

# A DARK STAIN ON AMERICAN HISTORY AND THE PATRIOT WHO STOOD IN OPPOSITION

In the mid 1800s, large numbers of Chinese immigrants began arriving in America, drawn first by the California Gold Rush, and then later to work on the Transcontinental Railroad. Anti-Chinese sentiment grew as then current Americans, especially other prior immigrant groups, felt that the Chinese were undercutting their wages for labor jobs. By the 1870s, estimates were that up to 100,000 Chinese immigrants were residing in the US.

In response to this perceived threat to employment, white labor groups pushed for anti-Chinese legislation, also fueled by racism and cultural and language differences. The Panic of 1873, and the economic downturn that resulted, fueled the prejudice as financially pressured working-class Americans scapegoated Chinese labor.

Denis Kearney<sup>1</sup>, an Irish immigrant and leader of the Workingmen's Party of California, led this campaign against Chinese immigrants at the ballot box, but also with bribes, fists, clubs, knives and sometimes the rope. Kearney was a Socialist who saw industrialists of the Gilded Age as the enemy, but he viewed Chinese labor as the instrument of the workingman's destruction. He was known to end every speech with the phrase, *"...and whatever happens, the Chinese must go!"* In 1878, Kearney wrote,

*"These cheap slaves fill every place. Their dress is scant and cheap. Their food is rice from China. They hedge twenty in a room, ten by ten. They are whipped curs, abject in docility, mean, contemptible and obedient in all things. They have no wives, children or dependents."*<sup>2</sup>



DENIS KEARNEY

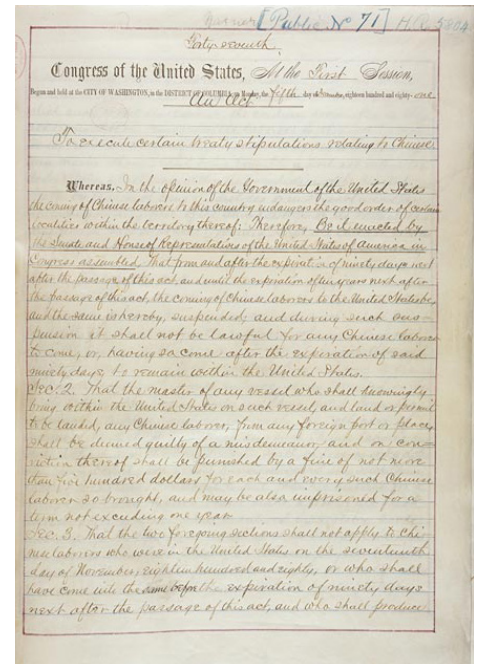
<sup>1</sup>Photo credit: "Denis Kearney Portrait." Wikimedia Commons, [https://commons.wikimedia.org/wiki/File:Denis\\_Kearney\\_Portrait.jpg](https://commons.wikimedia.org/wiki/File:Denis_Kearney_Portrait.jpg). Public domain.

<sup>2</sup>Source: Denis Kearney, President, and H.L. Knight, Secretary, "Appeal from California. "The Chinese Invasion. Workingmen's Address," Indianapolis Times, February 28, 1878.

The Chinese were vilified. They were seen by many as diseased, mentally and morally inferior and unassimilable. Their inability to speak English, or at best, speaking the language with a heavy accent, made them a subject of ridicule.

On February 21, 1882, Senator John F. Miller of California proposed the Chinese Exclusion Act.<sup>3</sup> In his introduction of the bill, the Senator likened Chinese immigrants to, “...inhabitants of another planet.”<sup>4</sup> Key principles of the bill proposed the following<sup>5</sup>:

- It prohibited the immigration of Chinese people for 10 years. This was the first law restricting immigration explicitly based on race or nationality.
- The Act would create the first Federal immigration enforcement program requiring identity documents and utilizing mass deportation.
- The Act denied naturalization to all Chinese immigrants already in the United States.
- Only certain Chinese people were to be allowed into the country: teachers, diplomats, merchants, tourists.
- All Chinese residents were required to carry certificates of residence or be deported.
- Chinese people who were unable to present legal US papers, were subject to immediate deportation without due process and were denied bail.



A passionate and vocal opposition to the Chinese Exclusion Act was led by Senator George Frisbie Hoar<sup>6</sup>, a Republican from Massachusetts. The Senator, known as “Frisbie” was a lawyer by trade. A graduate of Harvard College and Harvard Law School, he served in the US House of Representatives from 1869-1877, and as US Senator from 1877 until his death in 1904. A descendant of a long line of Massachusetts abolitionists, he was the Senate’s moral conscience, a commanding orator against racism, nativism and populism at a time when these principles were in short supply. In a fierce, impassioned speech to the Senate on March 1, 1882, Senator Hoar<sup>7</sup> said,

*“To say that this great Republic cannot stand the presence on its soil of 60,000 or 100,000 poor, industrious, virtuous people of a different race from ourselves is cowardly and mean.”<sup>8</sup>*

<sup>3</sup> Chinese Exclusion Act (1882). Enrolled Acts and Resolutions of Congress, 1789–1996. U.S. National Archives, <https://www.archives.gov/milestone-documents/chinese-exclusion-act>.

<sup>4</sup> “Remarks on Chinese Immigration.” Congressional Record, vol. 13, 1882, pp. 1515–1522.

<sup>5</sup> Chinese Exclusion Act, Enrolled Act of Congress (1882). Photo courtesy of the U.S. National Archives.

<sup>6</sup> “George Frisbie Hoar.” History, Art & Archives, U.S. House of Representatives, [https://history.house.gov/People/Listing/H/HOAR,-George-Frisbie-\(H000654\)/](https://history.house.gov/People/Listing/H/HOAR,-George-Frisbie-(H000654)/).

<sup>7</sup> Photo Credit: George Frisbie Hoar (1826–1904). Boston Public Library, Print Department. Digital Commonwealth, <https://www.digitalcommonwealth.org/search/commonwealth:dj52xf81v>.

<sup>8</sup> “Remarks on Chinese Immigration.” