Delgado, provided me with a large amount of support both intellectually and emotionally. Without her advice, words of encouragement, and constructive criticism, I would not have been able to successfully finish this work. Dr. Tina Chen and Dr. Catherine Wanner for reading over this work. The Schreyer Honors College and Penn State Collage of Liberal Arts for providing the funding necessary to conduct research at the National Archives in Laguna Nigel, CA. Bill Greene and the rest of the archivists at the National Archives in Laguna Nigel for their help sorting through the vast amounts of Chinese immigration material. Finally, my friends and family for their ever-present support, without which none of this would have been possible.

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## Introduction

On February 13, 1899, J.D. Putnam, the Chinese inspector in Los Angeles, California, arrested Lo Fook Chow, Lue Chin Lung, Wong Sin Chune, Wong Lung Shew, and Tom Kim Poy for illegal entry into the United States.<sup>1</sup> The five men were apprehended by Putnam and charged with violating the Chinese Exclusion Act of 1882, despite having been authorized to land legally by W.W. Bowers, the Collector of Customs in San Diego, California. Even in the wake of the arrest of the five Chinese men by Putnam, Bowers defended his decision to admit these men claiming that they all possessed proper documentation required by Chinese Exclusion laws to cross legally into the United States.<sup>2</sup> According to Bowers, all five men presented official certificates confirming their eligibility to enter the U.S. signed by Louis Kaiser, the U.S. consul at Mazatlán, Mexico.<sup>3</sup> This documentation was sufficient to gain legal entry as stipulated by the Chinese Exclusion laws; Bowers, thus, landed the five Chinese men. Putnam, however, disregarded Bowers' decision and remained convinced that the five men were among the growing number of Chinese immigrants who entered into southern California illegally from Baja California Norte, Mexico.

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<sup>1</sup>J.P. Putnam to J.C. Cline, 14 January 1899, Record Group 36, National Archives Laguna Niguel Collections District (Hereafter referred to as LNCD), Los Angeles Bureau of Customs Incoming Correspondence: 1883-1908 (hereafter referred to LACIC: 1883-1908), Box 14.

In various document these names are spelled differently. The spellings used were the most common. Wong Sin Chune is also spelled Wong Shin Chow, Wong Sung Chum, and Wong Sing Chung. Lue Kim Lung is also spelled Luis Kim Lung. Tom Kim Poy is also spelled Tom Kem Poy. Tom Kim Poy is also referred to as Lee Nam in some documents.

<sup>2</sup>W.W. Bowers to LA Collector of Customs, 20 Feb 1899, RG 36, LNCD, San Diego Special Agents Letters Sent: 1885-1909 (hereafter referred to as SDSALS: 1885-1909), Box 3.

<sup>3</sup>W.W. Bowers to Louis Kaiser, 7 March 1899, RG 36, LNCD, SDSALS: 1885-1909, Box 3.

Bowers and Putnam approached the admission of the five Chinese men from two different perspectives. Bowers admitted these five men as he would any other immigrants possessing the proper documentation. The Chinese Exclusion laws required that Chinese of the exempted classes, which included merchants, diplomats, and students, to produce “a certificate from their government or the government where they last resided viséed by the diplomatic or consular representative of the United States in the country or port whence they depart.”<sup>4</sup> Since the five men fulfilled this requirement, Bowers allowed them to land. Putnam, however, believed otherwise. The Los Angeles Chinese Inspector believed simply following the procedures set forth by the exclusion laws was not sufficient because he was convinced that “9 out of every 10 of the Chinese who passed through the United States in bond for Mexican points go with the intention of returning to the United States.”<sup>5</sup> Acting on his assumptions, Putnam presumed the guilt of all Chinese immigrants and compelled them to provide proof of their exempt status well beyond the parameters set forth by the Chinese Exclusion laws.

The different attitudes of Bowers and Putnam towards Chinese immigrants reveal an important distinction between immigration officials at the U.S.-Mexico border and those in other regions of the United States. While Putnam’s approach to this case was characteristic of the exclusionist attitude taken on by most immigration

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<sup>4</sup> *Laws, Treaties and Regulations relating to Chinese Exclusion*, “Convention of December 8, 1894,” RG 85, Records of the Immigration and Naturalization Service, Series A, Subject Correspondence files. Article III, p. 6.

<sup>5</sup> United States Industrial Commission, *Reports of the Industrial Commission on Immigration and Education Vol. 15* (1901), 797, Retrieved from <http://books.google.com/>.

officials, Bowers' approach was consistent with immigration officials stationed in towns at the U.S.-Mexico border, specifically Nogales, Tucson, and Yuma, Arizona.<sup>6</sup> More so than other immigration officials, those at the U.S. southern border took a more inclusive view of admitting Chinese immigrants. The judgments made by Bowers and Putnam in the case of the five Chinese men illustrates this point. The reasons Bowers diverged from the prevailing methods of enforcing exclusion are central to understanding the rise of the illegal Chinese immigration through the U.S.-Mexico border, particularly through its coastal states, at the turn of the 20<sup>th</sup> century.

Unlike immigration officials in San Francisco and Los Angeles, local inhabitants' greater acceptance of Chinese immigrants freed San Diego officials like Bowers from the intense pressure to exclude Chinese that was prevalent in the rest of California. The economic success enjoyed by the Chinese in San Diego allowed them to do what exclusionists in San Francisco and Los Angeles often accused Chinese immigrants of refusing to do: start families, own property, and run businesses that catered to both the Chinese and local populations.<sup>7</sup> The integration of the Chinese community in San Diego allowed its customs officials to view Chinese immigrants with less hostility and to take a more inclusive approach towards admitting Chinese immigrants crossing the border.<sup>8</sup>

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<sup>6</sup> Grace Peña Delgado, "At Exclusion's Southern Gate: Changing Categories of Race and Class among Chinese Fronterizos, 1882-1904," in *Continental Crossroads*, eds. Samuel Truett and Elliot Young (Durham: Duke University Press, 2004), 183-207.

<sup>7</sup> Arthur F. McEvoy, "In Places Men Reject: Chinese Fishermen at San Diego, 1870-1892," *The Journal of San Diego History* 23:4 (1977), para. 17.

Zeng Ying, "Development of the San Diego Chinese American Community," *Chinese America: History and Perspectives* (1998), 86.

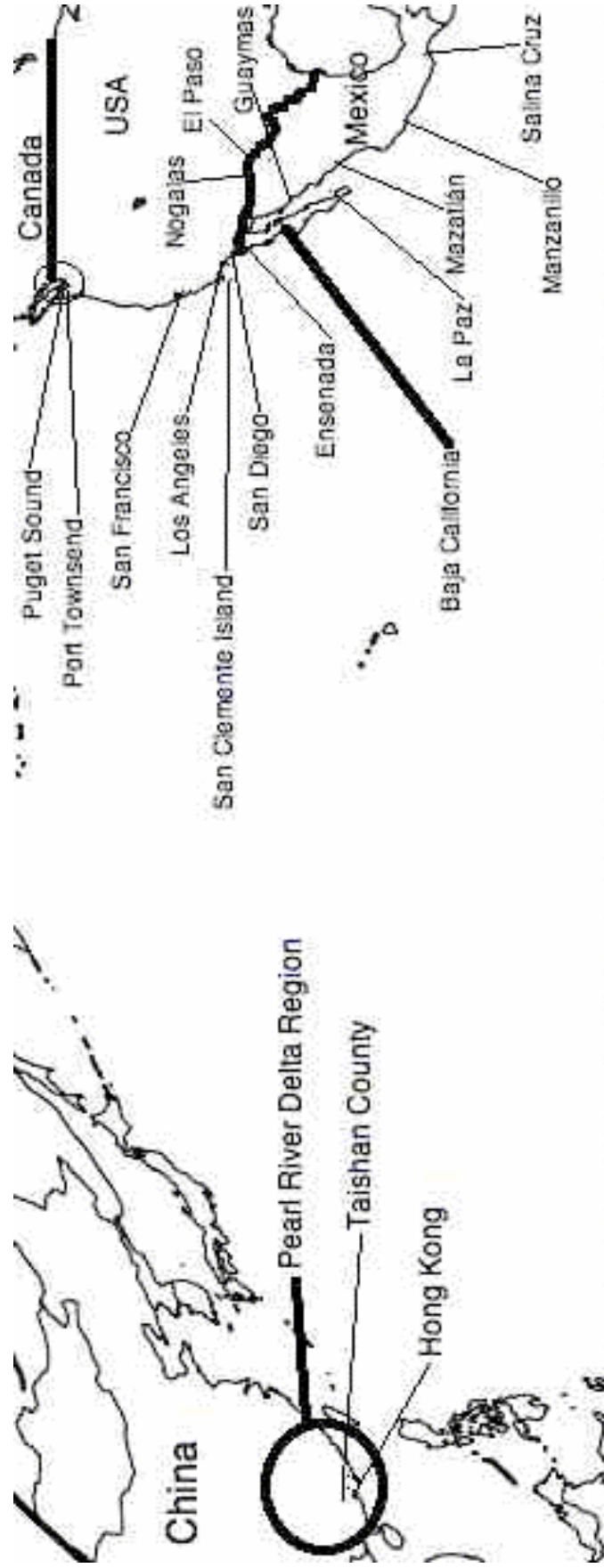
<sup>8</sup> Delgado, "At Exclusion's Southern Gate: Changing Categories of Race and Class among Chinese Fronterizos, 1882-1904," 183-207.



San Diego officials were also presented with logistical and bureaucratic challenges that were not present elsewhere. San Diego officials had to patrol large stretches of land and coastline with limited manpower and funding. These tasks were made even more difficult by the historical fluidity of the border between southern California, U.S.A. and Baja California Norte, Mexico. They also had to deal with the emergence of complex smuggling networks that worked to exploit the shortcomings of the customs service. Bureaucratic challenges stemmed from the nebulous nature of exclusionary law, especially when it was applied to immigration cases at the border. The combination of the logistical and bureaucratic challenges made effective enforcement of Chinese exclusion a much more challenging task in San Diego.

Together, these factors explain the complicated milieu in which Bowers admitted the five Chinese men. The circumstances facing Bowers in San Diego were similar to the ones facing all immigration officials along the Mexican border. As a result, U.S. officials stationed at the southern border with Mexico administered Chinese exclusion laws much differently than officials in San Francisco and Los Angeles did. Chinese immigrants quickly discovered that while admission into the U.S. was becoming increasingly difficult, they could improve their chances of admission by entering through Mexico. Thus, by the turn of the 20<sup>th</sup> century, an increasingly large number of Chinese immigrants were entering the U.S. through its southern border with Mexico.

**Map 1:** Important Locations in the Chinese Migration into the U.S. through Mexico



Source: Blank map retrieved from <http://www.miracosta.edu/home/kmeldahl/currents/circulation.htm>  
Cities filled in by author.

## Approach

“Traversing the Border” seeks to explore the continued influx of Chinese immigrants into the United States during the early Chinese Exclusion era (1882-1900). In particular, it will look at the route from Baja California Norte to southern California through which the five Chinese men described in the introduction entered the country. By examining the manner in which these five men entered the country, this work hopes to provide a greater understanding about the circumstances surrounding the Baja California Norte-Southern California border that enabled these five men to defy exclusionary policies and enter the country. Illegal immigration from Baja California into southern California was not exactly the same as other routes originating from other Mexican providences such as Sonora or Chihuahua. An exploration of this one route will help shed light on some of the general circumstances that brought about illegal Chinese immigration throughout the entire Mexican border.

This work builds upon existing scholarship on Chinese immigration through the Mexican border and the Chinese communities along the U.S.-Mexico border. Scholarship by Grace Peña Delgado, Lawrence Douglas Taylor Hansen, Jeffrey Scott McIlwain, and Robert Chao Romero focusing on Chinese migration through the Mexican border were all very influential to this work.<sup>9</sup> Delgado explores the role that

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<sup>9</sup> Grace Delgado's “At Exclusion's Southern Gate: Changing Categories of Race and Class among Chinese Fronterizos, 1882-1904,” in *Continental Crossroads*, ed Samuel Truett and Elliot Young (Durham: Duke University Press, 2004), 183-207.

Grace Delgado, “Of Kith and Kin: Land, Lease and *Guanxi* in Tucson's Chinese and Mexican Communities, 1880s-1920s,” *Journal of Arizona History* (2015), 33-54.

Lawrence Douglas Taylor Hansen's “The Chinese Six Companies and Smuggling of Chinese Immigrants across the US-Mexico Border, 1882-1930” *Journal of the Southwest* (2006), 37-60.

Jeffrey Scott McIlwain, “Bureaucracy, Corruption, and Organized Crime: Enforcing Chinese

the socioeconomic status of Chinese immigrants along the Sonora-Arizona border played in illegal Chinese immigration. She argues that the nature of Chinese border communities in southern Arizona and northern Mexico influenced the way local customs officials administered exclusion.<sup>10</sup> Delgado's work focuses on the border officials in Arizona; her study of Arizona customs officials helps elucidates the conditions among officials in southern California. Hansen's study focuses on the smuggling of Chinese through the Mexican border and provides insight into the methods through which Chinese immigrants were smuggled into the country by smuggling networks. McIllwain offers a counterpoint to Hansen by examining the inner workings of the San Diego Customs Office and the challenges it faced stopping illegal Chinese immigrations. Hansen and McIllwain's works were vital to understand the complex natures of both smuggling Chinese and stopping illegal Chinese immigration. Romero's work connects Chinese immigration through the Mexican border to the larger context of the Chinese diaspora, and was helpful in comprehending the transnational nature of Chinese immigration during the exclusion era.

Like these scholars, I hope to contribute to the understanding of Chinese immigration through the Mexican border. The Southern California District Court records and San Diego Customs Office correspondence gathered from the Laguna Niguel branch of the National Archives were the main primary sources. Because this

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Exclusion in San Diego, 1897-1902," *The Journal of the Ninth Judicial Circuit Historical Society* 17:1 (2004), 83-128.

Robert Chao Romero's Ph.D. dissertation "The Dragon in Big Lusong: Chinese Immigration and Settlement in Mexico: 1882-1940," (Ph.D. diss., University of California Los Angeles, 2003).

<sup>10</sup> Delgado, "At Exclusion's Southern Gate: Changing Categories of Race and Class among Chinese Fronterizos, 1882-1904," 193.

work's primary sources are government documents, it will largely focus on manner in which the San Diego customs officials administered Chinese exclusion and the factors that hindered their efforts to stop illegal Chinese immigration. However, secondary sources describing the passage of Chinese exclusion, the enforcement of Chinese exclusion in California, Chinese immigration into Mexico, and the histories of the Baja California and San Diego area were used to give background and contextual information.<sup>11</sup>

The first chapter will discuss the events that occurred in both China and the United States, which precipitated the passage of Chinese exclusion. Ultimately, the developments along the Mexican border were inextricably tied to those that occurred in California. It is impossible to understand why the Mexican border became so attractive to Chinese immigrants after the passage of the Chinese Exclusion Act without knowing the situation in California at this time. The second chapter will discuss the subsequent rise of Chinese immigration into Mexico and discuss how it was often a temporary stop in an attempt to enter U.S. The third chapter will explore the factors San Diego Customs Office faced that made it difficult to stop illicit immigration from Baja California. Finally, the last chapter will apply what was

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<sup>11</sup> While a wide range of sources was used, I found the following sources to be among the most helpful in providing background information.

*Passage of Chinese Exclusion/Enforcement of Chinese Exclusion in California*

Madeline Hsu, *Dreaming of Gold, Dreaming of Home* (Stanford: Stanford University Press, 2000).

Erika Lee, *At America's Gates* (Chapel Hill: Duke University Press, 2003).

Lucy E. Salyer, *Laws Harsh as Tigers* (Chapel Hill: The University of North Carolina Press, 1995).  
*Chinese immigration into Mexico*

Leo Jacques, "The Anti-Chinese Campaign in Sonora, Mexico, 1900-1931," (Ph.D. diss., University of Arizona, 1974).

*Background of Baja California/San Diego*

Robert R. Alvarez, Jr., *Familia: Migration and Adaptation in Baja and Alta California 1800-1975*, (Berkeley: University of California Press, 1987).

Arthur F. McEvoy, "In Places Men Reject: Chinese Fishermen at San Diego, 1870-1892," *The Journal of San Diego History* 23:4 (1977).

discussed in the first two chapters to the case of the five arrested Chinese men presented in the Introduction.

### **The California Context to Chinese Exclusion at the U.S.-Mexico Border**

On May 6, 1882, Congress passed the first Chinese Exclusion Act. Stating that “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”, the act barred the entry of all “Chinese laborers” into the country.<sup>12</sup> The law was the culmination of the anti-Chinese movement that had developed throughout the western U.S. and was enacted with hopes to curb the tide of Chinese immigration that had begun in the middle of the 19<sup>th</sup> century. Exclusionists successfully lobbied politicians to pass Chinese Exclusion by characterizing Chinese immigrants as threats to the white labor movement and U.S. society at large, and pressured immigration officials to enforce exclusionary policy as harshly as possible.

The increase in Chinese immigration during the 19<sup>th</sup> century was the result of various circumstances within both China and the United States. The majority of Chinese immigrants during this time originated from southern China, specifically the Pearl River Delta Region.<sup>13</sup> The reasons Chinese immigrants from this particular area constituted the majority of Chinese émigrés are complex and varied; however, the two major factors were the economic and political instability of the region at this time and the area’s historic propensity for maritime activity.<sup>14</sup>

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<sup>12</sup> *Chinese Exclusion Act of 1882, U.S. Statutes at Large* 12 (1881-1883): 58.

<sup>13</sup> Yong Chen, *Chinese San Francisco, 1850-1943* (Stanford: Stanford University Press, 2000), 11.

<sup>14</sup> For a more detailed discussion of the reason for Chinese emigration please see Madeline Hsu’s *Dreaming of Gold, Dreaming of Home* and the first chapter of Yong Chen’s *Chinese San*

In the early 19<sup>th</sup> century, economic and political factors brought about increased emigration from the Pearl River Delta Region. In her study of migration of Chinese from Taishan County (a county within the Pearl River Delta Region), historian Madeleine Hsu discusses the various push factors that encouraged emigration out of the area. The county did not have sufficient land to provide enough food and jobs to support the area's growing population<sup>15</sup>, and its economy was greatly strained by a population boom that took place in the early 19<sup>th</sup> century. Faced with potential starvation, many families in Taishan sent young men abroad to earn additional income. By 1903, 110 million Chinese dollars were being sent back to China from émigrés.<sup>16</sup> Though the Taishan citizens documented in Hsu's study suffered their share of economic woes, residents of Taishan's surrounding areas experienced similar difficulties that must have motivated their immigration. Due to these hardships, it became essential throughout southern China to send workers abroad to earn money.

On top of the economic factors of this period, concurrent political instability also increased the desire to leave southern China. Defeats in the Opium wars, and the subsequent concessions made to colonial powers greatly destabilized the Qing government. The Qing government was weakened to the point that banditry and armed uprising wreaked havoc throughout China.<sup>17</sup> At a more local level, the Pearl River Delta region was plagued by ethnic warfare between the *Bendi* and Hakka.<sup>18</sup>

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*Francisco, 1850-1943.*

<sup>15</sup> Madeline Hsu, *Dreaming of Gold, Dreaming of Home* (Stanford: Stanford University Press, 2000), 20-25.

<sup>16</sup> *Ibid*, 41.

<sup>17</sup> *Ibid*, 26.

<sup>18</sup> Chen, *Chinese San Francisco, 1850-1943*, 15.

Fighting between these ethnic two groups caused 200,000 deaths from 1854 to 1867.<sup>19</sup> The combination of southern China's ever-present economic pressures and the turbulent political environment gave strong incentive for Chinese to emigrate during this time.

**Map 2:** Pearl River Delta Region



Source: [http://www.chinaindzone.com/htm\\_industrial/pearlriver.asp](http://www.chinaindzone.com/htm_industrial/pearlriver.asp)

Due to its location along China's southwestern coast, the Pearl River Delta Region has always been very active in trade and migration, both regional and international. The area had been a launching point for transnational trade, and migration since the Tang Dynasty (618-907 B.C.).<sup>20</sup> As early as the 16<sup>th</sup> century, merchants from this region took part in trade with the Americas, Japan and Southeast Asia.<sup>21</sup> The area was very cosmopolitan as a result of this trade and many of its residents had experiences abroad. The prevalence of international trade in the region thus provided the necessary framework to begin sending émigrés abroad in response to the eventual instabilities of the early 19<sup>th</sup> century.<sup>22</sup> Given these hardships, it

<sup>19</sup> Hsu, *Dreaming of Gold, Dreaming of Home*, 27.

<sup>20</sup> Chen, *Chinese San Francisco, 1850-1943*, 14.

<sup>21</sup> Hsu, *Dreaming of Gold, Dreaming of Home*, 19.

<sup>22</sup> While it will not be discussed here, the presence of established transnational links between southern China and the United States proved invaluable to Chinese American immigrants. Chinese merchants provided Chinese Americans with comforts from back home and support in the hostile



makes sense that people of the Pearl River Delta region would use such maritime experiences to support their mass emigration from the area.<sup>23</sup>

Across the Pacific Ocean, several developments occurred in the United States that made it the most attractive destination for Chinese emigrants. The Burlingame Treaty was signed between the China and U.S. in 1868, and lifted the previous Qing government's ban on emigration, and opened free migration between the two countries. The Burlingame Treaty stated that "Chinese subjects visiting or residing in the United States, shall enjoy the same privileges, immunities and exemptions in respect to travel or residence as may there be enjoyed by citizens or subjects of the most favored nation."<sup>24</sup> At the urging of industrialists, the U.S. government signed the Burlingame Treaty to encourage Chinese immigration. Industrialists perceived Chinese immigration as a source of cheap, intelligent workers who were much more compliant than their white counterparts.<sup>25</sup> The assembly of the Trans-Pacific Railroad during the mid-19<sup>th</sup> century was a major source of employment for Chinese immigrants; Chinese laborers constituted 90% of the Central Pacific Railroad's workforce.<sup>26</sup> The ample employment opportunities provided by construction projects, such as the Trans-Pacific Railroad, provided Chinese with the economic incentive to come to the U.S.

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environments they often found themselves in. In the context of illegal Chinese immigration, transnational networks provided Chinese immigrants with essential information and contacts needed to slip past U.S. immigration officials.

<sup>23</sup> The term "emigration" should be clarified. Unlike many European immigrants, many Chinese immigrants at this time never intended to permanently settle in the United States. Many went in order to make additional money and then eventually return home. Chen argues in *Chinese San Francisco, 1850-1943*, that economic pressure may not have even factored into the decision of some Chinese immigrants and that their main motivation was to advance themselves economically.

<sup>24</sup> *The Burlingame Treaty of 1868*, retrieved from Calisphere, <http://content.cdlib.org/ark:/13030/hb4m3nb03h/> (accessed 10-5-09).

<sup>25</sup> Lucy E. Salyer, *Laws Harsh as Tigers* (Chapel Hill: The University of North Carolina Press, 1995), 8-9.

<sup>26</sup> *Ibid*, 8.

The discovery of gold in central and northern California only amplified the Chinese desire to migrate to the western U.S. Chinese immigrants were drawn to the promises of quick riches in California's gold mines like those from all over the world. The lure of California became so great for potential emigrants in Taishan that many began to call it *Gam Saan* (Cantonese for "gold mountain").<sup>27</sup>

The combination of the above factors resulted in a large influx of Chinese into the western U.S during the middle of the 19<sup>th</sup> century. Chinese immigration peaked in 1882, when 39,579 entered the country and its Chinese population swelled to over one hundred thousand.<sup>28</sup> The sizeable majority of Chinese immigrants entered through the port of San Francisco and settled in California. The Chinese population in San Francisco County alone surpassed 20,000 by 1880.<sup>29</sup> As a result, the anti-Chinese movement first gained traction, and intensified in northern California.

While industrialists welcomed Chinese immigration as a potential source of cheap labor, white laborers and proponents of the labor movement viewed Chinese immigrants as economic threats. Anti-Chinese campaigns spread throughout the gold mines of northern and central California in the middle of 19<sup>th</sup> century. Touting slogans such as "California for Americans," white prospectors rallied against the Chinese in the hopes of driving out competing Chinese miners.<sup>30</sup> From the initial complaints of these prospectors, the anti-Chinese movement grew to denounce not only Chinese miners, but all Chinese immigrants. White laborers in other

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<sup>27</sup> Hsu, *Dreaming of Gold, Dreaming of Home*, 3.

<sup>28</sup> Hsu, *Dreaming of Gold, Dreaming of Home*, 67.

Lee, *At America's Gates*, 238.

<sup>29</sup> Mary Coolidge, *Chinese Immigration* (New York: Henry Hold and Company, 1909), 503, Appendix entitled "Chinese Population of California by Counties."

<sup>30</sup> Jean Pfaelzer, *Driven Out* (New York: Random House, 2007), 10-13.

occupations also found themselves in competition with the Chinese, and began to call for their expulsion.

Exclusionists characterized Chinese immigrants as inassimilable and threatening to American values such as democracy.<sup>31</sup> Chinese laborers' willingness to live in terrible conditions and work for what were considered "slave wages" was particularly troubling to exclusionists. The readiness of the Chinese to countenance such terrible conditions was proof to exclusionists of their inherent servility, and general inferiority in comparison to whites.<sup>32</sup> This led to the labeling of all Chinese immigrants as "coolies"; a term for Asian workers who were coerced to work under slave conditions.<sup>33</sup> Other frequent accusations against Chinese immigrants were that they were all degenerate gamblers, often carried and spread disease, and that their females were prostitutes.<sup>34</sup>

The message of the anti-Chinese movement manifested itself in popular discourse through rallies, newspaper articles, and political cartoons. The economic threat posed by Chinese laborers elicited the most intense responses from Californians. An article in entitled "Coolie Labor" in the *Daily Alta California* asks, "Would it not be well to extend some of the surplus sympathy we are wasting on the [Chinese] to those of our own color whose poverty forces their acceptance of such onerous terms?"<sup>35</sup> This headline is characteristic of the discourse encouraged by

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<sup>31</sup> Lee, *At America's Gates*, 25-26.

<sup>32</sup> An example of this sort of argument can be found "Coolie Labor," *Daily Alta California*, December 11, 1871, retrieved from <http://cbsr.tabbec.com/>.

<sup>33</sup> Coolidge, *Chinese Immigration*, 41-46.

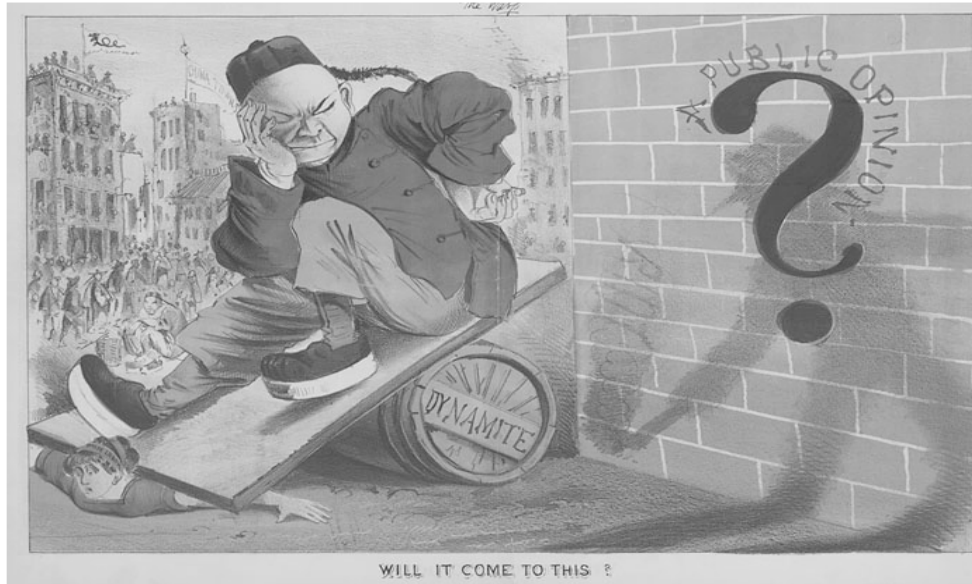
<sup>34</sup> Lee, *At America's Gates*, 25-27.

<sup>35</sup> "Coolie Labor," *Daily Alta California*, December 11, 1871.

"Mongolian" was a term used to described Chinese and other Asian immigrants.

exclusionists, who sought to polarize the public between supporting white compatriots or Chinese aliens.

**Figure 1:** Political Cartoon entitled “Will It Come to This?” depicting a Chinamen holding down a white woman whose headband reads “White Labor”.



**Source:** “Will it Come to This?” Cartoon, *The Wasp*, vol. 8, Jan.-June 1882, from Calisphere, <http://content.cdlib.org/ark:/13030/hb1p3001cj/?query=chinese%20&brand=calisphere>, (accessed October 11, 2009).

As the main entry point of Chinese at this time, San Francisco became the center of the debate over Chinese immigration. The *Daily Alta California* describes a Joint Congressional Committee hearing concerning Chinese immigration, which took place in San Francisco’s Palace Hotel in the fall of 1876.<sup>36</sup> California state senators, San Francisco city officials, representatives of “Anti-Coolie Clubs”, and supporters of Chinese immigrants made statements at the hearing. The presence of high-ranking government officials at this hearing shows that the anti-Chinese campaigns were successfully gaining the attention of politicians. Reflecting the growing anti-Chinese sentiment, California state senator Frank McCoppin urged the committee to “ask Congress and the Executive branch of the Government to modify existing laws and

<sup>36</sup> Our Chinese,” *Daily Alta California*, October 23, 1876.

treaties between [the U.S. and China] in such a way as will prevent the coming of [all Chinese]...”<sup>37</sup> One gets a sense from this article that by the time of its publication, McCoppin’s comments represented the pervading opinion not only in San Francisco, but increasingly throughout California as well.

Statements made by defenders of Chinese immigration are even more revealing of the growing strength of the anti-Chinese movement by this time. Colonel F. A. Bee began his testimony by saying, “I will state at the outset that my colleague and myself have no political aspirations. Had we any we would not be here to-day. It would be a matter of folly for any gentleman seeking political preferment [to support Chinese immigration], in the state of public opinion now existing in San Francisco.”<sup>38</sup> Bee’s comments demonstrate the success that the anti-Chinese movement had in shaping public opinion against the Chinese. By this point, they were successful enough to make defending Chinese immigration politically untenable.

Following the congressional hearing in 1876, the anti-Chinese movement gained even more momentum. The following year, Denis Kearny formed the Workingman’s Party, which further concentrated popular sentiment against Chinese in California, and helped take the issue to the national level.<sup>39</sup> Groups such as the Workingman Party were particularly successful in rallying labor unions and organizations. California was suffering from an economic depression throughout the 1870’s and the Chinese became natural scapegoats. As historian Lucy Salyer states, “Labor leaders had finally discovered a key issue – the expulsion of the Chinese – that

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<sup>37</sup> Our Chinese,” *Daily Alta California*, October 23, 1876.

<sup>38</sup> *Ibid.*

<sup>39</sup> Erika Lee, *At America's Gates* (Chapel Hill: Duke University Press, 2003), 26.

could organize and unify laborers in California and consequently make labor a more formidable player in state politics.’<sup>40</sup> The Workingman’s Party was able to gain a third of the seats in the California constitutional convention of 1878 using the Chinese immigration issue.<sup>41</sup> The resulting state constitution took a hostile stance toward the Chinese, and the state legislature began to pass increasingly discriminatory legislation.

The success of the Workingman’s Party and the growth of the anti-Chinese movement became something that the nation’s two major political parties could not ignore. The message of exclusionists in California spread to most of the country and was met with sympathy by middle and working class.<sup>42</sup> Political expediency led even politicians who had initially opposed exclusion to take harder stances toward the Chinese. The economic and ethical arguments that had supported Chinese immigration and inspired the Burlingame treaty, had been overtaken by prevailing xenophobia and racism against the Chinese. The issue of Chinese immigration took a central role in the national election of 1880.<sup>43</sup> Both Republicans and Democrats were eager to gain votes, especially in a “swing state” like California, and promised to restrict Chinese immigration.<sup>44</sup>

Making good on the promises of the 1880 election, the Federal government began to take a more active role in restricting immigration and passed the Chinese

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<sup>40</sup> Salyer, *Laws Harsh as Tigers*, 12.

<sup>41</sup> *Ibid.*

<sup>42</sup> *Ibid.*, 14.

<sup>43</sup> *Ibid.*

<sup>44</sup> *Ibid.*

Exclusion Act of 1882.<sup>45</sup> The passage of this law was a major victory for exclusionists. It would soon become apparent, however, that the passage of exclusionary law would only be the beginning of the battle, and that effective enforcement would be an even more daunting task, especially at the Mexican border.

The anti-Chinese movement in California is significant in context of the immigration through the Mexican border, because it provided the impetus for Chinese immigrants to use the Mexican border as a point of entry. For reasons to be discussed later, there existed key differences between the way Chinese were viewed along the border than in rest of the country. Communities along the Mexican border were relatively untouched by the exclusionist fervor that swept through California and the rest of the nation. As a result, Chinese immigrants found that gaining entry through the border was much easier than through traditional points of entry, such as San Francisco, and began utilizing the border more frequently to defy exclusion.

### **Chinese Immigration into Mexico**

Official census data shows that between 1890 and 1900 the Chinese population in the U.S. steadily declined from over 105,000 to less than 90,000.<sup>46</sup> These statistics suggest that the Chinese Exclusion Act had the intended effect of curbing Chinese immigration. However, these statistics do not take into account the increase of illegal immigration that occurred during this time at the Mexican and

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<sup>45</sup> Additions and revisions were made to the initial Chinese Exclusion Act were made during the time period covered in 1884, 1888, 1892, 1893, 1894. Text of these revisions can be found in *Laws, Treaties and Regulations relating to Chinese Exclusion*, RG 85, Records of the Immigration and Naturalization Service, Series A, Subject Correspondence files.

<sup>46</sup> Lee, *At America's Gates*, 26.

Canadian borders.<sup>47</sup> In a report submitted by the Congressional Committee on Immigration and Naturalization in 1891, Representative Herman Lehlbach wrote that while the overall Chinese population in the U.S. was decreasing, there was an increasing number of Chinese “surreptitiously” entering through the country’s northern and southern borders.<sup>48</sup>

Faced with the closure of U.S. borders, Mexico and Canada became attractive destinations for Chinese immigrants, both as final destinations and as stepping-stones into the U.S. While some Chinese immigrants did ultimately settle in these two countries, Lehlbach’s statements show that illicit entry through the countries’ borders was the ultimate goal of a large number of Chinese immigrants who entered Mexico and Canada. The flaws of the Chinese Exclusion Laws were that they did little to decrease the determination of Chinese emigrants from entering the country, and failed to fully take into account the complexities of patrolling the country’s borders. While the U.S. Customs Services were equipped to deal with illegal immigrants passing through established customs houses, such as those on Angel Island in San Francisco, customs houses along the borders were not.<sup>49</sup>

Soon after the passage of the first Chinese Exclusion Act, significant illegal immigration into the western United States began along the Canadian border.<sup>50</sup>

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<sup>47</sup> While it will not be discussed at length here, many Chinese immigrants employed the Canadian border in order to illegally enter the country as well.

<sup>48</sup> Herman Lehlbach, “Chinese Immigration,” 51<sup>st</sup> Cong., 2 sess., 1890-1891, Report No. 4048, serial 2890, pg. I-IV, retrieved from LexisNexis U.S. Serial Set Digital Collection.

<sup>49</sup> Patrick Ettinger, “We Sometimes Wonder What They Will Spring on Us Next: Immigrant and Border Enforcement in the American West, 1882-1930,” *Western Historical Quarterly* 37 (2006), 163.

<sup>50</sup> Ettinger, “We Sometimes Wonder What They Will Spring on Us Next: Enforcement in the



Historian Patrick Ettinger asserts that due to the “geographical and cultural advantages” and understaffed customs offices present along the Puget Sound, a significant number of Chinese immigrants slipped passed border officials into northern Washington.<sup>51</sup> The advantages the Canadian border presented to Chinese immigrants seeking entry into the U.S. included: Canada’s more lenient immigration laws, long stretches of unguarded border and coastline, understaffed customs offices, and the presence of smuggling networks to facilitate illegal entry.<sup>52</sup> Consequently, several hundred Chinese immigrants slipped through the Canadian border every year, though a 1903 agreement between the U.S. and Canada greatly reduced illegal immigration there.<sup>53</sup>

Similar conditions along the Mexican border also led to the increase of illicit immigration. Speaking specifically of illegal immigration through the Mexican border Lehlbach wrote, “The subcommittee ascertained that quite a number of Chinamen came into this country from Mexico...Upon being landed in Mexico they soon found their way across the boundary into the United States.”<sup>54</sup> Lehlbach’s report reflects growing concerns over increasing illicit immigration through the Mexican border during this time. These concerns are supported by Chinese population and immigration data.

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American West, 1882-1930,” 163.

<sup>51</sup> Ibid, 164.

<sup>52</sup> Ibid, 163-164. Lee, *At America's Gates*, 152-157.

Illegal Chinese immigration through the Canadian border is also an important line of study, but will not be discussed further in this paper. Please refer to Ettinger’s article (specifically pgs 162-165), Lee’s book (pgs. 152-157) or Hung-Chan Kim and Richard W. Markov, “The Chinese Exclusion Laws and Smuggling Chinese into Whatcom County, Washington, 1890-1900,” *The Annals of Chinese Historical Society of the Pacific Northwest* 1:1 (1983), 16-27 for further discussion of illegal immigration through the Canadian border.

<sup>53</sup> Hansen, “The Chinese Six Companies and Smuggling of Chinese Immigrants across the US-Mexico Border, 1882-1930, 48.

<sup>54</sup> Lehlbach, “Chinese Immigration,” I-IV.

In the years following 1882, the number of Chinese arriving into Mexico greatly exceeded the total Chinese population in Mexico. From 1884 to 1891, over 4,000 Chinese immigrants entered Mexico, but the total Chinese population in Mexico in 1895 was only 915.<sup>55</sup> Such a large influx of Chinese immigrants would suggest that the Chinese population should have been much larger than 915. Since very few Chinese immigrants returned to China, it can only be concluded that a large number were Chinese illicitly crossing the border into the U.S.<sup>56</sup> The large disparity between these two figures continued throughout the early exclusion period and suggests that by the turn of the 20th century, Mexico had become a major pathway for Chinese into the U.S.

**Table 1:** Total Chinese Population in Mexico vs. Chinese Arrivals into Mexico

Total Chinese Population in Mexico		Chinese Arrivals at Mexico's Maritime Ports	
<i>Year</i>	<i>Chinese Population</i>	<i>Year</i>	<i>Number of Chinese Arrivals</i>
1895	915	1884-1891	4,108
1900	2,746	1892-1899	4,032
1910	13,203	1900-1907	18,922

*Source:* Statistics taken from Leo Jacques, "The Anti-Chinese Campaign in Sonora, Mexico, 1900-1931," (Ph.D. diss., University of Arizona, 1974), Total Population data from Appendix B, Table B.1, Arrival data from Appendix A, Table A.1, A.2.

There were several factors that helped bring about the rise of illegal Chinese immigration through the Mexican border during this time. Many of the factors that were present along the Canadian border were also present along the Mexican border as well. Like the Canadian border, the Mexican border presented illegal Chinese

<sup>55</sup> Statistics taken from Leo Jacques, "The Anti-Chinese Campaign in Sonora, Mexico, 1900-1931," (Ph.D. diss., University of Arizona, 1974), Total Population data from Appendix B, Table B.1, Arrival data from Appendix A, Table A.1, A.2.

<sup>56</sup> Kenneth Cott, "Mexican Diplomacy and the Chinese Issue," *Hispanic American Historical Review* 67:1 (1987), 72.

Ettinger, "We Sometimes Wonder What They Will Spring on Us Next: Enforcement in the American West, 1882-1930," 171

immigrants many advantages not available at traditional ports of entry including Mexico's similarly lenient immigration laws, large stretches of unguarded borderline, and the presence of smuggling organizations.

At a time when the U.S. was passing immigration restrictions, the Mexican government under the reign of President Porfirio Díaz (1884-1911) was actively seeking immigrants. The Díaz government put economic development above all else and believed that the best way to develop the country was by encouraging the influx of foreign immigrants.<sup>57</sup> Under the belief that the native Indian and *mestizo* populations were not capable of developing the nation's resources, the Díaz government passed lenient immigration policies.<sup>58</sup> At the onset, the Díaz government targeted white European colonists as immigrants, because they were believed to be best suited to accelerate the nation's development.<sup>59</sup> However, the unwillingness of enough Europeans to immigrate into Mexico, especially in the country's underdeveloped northwestern provinces of Baja Norte, Sonora and Sinaloa, created a need for non-European workers and the Mexican government began to look to Chinese immigrants to fill this role.<sup>60</sup>

While lacking the perceived "advancement" of white immigrants, the Chinese immigrants nonetheless offered several advantages in the eyes of the Mexican government. Chinese laborers had been employed in the region since the 1840's in

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<sup>57</sup> Lawrence A. Cardoso, *Mexican Emigration to the United States 1897-1931*, (Tucson: University of Arizona Press, 1980), 5-6.

Antonio Padilla Corona, "The Rancho Tía Juana (Tijuana) Grant," trans. Paul Bryan Gray, *The Journal of San Diego History* 50 (2004): 35.

<sup>58</sup> Cardoso, *Mexican Emigration to the United States 1897-1931*, 6.

<sup>59</sup> *Ibid*, 5.

<sup>60</sup> Duncan, "The Chinese and the Economic Development of Northern Baja California," 617.

Cuba and Peru as contract laborers.<sup>61</sup> This indicated that Chinese laborers could be acclimatized to the tropical climate of Central America and there were already transportation systems in place for their migration into the area.<sup>62</sup> It was also argued that the Chinese laborers seemed willing to take on low salaries, and even if they were or became unhappy with their low wages, the weakened Qing government could do little to prevent abuses.<sup>63</sup>

The Díaz government made improvements to the Mexico's transportation systems, especially along Pacific coast that helped ease the passage of Chinese immigrants into the country. In order to encourage investment and development by foreign companies, Mexico invested railroads throughout northern Mexico.<sup>64</sup> Improvements to the railroad increased the ability to settle into the underdeveloped regions of northwestern Mexico and helped allow for more movement throughout this area. This helped Chinese immigrants travel throughout this region and allowed for much easier access to the areas close to the U.S. border. During this time, the ocean voyage across the Pacific from China was also made easier by increased steamship service.<sup>65</sup> In 1899, Mexico signed the Treaty of Amity, Commerce and Navigation with China.<sup>66</sup> The treaty further opened transpacific steamship routes into Mexico from China and insured easy access into the country.

Another Díaz period policy that helped increase Chinese immigration into Mexico, albeit less directly than its policies regarding transportation, was the

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<sup>61</sup> Ibid, 617.

<sup>62</sup> Ibid.

<sup>63</sup> Ibid.

<sup>64</sup> Alvarez, Jr., *Familia: Migration and Adaptation in Baja and Alta California 1800-1975*, 31-32.

<sup>65</sup> Ibid, 28.

<sup>66</sup> "Mexico and China – Treaty of Amity and Commerce," John Van Antwerp MacMurray, ed., *China Treaties and Agreements*, (New York: Oxford University of Press, 1921), 214-220.

consolidation of the country's small communal land holdings into larger private ones. Traditionally, Mexico had operated under the *ejidal* system whereby communal land use was encouraged and there existed large "public lands" to be shared by small villages and communities.<sup>67</sup> During the Díaz period, many of these *ejidal* lands were consolidated into larger *encomienda* controlled by private landowners.<sup>68</sup> It had been estimated that due to the practices of the Díaz government up to five million *campesinos* (farmer or farmworker) lost the right to communal land.<sup>69</sup> The loss of communal lands forced many native Mexican to migrant, in many cases into the U.S., in order to pursue work higher-paying work. This created a need for farmer workers within Mexico, which in turn increased the demand for Chinese immigrants.<sup>70</sup> The exodus of Mexican work force created jobs for Chinese immigrants not only in agriculture, but also in more entrepreneurial pursuits. While recruited as laborers, in many cases, especially in the northwestern province of Sonora, Chinese were able to rise above menial positions and constitute what historian Evelyn Hu-Dehart called a "petite bourgeoisie" class employed in retail and small-scale manufacturing enterprises.<sup>71</sup>

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<sup>67</sup> Cardoso, *Mexican Emigration to the United States 1897-1931*, 1-7.

<sup>68</sup> *Ibid.*, 7.

<sup>69</sup> *Ibid.*

<sup>70</sup> *Ibid.*, 13-17.

<sup>71</sup> Duncan, "The Chinese and the Economic Development of Northern Baja California, 618-619. Evelyn Hu DuHart, "Immigrant to a Developing Society: The Chinese in Northern Mexico," *Journal of Arizona History* 21 (1980): 275-277.

The economic rise of Chinese immigrants in Sonora has been well documented, but will not be further discussed here because this work focuses on Chinese immigrants whose ultimate goal was entry into the United States. There were a large number of Chinese immigrants who settled into Mexico. For further discussion of the Mexican Chinese population please see the Hu DuHart's article as well as Leo Jacques, "The Anti-Chinese Campaign in Sonora, Mexico, 1900-1931," (Ph.D. diss., University of Arizona, 1974) and Leo Jacques, "Have Quick More Money than

The policies of the Díaz government helped bring about the rise of Chinese immigration through the Mexican border. Its open immigration policy made it easier for Chinese to enter the country, both as permanent residents and temporary ones seeking illicit entry into the U.S. While some Chinese immigrants entered Mexico in order to permanently settle in places like Sonora, as the population data suggests many entered Mexico in the hopes of entering the U.S. The improvements made to Mexico's transportation system by the Díaz government made it much easier for Chinese immigrants to enter Mexico and travel throughout the country. Improved access to previously underdeveloped regions in northwestern Mexico near the U.S. border made it easier for Chinese immigrants to slip past U.S. border officials. The process of illegally crossing the border was also aided by the creation of permanent Chinese communities around the border as well, because in many cases illegal immigrants given shelter, information and support by permanent Chinese residents as well.

### **Chinese Migration through Baja California**

Investigations into the illegal Chinese immigration from Mexico show that several established routes from Mexico into the U.S. had developed by the 1890's. The vast majority of Chinese immigrants entered Mexico by steamship, passing first through San Francisco in transit to various Mexican ports such as Ensenada,

Mazatlán, Manzanillo, or Salina Cruz.<sup>72</sup> From these ports, Chinese immigrants traveled north through various routes across the border into the southern U.S. Government correspondence suggests that the routes Chinese immigrant most often took were into southern California from Baja Norte, into southern Arizona from Sonora, and into southwestern Texas from Chihuahua.<sup>73</sup>

**Map 3:** Mexico's Pacific Ports and Customs Offices Along Mexican Border



Source: Blank map retrieved from <http://z.about.com/d/geography/1/0/K/J/mexico.jpg>. Cities filled in by author.

While exact dynamics of each these routes must have shared many similarities, they were not identical. The nature of early exclusionary laws were often vague about the exact procedures to be followed and left a lot up to the discretion of

<sup>72</sup> Ettinger, “We Sometimes Wonder What They Will Spring on Us Next: Enforcement in the American West, 1882-1930,” 166.

<sup>73</sup> Report on Immigration of Chinese, 51<sup>st</sup> Cong., 1 sess., 1889-1890, S. Doc. 97, serial 2686, retrieved from LexisNexis U.S. Serial Set Digital Collection.

For further discussion of Sonora-Arizona route, please refer to Delgado “At Exclusion's Southern Gate: Changing Categories of Race and Class among Chinese Fronterizos, 1882-1904” or “Of Kith and Kin: Land, Lease and *Guanxi* in Tucson's Chinese and Mexican Communities, 1880s-1920s.” Brief discussion of the route from Chihuahua into Texas can be found in Ettinger’s “We Sometimes Wonder What They Will Spring on Us Next: Enforcement in the American West, 1882-1930” and in Lehlbach’s report on Chinese immigration.

customs agents at each individual customs office.<sup>74</sup> This resulted in variable enforcement of exclusionary policy at each customs office (the three main offices in charge of the Mexican border at this time were in San Diego, Nogales, and El Paso). Even among different locations along the Mexican border, the factors that influenced the enforcement could vary greatly. This study will focus on the San Diego customs office that patrolled the border between Baja California and San Diego.

Baja California is the western most Mexican province that borders the U.S. state of California. Baja California is a 150,000 square kilometer peninsula that stretches from north to south over 1200 kilometers.<sup>75</sup> Despite its abundant coastline with both the Pacific Ocean and the Gulf of Mexico and rich mineral resources, Baja California had historically been very isolated and sparsely populated due to geographical reasons.<sup>76</sup> The peninsula is mostly hot and arid desert with an extremely mountainous region in the north along the U.S. border and a more tropical region at its southern tip.<sup>77</sup> Baja California's arid climate made permanent settlement difficult and was the reason that it was largely ignored and undeveloped until the 19th century.<sup>78</sup> Until that point, Baja California was viewed mostly as a "way station" in the process of reaching the richer lands of Alta California (the Spanish/Mexican province that later became the U.S. state of California).<sup>79</sup> Settlers as early as the 1770's would pass

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<sup>74</sup> Lee, *At America's Gates*, 48.

<sup>75</sup> Miguel Leon-Portilla, "Paradoxes in the History of Baja California," *The Journal of San Diego History* 19:3 (1973), para. 2.

<sup>76</sup> *Ibid.*

<sup>77</sup> Alvarez, Jr., *Familia: Migration and Adaptation in Baja and Alta California 1800-1975*, 7-8.

<sup>78</sup> *Ibid.*, 8-12.

<sup>79</sup> *Ibid.*, 21.



through Baja California on their way to settle further north.<sup>80</sup> In the process, they developed transportation and communication routes, which helped facilitated migration back and forth between the two Californias.

The trend of migration back forth between the two California continued throughout the 19th century. Despite the fact that Alta California had a very volatile political situation, or maybe because of this, the border between the two Californias remained very open.<sup>81</sup> The migration that took place in the 19th century was driven by the occasional discovery of mineral resources. In the early 1800's, Baja California attracted the attention of foreigners with discovery of rich sea otter colonies off its western coast.<sup>82</sup> The development of the sea otter trade opened the door for further foreigner interest and investments into Baja California.

As discussed before, the Díaz government encouraged these foreign investments and enacted policies aimed at stimulating the development and flow of workers into the Baja peninsula.<sup>83</sup> It should be noted that the Díaz government had a particular interest in developing Baja California due to fears that the U.S would annex it like it did Alta California.<sup>84</sup> As a result, concentrated efforts were made to develop and colonize Baja California. By the late 19th century, these efforts resulted in the

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<sup>80</sup> Ibid.

<sup>81</sup> Alta California was controlled by Spain from 1769 to 1821, then by Mexico 1821 to 1848, was an independent state from 1848 to 1850, and was finally taken over the United States, achieving statehood as a part of the Compromise of 1850.

<sup>82</sup> Alvarez, Jr., *Familia: Migration and Adaptation in Baja and Alta California 1800-1975*, 25.

<sup>83</sup> Ibid, 26.

<sup>84</sup> Miguel Leon-Portilla, "Paradoxes in the History of Baja California," *The Journal of San Diego History* 19:3 (1973), para. 2

In fact, the U.S. did attempt to gain possession of Baja California in 1847. There were also numerous filibusters (or unauthorized military campaigns) to gain possession of the peninsula. For further discussion of this please Leon-Portilla's article as well as Alvarez, Jr., *Familia: Migration and Adaptation in Baja and Alta California 1800-1975*, 26-7.

development of small Chinese communities within Baja California, among the largest of which was found in the Baja California Norte town of Ensenada.<sup>85</sup> In Ensenada, Chinese immigrants pursued mercantile activities such as running small truck gardens and were successful in catering to the miners and prospectors in the area.<sup>86</sup> Still very small in relation to Chinese communities in California or even the adjacent Mexican province of Sonora, by the turn of the 20th century there were a couple hundred Chinese residents with the provinces of Baja California Norte and Sur.<sup>87</sup>

Although the permanent Chinese population in Baja California may have been minimal, there are indications that by this time a significant number of Chinese immigrants were employing Baja California as a path into the U.S. Throughout the 1890's, customs agents at the San Diego office repeatedly sent reports to the U.S. Treasury regarding the landing of Chinese of Baja California and their attempts to cross the U.S. border.<sup>88</sup> Many of these letters describe the landing of small groups of Chinese in Mexican ports and then making their way north to the U.S. border. In a letter to John R. Berry, San Diego Collector of Customs, Chinese inspector Datus E.

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<sup>85</sup> Duncan, "The Chinese and the Economic Development of Northern Baja California," 619.

<sup>86</sup> *Ibid.*, 618-619.

<sup>87</sup> Leo Jacques, "The Anti-Chinese Campaign in Sonora, Mexico, 1900-1931," (Ph.D. diss., University of Arizona, 1974), Data from Appendix B, Table B.1, Table B.5.

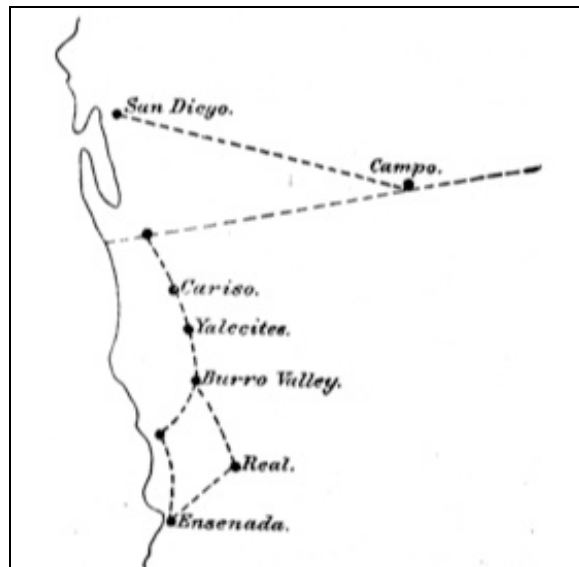
<sup>88</sup> WM. Windon to Treasury Department, 8 April 1890, "Report on Immigration of Chinese," 51<sup>st</sup> Cong., 1 sess., 1889-1890, S. Doc. 97, serial 2686, pg. 5.

John R. Booth to Secretary of the Treasury, 9 April 1890, "Report on Immigration of Chinese," 51<sup>st</sup> Cong., 1 sess., 1889-1890, S. Doc. 97, serial 2686, pg. 7.

Datus E. Coon to John R. Berry, 2 April 1890, "Report on Immigration of Chinese," 51<sup>st</sup> Cong., 1 sess., 1889-1890, S. Doc. 97, serial 2686, pg. 16-17.

Coon even included a crude map of the path by which he suspected Chinese immigrants passed through Baja Norte into south California.<sup>89</sup>

**Map 4:** Chinese Inspector Datus Coon's Map of "Chinese Underground Railway, Mexico to U.S"



*Source:* Datus E. Coon to John R. Berry, 9 April 1890, "Report on Immigration of Chinese," 51<sup>st</sup> Cong., 1 sess., 1889-1890, S. Doc. 97, serial 2686, pg. 22.

The Baja California-San Diego route began with Chinese immigrants landing in the port of Ensenada, either from San Francisco or from other Mexican ports such as Mazatlán. From Ensenada, Chinese immigrants traveled north through small Baja California Norte towns such as Real, Burro Valley, Yalcites, and Cariso; they eventually crossed the border into San Diego.<sup>90</sup> In a letter to the San Diego Customs Office, Louis Mendelson, a customs broker in Ensenada, wrote of the movement of this migration. Describing the regular influx of Chinese immigrants into Ensenada

<sup>89</sup> Datus E. Coon to John R. Berry, 9 April 1890, "Report on Immigration of Chinese," 51<sup>st</sup> Cong., 1 sess., 1889-1890, S. Doc. 97, serial 2686, pg. 20-23.

<sup>90</sup> Datus E. Coon to John R. Berry, 9 April 1890, "Report on Immigration of Chinese," 51<sup>st</sup> Cong., 1 sess., 1889-1890, S. Doc. 97, serial 2686, pg. 20-23.

Please see Map 4 for a rough outline of this route found in a Congressional report on Chinese illegal immigration.

abroad the S.S. “Orizaba” Mendelson wrote, “To my certain knowledge all the Chinamen that are landed by that steamer are embarked at Mazatlán, Mexico...She brings from five to thirty five each trip from the South. There are at present in the northern district of Lower California, Mexico, over three hundred Chinamen engaged in every imaginable pursuit, and occasionally a batch of them will start for the United States.”<sup>91</sup>

According to statistics compiled from Mexican census records by Leo Jacques, the Chinese population in Baja California Norte by this point was still very small, numbering at little over a hundred residents in 1900.<sup>92</sup> His data also shows that arrivals into the ports of Ensenada and Santa Rosalia were minimal.<sup>93</sup> However, Mendelson’s letter suggested that Chinese population of Baja Norte in 1897 was much larger than Jacques’ official statistics suggest. Mendelson estimated that the Chinese population in Ensenada alone was around 300. He also estimated that five to thirty-five Chinese immigrants regularly arrived in Ensenada aboard the S.S. Orizaba from Mazatlán. Even if Mendelson’s lower estimate is taken, Ensenada’s and Baja California Norte’s Chinese populations should have been much higher than the official census data indicates. As a customs broker and businessman who worked closely with the steamship companies, Mendelson would have had access to accurate data regarding entry of Chinese into Ensenada.<sup>94</sup> Mendelson was a respected

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<sup>91</sup> Louis Mendelson Deposition, 12 Oct. 1897, RG 36, LNCD, SDSALS 1885-1909, Box 3.

<sup>92</sup> Leo Jacques, “The Anti-Chinese Campaign in Sonora, Mexico, 1900-1931,” Appendix B, Table B.1, 276.

<sup>93</sup> Leo Jacques, “The Anti-Chinese Campaign in Sonora, Mexico, 1900-1931,” Appendix A, Table A.3, A.4, 266, 268.

<sup>94</sup> Louis Mendelson was a respected politician who was actively involved in both Baja Norté and San Diego. He served as Attorney General of Ensenada from 1887-1889 and worked as a customs broker and commission agent in the city afterwards. In his capacity in the latter two positions, Mendelson worked closely with steamship companies and would thus have ready access to

statesman both in San Diego and Baja California Norte and nothing indicates that he had anything to gain from giving inflated data concerning the Chinese. Thus, it can be concluded that the reason for the disparity between the census data and Mendelson's estimates is the outflow of Chinese immigrants through the border into the U.S.

**Table 3:** Chinese Population in Baja Norte, 1895-1941

<i>Year</i>	<i>Chinese Population</i>
1895	71
1900	138
1910	851
1921	2896
1930	2982

*Source:* Statistics taken from Leo Jacques, "The Anti-Chinese Campaign in Sonora, Mexico, 1900-1931," (Ph.D. diss., University of Arizona, 1974), Data from Appendix B, Table B.1, Table B.5.

**Table 2:** Chinese Arrivals at Select Mexican Pacific Ports, 1882-1907

<i>Port</i>	<i>Number of Chinese Arrivals</i>
Ensenada	126
Guaymas	44
Manzanillo	1,995
Mazatlán	2,791
Salina Cruz	14,063
Santa Rosalía	507

*Source:* Statistics taken from Leo Jacques, "The Anti-Chinese Campaign in Sonora, Mexico, 1900-1931," (Ph.D. diss., University of Arizona, 1974), Appendix A, Table A.3, A.4.

While it is difficult to know the exact number of Chinese immigrants who passed through Baja California into San Diego during this time, a rough guess can be made from Mendelson's estimates. According to the 1900 census, the Chinese

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information regarding the entry of Chinese into Ensenada. For more information on Mendelson, please see Donald Chaput, "Louis Mendelson: Baja California Statesman," *The Western States Jewish History*, 19:2 (1987), 99-114.

population of Baja Norte was 138.<sup>95</sup> In order to reconcile this number with Mendelson's estimate of 300 in Ensenada in 1897, at least 162 Chinese immigrants must have crossed the border in three years. This number assumes that no other Chinese entered Ensenada after Mendelson's letter and is the lowest possible estimate that can be made. The actual figure is probably much higher if one accounts for the continued entry of Chinese immigrants and the Chinese immigrants who were not observed by Mendelson. If one considers these additional migrants, it is not hard to imagine at least that a hundred Chinese immigrants crossed the border through Baja California into the U.S. per year around at this time.

It may seem that a hundred Chinese border crossings per year is insignificant; however, the mechanisms by which Chinese crossed the Mexican border were still be developed and refined at this time. As the more complex methods of evading exclusion emerged, a greater number of Chinese entered Baja California and crossed the border into the U.S. The early migrations described by Mendelson provided the foundation for more substantial waves of illegal immigration that followed after the turn of the 20<sup>th</sup> century.

### **Challenges Facing the San Diego Customs Office**

In order to explain the success Chinese immigrants had crossing the border from Baja California into Southern California, one must examine the circumstances facing customs officials in the San Diego customs office. The experience officials in San Diego had enforcing Chinese exclusion differed from that of officials at other

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<sup>95</sup> Leo Jacques, "The Anti-Chinese Campaign in Sonora, Mexico, 1900-1931," Appendix B, Table B.1, 276.

locations in several ways. They can be broken down into three main categories: political logistical, and bureaucratic.

### ***Political Factors***

Political developments on both sides of the border factored into the way immigration officials in San Diego enforced exclusion. On the U.S. side, the anti-Chinese movement that began in San Francisco did not gain as much traction in San Diego or the rest of the Mexican border region of the U.S. This was mainly the result of the fact that the Chinese population there was much smaller and was not as often in competition over jobs with the white population. On the Mexican side, foreign immigration into Baja California, including that of the Chinese, was actually being encouraged by the Mexican government in order to develop the northwestern portion of the country during this time. The combination of these two developments resulted in a political environment that was more accepting of Chinese and less inclined exclude halt Chinese immigration.

The development of anti-Chinese movement in San Diego and the surrounding area was markedly different from that of northern California. The xenophobia and demands for exclusion that characterized the anti-Chinese movement further north were much less intense in San Diego.<sup>96</sup> A major contributing factor to this was the size Chinese population in San Diego compared to that of San Francisco. The Chinese population of San Diego was 70 in 1870 and had only grown to 414 by

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<sup>96</sup> Arthur F. McEvoy, "In Places Men Reject: Chinese Fishermen at San Diego, 1870-1892," *The Journal of San Diego History* 23:4 (1977), para. 16-17.

1900.<sup>97</sup> By comparison, the Chinese population in San Francisco County was 12,030 in 1870 and grew to 13,954 by 1900.<sup>98</sup> Because the Chinese presence was much smaller in San Diego, there was less of an impetus for residents in this area to call for their expulsion.

**Table 4:** Chinese Population of San Diego vs. San Francisco, 1870-1900

Year	San Diego			San Francisco	
	Chinese Population	Percent of Total Population		Chinese Population	Percent of Total Population
1870	70	3%		12,030	24.40%
1880	229	9%		21,745	28.90%
1890	909	5%		25,833	35.70%
1900	414	2%		13,854	30.50%

*Source:* San Diego Chinese population statistics retrieved from Ying, “Development of the San Diego Chinese American Community,”: 67.

Total population of San Diego statistics retrieved from “San Diego City and County Population from U.S. Census Bureau,” *San Diego Journal of History*, <https://www.sandiegohistory.org/links/sandiegopopulation.htm>.

All San Francisco statistics taken from Coolidge, *Chinese Immigration*, 503, Appendix entitled “Chinese Population of California by Counties.”

Because the Chinese community was so small in San Diego, Chinese immigrants were forced to interact with the local populous. Unlike cities further north with bigger Chinese populations such as San Francisco and Los Angeles, San Diego’s Chinese population could not congregate in an isolated Chinatown. While a small Chinese fishing community did develop outside of San Diego’s New Town, it was never large enough to constitute a centralized Chinese area.<sup>99</sup> As a result, the Chinese population often lived among and built ties with the local white residents. Chinese immigrants working as cooks, servants, and gardeners worked directly for the

<sup>97</sup> Zeng Ying, “Development of the San Diego Chinese American Community,” *Chinese America: History and Perspectives* (1998): 67.

<sup>98</sup> Statistics taken from Coolidge, *Chinese Immigration*, 503, Appendix entitled “Chinese Population of California by Counties.”

<sup>99</sup> Ying, “Development of the San Diego Chinese American Community,” 67.



local residents and as a result often built personal relationships with them. This helped them transcend the negative stereotypes that Chinese immigrants were inassimilable and unwilling to contribute to the community. The Chinese actually earned the respect of San Diego residents for their industrious nature. Speaking of the Chinese fishermen of the area, the San Diego Union noted, “The Chinese fishermen of this neighborhood are about the most industrious set of individuals to be found anywhere.”<sup>100</sup>

It was not only the size of the Chinese population that led to a more accepting attitude of Chinese in San Diego, but also the occupations that the Chinese pursued. The main occupations they pursued were commercial fishing, working on the railroad, and various service jobs such as launderers, cooks, servants, and gardeners.<sup>101</sup> In these occupations, Chinese rarely faced competition with the local white population in the area. This is a marked contrast from the friction caused by Chinese immigrants further north who often competed with white miners for gold and labors for menial jobs. In the San Diego where, due to a smaller population of menial workers, there was a need for the services the Chinese provided and they were viewed as an economic asset rather than a threat.

The Chinese fishing industry that developed off the coast of San Diego is a very revealing example of why the Chinese community in the area was perceived in such a different light than their counterparts further north. While Chinese immigrants

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<sup>100</sup> Quote taken from McEvoy, “In Places Men Reject: Chinese Fishermen at San Diego, 1870-1892,” para. 17.

<sup>101</sup> Ying, “Development of the San Diego Chinese American Community,” 67.

had fishing enterprises in San Francisco and all along the California coast, the level of success that the Chinese fishermen achieved in San Diego was unique. In the more competitive waters outside of San Francisco, Chinese fishermen were almost completely driven out by white fishermen who successfully lobbied against them in the state legislature.<sup>102</sup> While the waters outside of San Diego did have rich resources, especially abalone, the local market was not big enough to interest the white population into beginning large-scale fishing operations.<sup>103</sup> This allowed the Chinese to fish the waters without arousing the same racial hatred that arose further north.

Not only did the Chinese fisherman not antagonize the locals, due to the small size of the Chinese community in San Diego, Chinese fishermen had no choice but to regularly do business with various white merchants and businesses. The Chinese fishermen regularly purchased lumber from local suppliers for their junks, used American distributors to ship their products, and sold their goods to white merchants.<sup>104</sup> By 1886, there were 16 Chinese junks operating off the San Diego coast and the Chinese were in control of a very lucrative fresh fish and abalone trade.<sup>105</sup> Their efforts not only provided the local population with almost all its fresh fish, but also played an important part in the local economy. The success of the Chinese fishermen in San Diego debunked the common perception that Chinese immigrants were leeches and garnered approval from the local population.

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<sup>102</sup> L. Eve Armentrout-Ma, "Chinese in California's Fishing Industry, 1850-1941," *California History* 60:2 (1981): 143-144.

<sup>103</sup> *Ibid.*, 12.

<sup>104</sup> *Ibid.*, para. 16.

<sup>105</sup> *Ibid.*, para. 12.

The more positive perception of Chinese population in San Diego invariably had an effect on the manner in which San Diego immigration officials went about their duties. Acceptance in the community presented an environment where immigration officials felt much less popular pressure to exclude Chinese. Like all public officials, immigration officials were dependant on the local public for support and to a certain extent molded their policies in order to suit their constituents. The less antagonistic attitude toward Chinese in San Diego would thus have had an effect on way local immigration officials administered exclusion. In many instances, immigration officials in San Diego showed more consideration toward Chinese immigrants than their compatriots in San Francisco or Chinese inspectors, who answered directly to the Chinese Bureau in San Francisco where hatred toward the Chinese was most intense.<sup>106</sup>

In one Chinese exclusion case, San Diego Collector of Customs W.W. Bowers shows disapproval toward the arbitrary enforcement of exclusion by Chinese inspectors stating, "I do not want to become accessory to the persecution of even the low down Chinese."<sup>107</sup> While Bowers' words do not exactly show a fondness for Chinese, his words reveal that he did not prescribe to the policy that all Chinese should automatically be excluded. He shows a willingness to let Chinese enter the country if they are able to prove their exempt status. Bower's attitude toward this

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<sup>106</sup> The diverging attitude between Customs Service officials and Chinese Inspectors will be discussed in the next section.

<sup>107</sup> W.W. Bowers to Louis Kaiser, 7 March 1899, RG 36, LNCD, SDSALS 1895-1909, Box 2.

case reveals the softer approach toward Chinese immigrants and Chinese exclusion that existed among San Diego custom officials.

On the other side of the border, as discussed above, the Mexican government was passing legislation that encouraged the migration of Chinese into northwestern Mexico.<sup>108</sup> Following the U.S.-Mexico war, there was concern among Mexican officials over whether Baja California would be lost to the U.S. like Alta California.<sup>109</sup> In order to prevent this, the Mexican government sought to colonize Baja California and the rest of its northwestern frontier in order to strengthen its claim to it. Development of Baja California was started under the President Benito Juarez and continued under Díaz.<sup>110</sup> The period under Diaz in particular was one where Mexico actively sought to develop the region by attracting foreign investments and immigrants.

In his study of the economic development of Baja California, historian Robert Duncan argues that the “increasing demand for goods and services allowed Chinese to take part in a wide array of activities...not only as laborers but as entrepreneurs as well.”<sup>111</sup> Taking advantage of conditions in Baja California, the Chinese quickly started small-scale manufacturing and retail operations. By the turn of the 20th century, Chinese immigrants in Ensenada were owners of various mercantile enterprises such as small truck gardens, laundries, an icehouse, a factory, and a shoe

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<sup>108</sup> Duncan, “The Chinese and the Economic Development of Northern Baja California,” 616.

<sup>109</sup> Alvarez, Jr., *Familia: Migration and Adaptation in Baja and Alta California 1800-1975*, 26-27.

<sup>110</sup> *Ibid*, 29.

<sup>111</sup> *Ibid*, 615.

store.<sup>112</sup> The success of the Chinese immigrants in the area helped develop the region and the Mexican government continued its pro-immigration policies until the Mexican revolution of 1911 that overthrew the Díaz government.<sup>113</sup>

The development of the Chinese communities in Baja California helped illicit immigration into the U.S. in two ways. First, established Chinese communities provided a staging ground for smuggling operations to develop and operate. Having various Chinese businesses in Baja California towns provided Chinese immigrants with shelter, information, and economic support while they passed through the peninsula on their way into the U.S.<sup>114</sup> In many cases, Chinese businesses in Baja California had extensive ties with Chinese businesses in the United States, particularly San Francisco.<sup>115</sup> Using these ties, Chinese business owners provided an invaluable link for immigrants seeking passage through the border. More established Chinese communities in San Francisco, who had much more experience dealing with exclusionary policy, could provide migrants with legal advice and consul, false identity papers, lists and answer to question that may be asked by customs official (these document came to be known as “coaching papers), and monetary support. All of these forms of support were invaluable for Chinese migrants who had little to no idea how to go about sneaking into the U.S upon landing in Mexico.

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<sup>112</sup> Ibid, 619.

<sup>113</sup> Ibid, 627. Even after the central government of Mexico ended its pro-immigration policies, Baja California continued to welcome for Chinese immigrants even after the 1911 Revolution.

<sup>114</sup> Ettinger, “We Sometimes Wonder What They Will Spring on Us Next”: Immigrant and Border Enforcement in the American West, 1882-1930,” 167.

<sup>115</sup> Leo Jacques, “Have Quick More Money than Mandarins: The Chinese in Sonora,” *Journal of Arizona History* 17 (1976), 203.

Secondly, the economic success of Chinese communities in Baja California spread the notion among U.S. immigration officials, that Chinese immigrants coming from Mexico were often merchants, who were exempt from exclusion laws. Because the Chinese population in Baja California and Sonora at this point was so small and large portion of them were entrepreneurs, it was easy for immigration officials to assume that passing Chinese immigrants were of the exempt class.<sup>116</sup> Often using forged documents, Chinese immigrants claimed to be merchants from Mexico passing through the border on business.<sup>117</sup> While this was a practice common in illegal immigration everywhere, the fact that a large percentage of the Chinese population in Baja California was occupied in mercantile ventures gave traction to claims of immigrants passing through the San Diego customs office.

The combination of the political developments in San Diego and Baja California helped make migration through into southern California unique. The development of successful Chinese communities on both sides of the border provided the support system needed to facilitate illegal immigration. The pro-immigration policies of the Mexican government at this time provided ready access into and through Baja California. In conjunction with the logistical factor and the bureaucratic factors to be discussed in the subsequent sections, this unique combination of political considerations helped lead to the development and, later, flourishing of illegal immigration from Baja California into San Diego.

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<sup>116</sup> Duncan, "The Chinese and the Economic Development of Northern Baja California, 618-619. Evelyn Hu DuHart, "Immigrant to a Developing Society: The Chinese in Northern Mexico," *Journal of Arizona History* 21 (1980): 275-277.

<sup>117</sup> *Ibid*, 179.

### *Logistical Factors*

The primary logistical problem with enforcing exclusion in the San Diego area was one that was shared by all customs offices along the Mexican border, insufficient manpower and funding to patrol vast stretches of land it was responsible for.

Describing the situation John C. Fischer, San Diego Collector of Customs, wrote, “ I have 198 miles of Mexican frontier in my district, and only three mounted deputies to guard it, day and night.”<sup>118</sup> Three mounted officers would not be sufficient to patrol this amount of territory even under the most ideal circumstances. However, the San Diego customs office was charged with patrolling the rugged terrain along San Diego’s southern border as well as a large stretch of coastline with its skeletal force.

The northwestern portion of Baja California, often referred to as the *Frontera*, consists of mountains that in some places reach over 5,000 feet in elevation.<sup>119</sup> Due to the harsh conditions of the area, the borderline south of San Diego was sparsely populated and full of areas that were extremely hard to patrol. The rigorous nature of patrolling this area is reflected in reservations expressed by Fischer about sending an elderly Chinese inspector out on patrol. He writes, “[Agent Baihache] is past 74 years of age and not very strong, and if I were to send him out on some of the raids we have to make or send him out of horseback to stay up for a night or two on the line...I am convinced that he would be brought back a corpse.”<sup>120</sup>

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<sup>118</sup> Quote taken from McIllwain, “Bureaucracy, Corruption, and Organized Crime: Enforcing Chinese Exclusion in San Diego, 1897-1902,” 101.

<sup>119</sup> Robert R. Alvarez, Jr., *Familia: Migration and Adaptation in Baja and Alta California 1800-1975*, (Berkeley: University of California Press, 1987), 8.

<sup>120</sup> Quote taken from McIllwain, “Bureaucracy, Corruption, and Organized Crime: Enforcing Chinese

In addition to patrolling the land route, the San Diego customs office also had to watch for Chinese immigrant who entered through the coast. For the same reasons that the Chinese immigrants found success slipping into the U.S. overland (insufficient manpower and resources), they were often able to land along the San Diego coast. There are many reports of Chinese immigrants attempting to enter the country via small ships or “sloops” in the correspondence of San Diego immigration officials.

John Fischer describes one such case in a letter to Frank Flint, U.S. District Attorney. Fischer writes, “Seven Chinese that were captured by the Deputy Sheriff of Orange County...were brought up, I feel sure by J.E. Wright in the Yawl “Neried”. I had a tip several days ago that he was to bring them, and have been keeping a close watch for him.”<sup>121</sup> The need to patrol the coastline as well as the land route is a unique challenge faced by San Diego officials that other immigration officials, even other border officials along the Mexican border further inland, did not have to deal with. Having to account for both land and ocean crossing further stretched the thin resources of the San Diego customs office.

The case of the J.E. Wright and the “Neried” also sheds lights to the insufficient funding which the San Diego customs office received. In the aftermath of Wright’s arrest, a large amount of correspondence dealt with the difficulties compensating individuals who either helped in the investigation leading to Wright’s

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Exclusion in San Diego, 1897-1902,” 103.

<sup>121</sup> John C. Fischer to Frank Flint, 7 May 1897, RG 36, LNCD. SDSALS 1895-1909, Box 2.



arrest or testified against Wright in court. In a letter to Anthony Godbe, U.S. Vice Consul at Ensenada, Fischer defends his payment to a witness who testified against Wright. He writes, "Smith proved to be a most excellent witness, and without his testimony it would have been impossible to convict Wright...I settled with Smith yesterday by paying \$56.00...I would have paid him the full \$80.00 but the amount authorized to be expended by the Government would not permit my doing so..."<sup>122</sup> It is telling that Fischer is unable to pay the full amount due budgetary restraints. The tone of Fischer's letter is almost apologetic and one gets the sense that his superiors strictly enforced the San Diego offices' budget.

The case of the "Neried" is one of many in which the issue of budgetary restrictions comes up. Fischer's successor as Collector of Customs at San Diego, W.W. Bowers often complained of being unable to pay the necessary expenses incurred while apprehending illegal Chinese immigrants. In a letter to G.E. Channing, Bowers writes, "The Department has ordered me not incur any farther expense in arresting Chinamen, so I have written for authority to incur necessary expenses, if not granted, then the arrest of Chinamen at the line must stop, as the officers are not supposed to pay such expenses out of their own pockets."<sup>123</sup> In this letter, Bowers goes as far as to suggest without more funding that the operations of the customs office be unable to continue and Chinese immigrant will be left unrestricted in crossing the border. While this may have been an exaggeration, the steady stream of

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<sup>122</sup> John C. Fischer to Anthony Godbe, 12 Sept. 1897, RG 36, LNCD, SDSALS 1895-1909, Box 3.

<sup>123</sup> W.W. Bowers to G.E. Channing, 26 Aug. 1899, RG 36, LNCD, SDSALS 1895-1909, Box 3.

complaints of funding by Fischer and, later, Bowers shows that the Federal government never gave the necessary funding for the San Diego customs office to be successful.

In addition to a dearth of men and funding, the San Diego customs office had a second major logistical concern to deal with; a very fluid border through which migration back forth between the U.S. and Mexico was up until this point very loosely regulated. As discussed earlier, migration between Baja California and California had historically been very fluid and open. Since its earliest settlement, prospectors seeking to capitalize on the discovery of resources whether they be the otter colonies discussed earlier or the discovery mineral resources had always traveled back forth between the two Californias. These migrations reached new heights in the 19th century as mineral resources were discovered in both states.

The event that really started mass migrations through Baja California was the California gold rush of the mid-19th century. The discovery of gold in California sparked massive foreign investment and immigration all along the western coast of the American continent.<sup>124</sup> Prospectors from all over the world began to migrate into California in the hopes of striking it rich. As it had been before, Baja California acted as a “way station” for migrants seeking to enter California. Anthropologist Robert Alvarez notes, “Gold seekers who were unable to get transport directly to San Francisco (from Panama) chartered small vessels and went up the coast to San Blas or Mazatlán traveling from there to La Paz...[and then through Baja California into

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<sup>124</sup> Ibid, 27.

California].”<sup>125</sup> The gold rush opened the doors for mass migrations across the Mexican border and further entrenched the migratory pattern along the border.

After the California gold rush subsided, migration across the border continued on both a large and small scale. A prominent example of a large scale migration is the Baja California gold rush of 1889. In February 1889, word spread that gold had been discovered in mines sixty miles southeast of Ensenada.<sup>126</sup> While it was eventually discovered that the rumors were false and the gold deposits found were minimal, the “gold rush” resulted in 5,000 to 6,000 prospectors entering and leaving Baja California in the span of a few months.<sup>127</sup>

Outside of mass migrations such as the 1889 gold rush, there was also a regular flow of migrants across the border on a smaller scale. There was a lot of interaction between border communities on both sides of the border and national boundaries were not something that was clearly demarcated. It was common for Mexican or American residents to cross the borders for everyday business such as work, shopping, or visiting family.<sup>128</sup> Historian Grace Delgado writes of one such case. Lee Sing was a young Chinese merchant from Tucson, Arizona who had businesses on both sides of the border.<sup>129</sup> Not only did Sing cross the border often on business matters, but his

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<sup>125</sup> Ibid, 28.

<sup>126</sup> Sylvia K. Flanigan, “The Baja California Gold Rush of 1889, 1886-1939,” *The Journal of San Diego History* 26:1 (1980), paragraph 1, retrieved from <https://www.sandiegohistory.org/journal/journal.htm>.

<sup>127</sup> Ibid, para. 32.

<sup>128</sup> Ettinger, “We Sometimes Wonder What They Will Spring on Us Next: Immigrant and Border Enforcement in the American West, 1882-1930,” 175.

<sup>129</sup> Delgado, “At Exclusion's Southern Gate: Changing Categories of Race and Class among Chinese Fronterizos, 1882-1904,” 187.

marriage to a Mexican women prompted him to build familial ties in Mexico.<sup>130</sup> Cases such as Sing's were not as common along the Baja California-California border at this time due to the rugged nature of frontier there and the absence of towns; however, cases such as this one were probably known to customs agents in San Diego and entered into their consideration, especially because many Chinese immigrants claimed to be merchants from Sonora rather than Baja California.

Considering how understaffed customs offices were, it is easy to see a level of complaisance settling into their psyches in the wake of such heavy traffic of people across the border. In the face of the constant flow of people across the border, immigration officials would have been hard pressed to give each immigrant proper inspections. In many instances, immigration officials would give only cursory looks at migrants and assume they were among the large number of "local Mexicans" who regularly passed through the border.<sup>131</sup> Capitalizing on this, many smugglers took to coaching and disguising Chinese immigrants to look like Mexicans. With a simple change of dress, elimination of a queue, or adaptation on the mannerism of a "drunken Mexican", a Chinese immigrant could easily be passed through the border.<sup>132</sup>

While the lax standards of investigation can be attributed in part to incompetence and negligent enforcement, the rise of smuggling networks played a part in the success of illegal Chinese immigrants. All of the logistical factors working against the San Diego customs office were taken advantage of these smuggling

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<sup>130</sup> Ibid.

<sup>131</sup> Ibid, 177.

<sup>132</sup> Ibid, 178.

networks that did a lucrative business transporting Chinese immigrants across the border. Due to the profitability of smuggling Chinese, where by 1912 Chinese immigrants had to pay up \$350 per person, smuggling operations became widespread and included not only Chinese participants but Mexican, American and Europeans ones as well.<sup>133</sup>

The level of complexity of these smuggling networks varied greatly. While some were simple one or two man operations with a small boat, others spanned the globe starting from southern China and continuing through Mexico into the U.S.<sup>134</sup> After the arrest of a group of Chinamen in El Paso, Chinese inspector J.D. Putnam confiscated a letter given by one of the arrested men to a “white woman.” Upon translating it, Putnam found that it discussed “an organization in Hong Kong, the purpose of which is to land Chinese in [the United States].”<sup>135</sup> Historian Robert Hansen suggests that the Chinese Six Companies, a prominent Chinese mutual aid organization in the U.S., was one such organization that took part in Chinese immigrant smuggling.<sup>136</sup>

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<sup>133</sup> Hansen, “The Chinese Six Companies and Smuggling of Chinese Immigrants across the US-Mexico Border, 1882-1930,” 49.

San Diego Collector of Customs to Anthony Godbe, 25 June 1897, RG 36, LNCD, SDSALS 1895-1909, Box 3.

James Keith Deposition, 13 Oct. 1897, RG 36, LNCD, SDSALS 1895-1909, Box 3.

<sup>134</sup> Hansen, “The Chinese Six Companies and Smuggling of Chinese Immigrants across the US-Mexico Border, 1882-1930,” 48.

<sup>135</sup> John C. Cline to Secretary of the Treasury, 6 Dec. 1899, LACIC: 1883-1908, Box 3.

<sup>136</sup> Hansen, “The Chinese Six Companies and Smuggling of Chinese Immigrants across the US-Mexico Border, 1882-1930,” 47-54.

The Chinese Six Companies played an important role in the Chinese American Companies. They were not simply a smuggling organization, but helped defend the rights of Chinese-Americans in many legitimate ways including providing shelter and aid to new immigrants, finding and paying for legal consul in deportation cases, lobbying local and federal governments, and helping bring to light the abuses against Chinese Americans. For further discussion of the Chinese Six Companies and mutual aid organization please see: L. Eve Aremtrout Ma, “Chinatown Organizations”, *Entry*

The exact manner in which these smuggling networks operated varied, but a Hansen gives a general outline of how many of them operated.<sup>137</sup> Starting in China, Chinese immigrants would be taught rudimentary English and given a brief introduction into American culture in order to prepare them for questions by customs officers. Then a large enough group of immigrants was gathered, they transported across the Pacific, passed through San Francisco as “in transit” passengers and landed somewhere on Mexico’s Pacific coast. At this point, they newly arrived immigrants would be met by members of the smuggling operation and, depending on the specific operation, given addition coaching while being put to work at a local laundry or restaurant. After a short period in Mexico, Chinese immigrants were smuggled overland across the border by guides (usually local Mexican or American residents) who knew the rough terrain. There were also cases where Chinese were hidden aboard railway cars that took them directly across the border; however, these cases mostly took places further inland along the Arizona-Mexico and Texas-Mexico borders.<sup>138</sup> However, the most common form of transport for immigrants moving into southern California from Baja California seemed to be by small boat.<sup>139</sup>

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*Denied* ed. Sucheng Chan ed. (Philadelphia: Temple University Press, 1991): 94-146.

<sup>137</sup> Hansen, “The Chinese Six Companies and Smuggling of Chinese Immigrants across the US-Mexico Border, 1882-1930,” 50. The following is taken from Hansen’s work unless otherwise noted.

<sup>138</sup> Hansen, “The Chinese Six Companies and Smuggling of Chinese Immigrants across the US-Mexico Border, 1882-1930,” 50.

<sup>139</sup> In researching this thesis, a box of “Special Agent Letters” from the San Diego customs office, as well as a box of “Outgoing Correspondence” and “Letters Sent” from the Los Angeles customs office, was reviewed. This roughly covered the time period from March 1896 to August 1900. By far the most references to illegal Chinese immigration in this area involved the use of boat. While this may not have been the case, in the research performed for this work (which was admitted very limited), boat were the most common way of smuggling Chinese immigrant into southern California from Baja California.

A possible explanation for boat being the preferred method of Chinese smugglers in Baja California can be geographical. As discussed before, the topography around the Baja California-southern California border was quite rugged. While this is difficult for customs agents to patrol, it probably made smuggling a group of Chinese immigrants an equally daunting task. This combined with the fact that southern California had abundant and loosely patrolled shoreline, probably made it an easy decision to sneak Chinese immigrants over the border by boat.

Another important reason why boats were often used in transporting Chinese immigrants from Baja California may have been pre-existence of other types of smuggling operations in the area. By the middle of the 1890's, there was already a thriving bat guano smuggling industry off the coast of San Diego.<sup>140</sup> It was probably common for many of the bat guano smugglers to make the transition to the equally, if not more profitable, business of smuggling Chinese immigrants across the border.

One example of a guano smuggler who switched over to human smuggling was William Gerald.<sup>141</sup> A career criminal who made his live off of piracy and smuggling off the coast of California, Gerald began smuggling Chinese immigrant sometime around the 1895.<sup>142</sup> Taking advantage of the numerous small islands off the San Diego coast like San Clemente and Santa Catalina, Gerald successfully transported Chinese

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<sup>140</sup> "Poachers Driven Out," *The San Francisco Call*, 27 October 1895, 5.

<sup>141</sup> Michael Buxton, "'William Gerald Channel Pirate' A Smuggler of the Islands," *Mains'l Haul: A Journal of Pacific Maritime History* 40:1 (2004), 19.

It should be noted that in some government records, Gerald is referred to as William Gerull, which was an alias he often used to cover up his illicit activities. The alias William Gerull should not be confused by Gerald's partner who was named Henry Gerull.

<sup>142</sup> Ibid, 19. J.D. Putnam to A.W. Francisco, 22 June 1898, LNCD, Los Angeles Bureau of Customs Letters Sent: 1882-1918 (hereafter referred to as LABCLS: 1882-1918), Box 3.

immigrants into California, on several occasions just barely eluding capture by customs agents.<sup>143</sup> Gerald's luck ran out when he was arrested with his partner Francisco Reyes for smuggling fifteen Chinese immigrants into Anaheim, California.<sup>144</sup> When questioned by Chinese Inspector Putnam after his arrest, Reyes admitted that Gerald had been active in "the business of illegally landing Chinese [from Mexico] for two or three years past."<sup>145</sup>

William Gerald was only one example of many Chinese smugglers operating off the coast of San Diego at the time. Because the smuggling of immigrants was such a lucrative business, there was no shortage of people willing to participate in it. It must be noted that smugglers such as Gerald were only one link in the complex network of individuals who took part in smuggling Chinese immigrants. Participation from individuals from southern China, throughout Latin America, and the western U.S. all contributed to this enterprise. The stark contrast between the sophisticated and profitable smuggling organizations and the poorly funded San Diego customs office shows why Chinese immigrants were so successful in eluding capture; the smuggling networks not only had the geographical, but were also much better funded and informed than the men seeking to catch them.

The logistical challenges facing immigration officials in San Diego cannot be understated. As Fischer noted, the San Diego customs office had almost 200 miles of border and large stretches of coastline to guard with a limited staff and sparse

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<sup>143</sup> Buxton, "William Gerald Channel Pirate: A Smuggler of the Islands," 20-23.

<sup>144</sup> J.D. Putnam to A.W. Francisco, 31 May 1898, LNCD, LABCLS: 1882-1918, Box 3.

<sup>145</sup> J.D. Putnam to A.W. Francisco, 22 June 1898, LNCD, LABCLS: 1882-1918, Box 3.



funding. Combined with the large amount of migration that took place across the border, it was an extremely difficult task for border officials to give exhaustive investigations to even the small number of Chinese immigrants their meager resources allowed them to stop. The rise of complex smuggling networks further stretched the resources of the San Diego customs office. These smuggling networks often used small ships to sneak Chinese immigrants onto the shores outside of San Diego. Due to lack of proper funding and equipment, it was often difficult if not impossible for customs officer in San Diego to stop illicit immigration.

### ***Bureaucratic Factors***

The bureaucratic challenges faced by the San Diego customs office stem mainly from the Chinese exclusion laws themselves. The ambiguous nature of the Chinese exclusion laws made their enforcement difficult. As historian Erika Lee explains, “Once the United States passed the Chinese Exclusion Act, it faced the daunting task of interpreting and enforcing the law.”<sup>146</sup> While the law’s purpose was clear, to keep out Chinese laborers, it failed to provide clear guidelines as to how this was to be done. This was a problem that all customs offices faced, but the confusion stemming from the laws seemed to be amplified along the Mexican border. This was due to the fact that exclusionary policy was for the most part shaped by officials in northern California and Washington D.C., who tailored laws to fit the needs of customs offices at traditional port of entry such as San Francisco. Because it was at

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<sup>146</sup> Lee, *At America’s Gates*, 47.

the epicenter of the anti-Chinese movement, the San Francisco customs office became the de facto arbiter of Chinese exclusion.<sup>147</sup> As a result, the original Chinese Exclusion Act as well as the following legislation gave little consideration to the circumstances present along the borders.

An issue that border officials often struggled with was what to do with immigrants found guilty of illegally crossing the border. The initial exclusion act did not specify whether illegal immigrants apprehended at the border were to be deported back to China or back across the border to Mexico.<sup>148</sup> It is easy to see why legislatures in California and Washington D.C. could fail to make this distinction because in ports like San Francisco, there was no other option but to deport Chinese back to China. However, failure to make the distinction had large ramifications along the border. If an immigrant were simply deported to back to Mexico, they would invariably attempt to enter through different means or another route. As historian Patrick Ettinger explains, “For migrants, the Mexican border offered two attractions – an opportunity for both legal entry and, for those who failed, illicit entry...If efforts at legal entry failed, Mexican soil provided a safe staging area of illegal entry ‘a few miles to the right or to the left, of the particular Immigration Station from which they had been rejected.’”<sup>149</sup> As Ettinger suggests, deporting Chinese migrants back to Mexico would only result in continued attempts at illicit entry through the porous border, which immigration officials could not adequately patrol. Border officials

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<sup>147</sup> Lee, *At America's Gates*, 63-64.

<sup>148</sup> *Chinese Exclusion Act of 1882, U.S. Statutes at Large* 12.

<sup>149</sup> Ettinger, “We Sometimes Wonder What They Will Spring on Us Next”: Immigrant and Border Enforcement in the American West, 1882-1930,” 174.

regularly complained of this oversight in the legislation and pushed for amendments to be made to the laws. However, the federal government was slow to respond to these calls and in the first few decades of the exclusion era, confusion over where exactly to send illegal immigrant resulted in many immigrant having multiple opportunities to cross the border.<sup>150</sup>

While the issue of where to send illegal immigrants after they were apprehended was a prominent complaint about the exclusionary laws, the outgoing correspondence of the San Diego customs offices was filled with many other examples of confusion over how to enforce Chinese exclusion. An interesting example of this was described in a letter sent by W.W. Bowers regarding the admission of an ill Chinese man who requested admission into the U.S. in order to see a Chinese doctor. Bowers writes, “Deputy Collector Todd arrested a Chinaman, at the Boundary line, this morning...who says he was on the way to San Francisco to obtain the services of a Chinese doctor. As this a case out of the ordinary, please give me such advice as the practice of your port suggests...”<sup>151</sup> This situation is one that would not have occurred in traditional ports of entry such as San Francisco and was unique to the border. Bowers letter shows that offices in the San Diego office often faced cases that were not explicated covered in the exclusionary laws and that border officials were often dependant on officials in San Francisco for interpreting them.

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<sup>150</sup> Ibid.

<sup>151</sup> W.W. Bowers to S.F. Collector of Customs, 20 July 1899, RG 36, LNCD, SDSALS 1895-1909, Box 3.

However, the answers that San Francisco and federal government returned were usually not explicitly clear and border officials were left to use their own judgment in order to resolve them. In letter regarding the admission of Chinese immigrants from Mexico, Assistant Secretary of the Treasury W.B. Horrell simply wrote, "Chinese persons of exempt class...are required to satisfy the collector at the port of entrance...of their identity as persons of the exempt class. Questions relating to the transshipment of Chinese persons of the exempt class between places on the Coast should be submitted to authorities of the steamship companies. Chinese applying to admission as persons of American birth are required to satisfy the Collector of Customs at the port of first arrival of the facts as to nativity."<sup>152</sup> As Horrell's response shows, the Treasury department left a lot of flexibility for individual immigration officials to determine the outcome of Chinese exclusion cases. No clear answer was given about how to deal with Chinese immigrants of the exempt classes or those claiming native status, which were the main classes illegal immigrants claimed to be. The ambiguity of the federal government's instructions to the border officials added to confusion that was inherent in the exclusionary laws themselves. This situation led to a level of bureaucratic inefficiency that was higher than in traditional entry ports.

Another consequence the unclear aspect of immigration laws was bureaucratic in-fighting. Without clear instructions about which officials were in charge of what, tension between various customs officials arose. Sharing the same offices and the

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<sup>152</sup> W.B. Horrell to L.A. Collector of Customs, 23 January 1899, RG 36, LNCD, LACIC, Box 15.

same bureaucratic responsibilities resulted in conflicts over jurisdiction and jockeying for greater influence. At the San Diego customs offices conflict arose between custom collectors and Chinese inspectors.<sup>153</sup> They often accused each other of incompetence and, in some cases, went as far as to bring forth allegations of corruption.

The infighting in the San Diego office can clearly be seen in Oscar Greenhalgh's investigation into the San Diego customs office. The Greenhalgh investigation was commissioned in 1898 by Bureau of Immigration commissioner-general, Terence Powderly, in order to look into the methods by which Chinese immigrants were illegally entering the country.<sup>154</sup> Greenhalgh investigated customs offices throughout the country, including the one in San Diego. Greenhalgh's main informant in San Diego was Chinese inspector W.E. Bailhache. In Greenhalgh's report, Bailhache alleges that Collector of Customs W.W. Bowers and his interpreter Quon Mane were involved in a plot with the California & Oriental Steamship Company and Chinese smugglers to bring Chinese immigrants across the border. While it is difficult to substantiate or refute Bailhache's allegations against Bowers, all indications suggest that they were more likely motivated by bureaucratic competition than actual

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<sup>153</sup> W.W. Bowers to Louis Kaiser, 20 Feb. 1899, RG 36, LNCD, SDSALS 1895-1909, Box 3; W.W. Bowers to Louis Kaiser, 7 March 1899, RG 36, LNCD, SDSALS 1895-1909, Box 3; W.W. Bowers to A.H. Butler, 13 March 1899, RG 36, LNCD, SDSALS 1895-1909, Box 3; W.W. Bowers to Converse J. Smith, 15 March 1899, RG 36, LNCD, SDSALS 1895-1909, Box 3; W.W. Bowers to W.E. Bailhache, 6 June 1899, RG 36, LNCD, SDSALS 1895-1909, Box 3.

McIllwain, "Bureaucracy, Corruption, and Organized Crime: Enforcing Chinese Exclusion in San Diego, 1897-1902," 89-98.

<sup>154</sup> McIllwain, "Bureaucracy, Corruption, and Organized Crime: Enforcing Chinese Exclusion in San Diego, 1897-1902," 89. All the following information regarding the Greenhalgh report is taken from McIllwain, 89-98 unless otherwise noted.

corruption. Bowers' record as a customs collector show no other allegations of corruption and contain numerous instances when Bowers successfully foiled attempts by smugglers to bring Chinese immigrants across the border.<sup>155</sup> Bailhache even provided a statement of support for Bowers three months after the Greenhalgh report.<sup>156</sup> This leads one to believe that Bailhache's statements to Greenhalgh were made in an attempt to curry favor with the federal government and advance his standing within the customs service.

The Greenhalgh report was not the only instance of conflict between Bailhache and Bowers. Correspondence to and from the Treasury Department shows that Bailhache, or someone affiliated with him, complained about the manner in which Bowers treated him. In response to a rebuke by the Treasury Department, Bowers writes to Special Agent Converse J. Smith, "I especially desire to know if Chinese Inspector Bailhache told you that I had 'abused and intimidated,' him. If he did not who gave you such information, or rather mis-information? This seems due to me. I have had three letters to day, all requiring me to answer anonymous slander and lies..."<sup>157</sup> Bowers' frustration with not only in the accusations of Bailhache but also the ambiguous communications with the Treasury department can be in this letter. It also highlights the fact that overlapping jurisdiction was a matter of concern in the San Diego customs office.

Bowers and Bailhache were not the only example of the friction between

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<sup>155</sup> Ibid, 108.

<sup>156</sup> Ibid.

<sup>157</sup> W.W. Bowers to Converse J. Smith, 15 March 1899, RG 36, LNCD, SDSALS 1895-1909, Box 2.

customs officials and Chinese inspectors in San Diego. Bailhache clashed with Bowers' predecessor John C. Fischer as well.<sup>158</sup> Bowers clashed with Chinese inspector J.D. Putnam. Speaking of Putnam, Bowers wrote in a letter to the Los Angeles Collector of Customs, "These Chinese inspectors are unmitigated nuisances and frauds."<sup>159</sup> Throughout his correspondence, Bowers suggests that Chinese inspectors such as Putnam are unnecessary burdens on the customs office's already stretched budget and often questioned their overzealous methods of enforcement of Chinese exclusion.

The conflicts that arose between the customs officials and Chinese inspectors highlight the bureaucratic problems that arose along the border. While bureaucratic problems arose in all customs offices, they were especially apparent in border offices such as San Diego. This was due to the fact that the original laws were written without much consideration for enforcement along the border. Being so far removed from the centers of actual powers, border officials received vague and unhelpful responses from the federal government and were often left to make decision alone on a case-by-case basis. This was a problem because the vague nature of the Chinese exclusion laws. It led to diverging interpretations among different officials who often competed with one another for more influence and power.

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<sup>158</sup> McIlwain, "Bureaucracy, Corruption, and Organized Crime: Enforcing Chinese Exclusion in San Diego, 1897-1902," 103-104.

<sup>159</sup> W.W. Bowers to Louis Kaiser, 20 Feb. 1899, RG 36, LNCD, SDSALS 1895-1909, Box 3.

## Case Study: Arrest of the Five Chinese Men

**Figure 2: Five Chinese Men**



Wong Sin Chune



Lu Fook Chow



Lue Kim Lung



Wong Lung Shew



Tom Kim Poy

Source: United States vs. Wong Sin Chune, "Letter of Identification issued by Manuel Choza", 12 Jan. 1899, LNCD, Records of the District Court: Southern District of California (hereafter referred to as DCSDC).  
 United States vs. Lo Fook Chow, "Letter of Identification issued by Louis Kaiser", 5 Nov. 1898, LNCD, DCSDC.  
 United States vs. Lue Kim Lung, "Letter of Identification issued by Louis Kaiser", 25 Jan. 1899, LNCD, DCSDC.  
 United States vs. Wong Lung Shew, "Letter of Identification issued by Louis Kaiser", 5 Dec. 1899, LNCD, DCSDC.  
 United States vs. Toy Kim Poy, "Letter of Identification issued by Manuel Choza", 12 Jan 1899, LNCD, DCSDC.  
 United States vs. Wong Sin Chune, "Certificate of Identification issued by Louis Kaiser", 12 Feb. 1899, LNCD, DCSDC.  
 United States vs. Lo Fook Chow, "Testimony of La Quan Wing", 1 Nov. 1898, LNCD, DCSDC.

All three of the major challenges faced by the San Diego customs office discussed in the previous section can be seen to varying degrees in the arrest of the five Chinese men by Chinese inspector J.D. Putnam which began this work. This



case thus serves as a good case study into the manner in which Chinese immigrants illegally entered southern California from Baja California.

At the time of their arrest, all five of the Chinese men claimed to be either native-born Americans or merchants who at the time were residents of Mazatlán, Mexico. Each of the men had documentation from U.S. Consul Louis Kaiser confirming their admissibility. Wong Sin Chune 's documents stated he was a merchant who had been a partner in the Sim Poy & Co. firm in Mazatlán for two years.<sup>160</sup> Lu Fook Chow's documents stated he was a native born American who had been working in his uncle's shoe manufacturing store in Mazatlán.<sup>161</sup> Lue Kim Lung's documents claimed he was a native born American who had for two years been a resident of Mazatlán.<sup>162</sup> Wong Lung Shew's documents stated he was a native born American who was employed for two years for the merchant Lee Heo Mon in Mazatlán.<sup>163</sup> Tom Kim Poy's documents claimed he had been a merchant in Mazatlán for three years.<sup>164</sup>

Armed with supporting documentation from Kaiser, as well as similar documents signed by Manuel Choza, the Mexican prefect of Mazatlán, the five

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<sup>160</sup> *United States vs. Wong Sin Chune*, "Letter of Identification issued by Manuel Choza", 12 Jan. 1899, LNCD, Records of the District Court for the Southern District of California (hereafter referred to as DCSDC).

<sup>161</sup> *United States vs. Lo Fook Chow*, "Letter of Identification issued by Louis Kaiser", 5 Nov. 1898, LNCD, DCSDC.

<sup>162</sup> *United States vs. Lue Kim Lung*, "Letter of Identification issued by Louis Kaiser", 25 Jan. 1899, LNCD, DCSDC.

<sup>163</sup> *United States vs. Wong Lung Shew*, "Letter of Identification issued by Louis Kaiser", 5 Dec. 1899, LNCD, DCSDC.

<sup>164</sup> *United States vs. Toy Kim Poy*, "Letter of Identification issued by Manuel Choza", 12 Jan 1899, LNCD, DCSDC.

Chinese men left Mazatlán by ship and landed in Ensenada on the 8<sup>th</sup> of February.<sup>165</sup> From Ensenada, the five men boarded the steamer “St. Denis” and were landed in San Diego on the 12<sup>th</sup> of February. After being inspected, the five men were landed by San Diego Collector of Customs W.W. Bowers and Deputy Collector of Customs C.D. Sprigg.<sup>166</sup> After they were passed through customs, the five Chinese men boarded a train for Los Angeles’ La Grande Station. Upon arriving at La Grade Station Putnam arrested them at 12:05 p.m. on February 13<sup>th</sup>.<sup>167</sup>

According to his report, Putnam was acting upon information he received a “Special Agent” on several days before the arrest.<sup>168</sup> At the time, Putnam had been looking into rumors of various smuggling operations that were bringing Chinese immigrants into southern California from Baja California. Putnam was convinced that the Yuen, Wo & Co., a Chinese business in Los Angeles he suspected of being involved in the smuggling of Chinese immigrants, had helped the five Chinese men enter the country.<sup>169</sup> Putnam’s suspicions seemed confirmed when Wong King, the head of the Yuen, Wo & Co., appeared in defense of the men after they were arrested.<sup>170</sup> After the arrest, Putnam arranged for five Chinese men to be arraigned on March 2<sup>nd</sup> and turned them over to the U.S. Marshals.<sup>171</sup>

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<sup>165</sup> J.D. Putnam to J.C. Cline, 16 Feb. 1899, LACIC: 1883-1908, Box 14.

<sup>166</sup> Ibid. *United States vs. Wong Sin Chune*, “Certification of landing signed by W.W. Bowers and C.D. Sprigg”, 12 Feb. 1899, LNCD, DCSDC.

<sup>167</sup> J.D. Putnam to J.C. Cline, 16 Feb. 1899, LACIC: 1883-1908, Box 14.

<sup>168</sup> Ibid.

<sup>169</sup> J.D. Putnam to J.C. Cline, 13 Feb. 1899, LACIC: 1883-1908, Box 14.

<sup>170</sup> Ibid.

<sup>171</sup> J.D. Putnam to J.C. Cline, 16 Feb. 1899, LACIC: 1883-1908, Box 14.

Court documents reveal that five men were eventually proven guilty of illegally crossing the border and were eventually deported back to China.<sup>172</sup> However, for the purposes of this study, the ultimate outcome of this case is secondary to the fact that the five Chinese men were able to successfully cross the border into the country. It is important consider why it was that, faced with the same case, immigration officials in San Diego and Los Angeles came to opposite decisions regarding the admissibility of these men. The manner in which Bowers and Putnam investigated this case helps highlight how the circumstances facing immigration officials along the border such as Bowers that were different from those facing immigration officials in California such as Putnam.

An important difference between Bowers and Putnam was the roles that each played within the customs service. Bowers was the Collector of Customs at San Diego. As such, Bowers was in charge of overseeing all of the immigration cases that came through the San Diego customs office, regardless of whether they involved Chinese or not. In addition to immigration cases, Bowers also oversaw the importation into and exportation of goods out of San Diego. In contrast, as a Chinese inspector, Putnam's sole concern was Chinese immigration cases. While it is true that Putnam had a large volume of Chinese immigration cases because he worked throughout southern California; however, because Chinese immigration cases were his

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<sup>172</sup> *United States vs. Wong Sin Chune*, 24 July 1899, LNCD, DCSDC. *United States vs. Toy Kim Poy*, 5 May, 1899, LNCD, DCSDC. *United States vs. Lue Kim Lung*, 24 July 1899, LNCD, DCSDC. *United States vs. Lo Fook Chow*, 24 July 1899, LNCD, DCSDC. *United States vs. Wong Lung Shew*, 24 July 1899, LNCD, DCSDC.

sole concern he could afford invest more time and energy into them than Bowers could.

Consequently, Putnam was much better informed about the details surrounding the arrival of the five Chinese men than Bowers. Putnam was aware how and when these five would arrive in California.<sup>173</sup> While he was unable to stop them from being landed in San Diego, Putnam was ready to arrest them in Los Angeles. Bowers, in contrast, did not seem to have any previous warning of the arrival of the five Chinese men. This situation highlights the fact that the San Diego customs office lacked that proper man power to effectively enforce exclusion. The San Diego customs office did not even have its own independent Chinese inspector like Putnam (who was actually the Chinese inspector for the Los Angeles area).<sup>174</sup> Had the San Diego office been better staff or better funded, Bowers may have been able to concentrate more time and energy into Chinese cases like the one of the five men arrested by Putnam.

This case also shows the participation of transnational smuggling networks like the ones discussed in the previous section. Although there is not much in the court documents about the Yuen Wo & Co., Putnam's correspondence reveals that he believed it to be a firm involved in Chinese smuggling. Putnam writes that he believed that with the help of the Yuen Wo & Co., "Chinese are passed through the United States in bond to Mexico, where they lie around in a Chinese joint for a short

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<sup>173</sup> J.D. Putnam to J.C. Cline, 16 Feb. 1899, LACIC: 1883-1908, Box 14.

<sup>174</sup> McIllwain, "Bureaucracy, Corruption, and Organized Crime: Enforcing Chinese Exclusion in San Diego, 1897-1902," 101.

time and secure a merchant's certificate and get it viséed by the Mexican authorities, then come into the United States and are landed as merchants at San Francisco and Portland."<sup>175</sup> Putnam goes further and suggests that this company is involved in smuggling Chinese as far north as Port Townsend, Washington.<sup>176</sup>

Another factor which may have swayed his decision in these cases was Bowers' more sympathetic approach toward Chinese immigrants. The greater success and integration of San Diego's Chinese population decreased the pressure on San Diego officials to exclude Chinese. Like local inhabitants, officials at the San Diego customs offices saw the success Chinese had firsthand and as a result regarded them in a more favorable light. In some cases, they even built personal relationships with them. Correspondence reveals that Bowers had close ties with several Chinese Americans, including a close relationship with his Chinese interpreter Quoin Mane.<sup>177</sup> Bowers' experience with the San Diego Chinese community likely explains why he was more accepting of the documents provided by the five Chinese men and allowed them to land.

Unlike Bowers, Putnam seemed to put no faith in any of the documentation provided by the five Chinese men. As a Chinese inspector, he had little to no experience with Chinese immigrants outside of detaining them for illegal entry. He makes his feelings towards Chinese explicit in a letter to Thomas F. Tuner where he writes, "The Chinese as a class are a born set of bribers, polygamists, gamblers, and

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<sup>175</sup> J.D. Putnam to J.C. Cline, 14 Jan. 1899, LACIC: 1883-1908, Box 14.

<sup>176</sup> Ibid.

<sup>177</sup> W.W. Bowers to Louis Kaiser, 7 March 1899, RG 36, LNCD, SDSALS 1895-1909, Box 3.

perjurers...”<sup>178</sup> Based on his feelings towards Chinese, it is understandable why Putnam took a more hostile approach towards the five Chinese men than Bowers. Putnam approached this case as he would have any Chinese exclusion case, with the assumption of guilt and the goal of deportation.

In a letter to Kaiser, Bowers wrote of his disapproval of Putnam’s actions and characterized them as overly antagonistic. He warned Kaiser that “no matter what papers [Chinese immigrants] may have, complying in every respect with every condition of the Laws of the United States, [Putnam] will arrest them upon landing and put them in prison.”<sup>179</sup> Bowers’ letter shows he believed that Putnam would not hesitate to detain Chinese immigrants he believed to be laborers even if he could not prove it at the time of arrest. The manner in which Putnam treated the five Chinese men confirmed Bowers’ fears and shows Putnam had no reservations about going beyond the parameters set forth by Chinese Exclusion laws.

The disagreement between Bowers and Putnam regarding the proper method of handling this case highlights the different political environments from which they came from. From each of their perspectives, one of a San Diego Collector of Customs and the other of a Chinese inspector, their actions were justifiable. Due to the political climate of San Diego, Bowers was not compelled to enforce exclusion as strictly as Putnam. In Bowers’ experience, Chinese immigrants were often economic assets to the local community and were often legitimately employed as merchants and entrepreneurs. For Putnam, Chinese were more often than not criminals and he was thus justified in enforcing exclusion as strictly as possible. These preconceived

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<sup>178</sup> United States Industrial Commission, *Reports of the Industrial Commission on Immigration and Education Vol. 15* (1901), 799, Retrieved from <http://books.google.com/>.

<sup>179</sup> W.W. Bowers to Louis Kaiser, 7 March 1899, RG 36, LNCD, SDSALS 1895-1909, Box 3.

notions of Chinese immigration most likely played a big role in which these two men administered this and other Chinese exclusion cases.

The clash between Bowers and Putnam was precipitated in part by the bureaucratic confusion surrounding the enforcement of exclusion at the border. The ambiguous nature of the exclusionary laws led to uncertainty over the exact methodology of enforcement and the exact roles that custom collectors and Chinese inspectors were to play.<sup>180</sup> It is never made clear whether Bowers or Putnam were correct in the way they handled this case. According to the law, Bowers had a legitimate claim to allow these five men to pass through the border, because they each had the documents signed by Kaiser (a U.S. consular agent) required. However, investigations after the fact revealed that the five men were in fact illegal immigrants. Thus, Putnam could claim, that while he did not follow the exact regulations of the law, his actions were justified because he ultimately revealed the fraudulent nature of the five men's entry. Both men could argue that they handled this case in the proper manner and there is little in the actual exclusionary laws that offered clarification. While it is not clear whether Bowers or Putnam was correct, what is evident is that both the laws and the federal government failed to provide immigration officials along the border with sufficient instruction about how to properly handle a Chinese exclusion case along the U.S.-Mexico border.

Despite it all, Bowers may have ruled differently in this case had Putnam shared all of his information with him. However, the two had a strained relationship due to different interpretations of the exclusionary laws and, it has to be assumed to a

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<sup>180</sup> McIlwain, "Bureaucracy, Corruption, and Organized Crime: Enforcing Chinese Exclusion in San Diego, 1897-1902," 87-88

certain extent, bureaucratic competition. Had the laws been more clear about the exact roles each was to play in enforcing exclusion, the rift between Bowers and Putnam might not have been as severe and their administration of these cases more streamlined. However, this was not the case and the two clashed rather than collaborated. As a result, the Chinese men were admitted into the country and their arrest took place under legally dubious circumstances.

The case of the five Chinese men raises an interesting question about the enforcement of Chinese Exclusion along the U.S.-Mexico border. While these five men were eventually caught, how many other Chinese immigrants were able to successfully cross the border like these men without being caught? It could have easily been the case that these men slipped past Putnam if they chose not to take a train into Los Angeles or Putnam failed to receive the intelligence that he did. This shows that no matter how vigilant California immigration officials like Putnam were, the Mexican border remained the key point in stopping illegal Chinese immigration. As a result, the manner in which border enforcement of Chinese exclusion had major ramifications on the rise in illegal Chinese immigration. For the reason discussed in this paper, border officials were much more inclined to allow Chinese immigrants to enter the country and, as a result, by the turn of the 20<sup>th</sup> century the Mexican border emerged as the main point of entry for Chinese into the United States.

## **Conclusion**

The passage of the Chinese Exclusion Act of 1882 was the culmination of the anti-Chinese sentiment that grew in the western United States in the middle of the 19<sup>th</sup> century. Exclusionists accused all Chinese immigrants of being “coolies” whose



willingness to work under servile conditions undercut the white labor movement and whose inherent inability to assimilate subverted American values. Anti-Chinese campaigns allied themselves with ambitious politicians to build a platform that appealed to the white labor and the white middle class who were apprehensive over the growing influx of Chinese immigrants at this time. As a result, the first Chinese Exclusion Act was passed.

Once the exclusionary laws were passed, the U.S. government soon found that effectively enforcing them was a very difficult task. Because the laws did nothing to temper the desire for entering the country, Chinese immigrants continued to seek entry into the country, both by legal and illegal means. While the laws were successful in curbing the entry of Chinese through major ports such as San Francisco, they also led to an increase in illicit immigration through the countries' borders. Population and Chinese immigration data suggests that by the turn of the 20<sup>th</sup> century, Mexico had become a major point of entry for Chinese immigrants. Several major routes through which Chinese illicitly crossed through the U.S.-Mexico border developed during this time.

This study focused on one of these routes, the pathway into Southern California from Baja California Norte. By focusing on the particular challenges that the San Diego customs office had stopping Chinese utilizing this route, it was hoped that a greater understanding of why Chinese immigrants found success crossing in the U.S. not just at this location but all through the entire Mexican border can be gained.

The three major factors that made patrolling the San Diego border difficult were political, logistical, and bureaucratic. The political factors center on the fact that

Chinese immigrants were viewed in a more favorable light in border communities. Chinese communities along the border were viewed as assets to the local economies and found acceptance among the local population. The more favorable view of Chinese led to less political pressure on local customs agents to exclude and more of a willingness to admit Chinese. The logistical factors center on the fact that the San Diego customs office did not have the necessary resources to patrol its jurisdiction. This was made worse by the high amount traffic that crossed the Baja California-south California border and the rise of complex smuggling networks. Finally, bureaucratic competition between customs collectors and Chinese inspectors plagued the San Diego customs offices. Due to ambiguity in the laws, there was often bureaucratic infighting regarding how to interpret laws and who exactly was responsible for doing what. The combination of all three of these factors made enforcing exclusion a difficult task for San Diego immigration officials and explains the success that many Chinese immigrants had in illegally crossing the border there.

It is important to note that this is only a preliminary study and there remain much to be explored. This study was limited in both the time period and region it covered. During the time period covered, 1882-1900, the size of the Chinese community in Baja California was still very limited. By 1920's, the Chinese community there was much larger. It would be worthwhile to investigate the relationship between the growing Chinese population in Baja California and its relation to a rise or fall illegal Chinese immigration from Baja California. Was spike in Chinese residents in Baja California the result of a decrease in border crossings and more Chinese settling down in there? Or was the growing population an indication of

an even larger influx of Chinese into both Baja California and subsequently into the U.S.?

An investigation into later periods would also provide valuable insight into whether the trends observed in this study remain consistent throughout the later exclusion period. During the time period covered, the enforcement of exclusion was in its nascent stages. As time went on, many of the factors discussed such as limited budget, jurisdictional overlap, and favorable political environment could have been addressed, greatly changing the dynamics of illegal border crossings.

In addition to expanding the time period of this work, it would be very interesting to increase its geographical scope. As discussed earlier, there were several major routes from Mexico into the U.S. and that one from Baja California into southern California was only one of them. The two other major routes that can be explored are the one from Sonora into Arizona and the one from Chihuahua into Texas. While the circumstances facing immigration officials in Nogales (Arizona) and El Paso (Texas) probably shared similarities to the ones faced by official in San Diego, it would be interesting to see what differences existed between each of these three locations. Just based on the limited research into these two other routes, significant differences did exist between the circumstances present in Baja California and the other two Mexican states. Population statistics suggest the differences must have been especially prominent after the Mexican Revolution of 1911, after which the Chinese population declined sharply in Sonora while it rose in Baja California.<sup>181</sup>

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<sup>181</sup> Statistics taken from Leo Jacques, "The Anti-Chinese Campaign in Sonora, Mexico, 1900-1931," Appendix B, Table B.1-B.5, 276-281.

Finally, this study could benefit from the addition of both Spanish and Chinese language sources. This study was entirely dependant on English language sources and U.S. government documents. By adding more Spanish and Chinese language sources, a more in depth exploration could have been made. Chinese language sources would be particularly helpful in shed light on the inner workings of the Chinese smuggling networks. Chinese smuggling network were a major factor in Chinese illegal immigration and a failure to extensively explore them is a major weakness of this study. Personal correspondence between Chinese and Chinese coaching letters would provide invaluable information about how Chinese smuggling networks operated.<sup>182</sup> It would also have been interesting to actually see what Mexican officials wrote about in regarding to Chinese immigration.

As it is now, this work provides a rudimentary look into a topic which has not been explore extensively, illegal immigration through the Baja California-San Diego corridor before 1900. It is important to note that during this time period, the number of illegal immigrants probably numbered only around a hundred per year. However, the relatively small numbers grows in importance as Baja California became more developed and more heavily populated with Chinese immigrant. During the first decade of the 20<sup>th</sup> century, Baja California's Chinese population grew due to increasing demand for labor.<sup>183</sup> Baja California eventually became the location of one of the largest Chinese communities in Mexico. Considering this fact, it is very likely

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<sup>182</sup> "Chinese coaching letters" were letter provided by many smuggling organization that detailed the false identities Chinese would assume in order to illegally enter the country.

<sup>183</sup> Duncan, "The Chinese and the Economic Development of Northern Baja California," 620.

that an increasingly significant amount of illegal immigration occurred from Baja California. This study provides a look at how this migration began and further research will be very helpful in revealing how Chinese immigration grew from the foundations laid during this time.

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Patrick Chung  
Academic Vitae  
230 Sproul Road  
Villanova, PA 19085  
telephone: 267-262-1462  
e-mail: puc125@psu.edu

## EDUCATION

2005-2010      **Penn State University**, University Park, Pennsylvania  
B.A. History, East Asian Studies and Classics Minor (anticipated May 2010)  
3.76 GPA (3.91 GPA in history)

### Honors/Awards

2005-2010      Schreyer Honors College  
- Honor Thesis: "Traversing the Border: Chinese Immigration through Mexico Border in the early Exclusion Era, 1882-1900" (anticipated completion December 2010).

2009              Phi Beta Kappa Honors Society

2009              Schreyer Honors College Thesis Research Grant  
- Research done in summer of 2009 at the San Bruno branch of National Archives (San Francisco) and the Laguna Niguel Branch of the National Archives (Los Angeles)

2009              Summer 2009 Liberal Arts Enrichment Award  
-For above mentioned research

### Papers Presented

9/26/09              "Traversing the Border: Chinese Immigration through Mexico Border in the early Exclusion Era, 1882-1905" (Panel Presenter),  
Crossroads: IU-Purdue Asian American Studies Conference '09  
Indiana University.

### Extracurricular Activates

2006-2009      Habitat for Humanity

2006-2007      History Roundtable

2009              Chinese Connection (Club for students studying Chinese)

2009              Global Connections Conversation Partner Program (Chinese conversation partner)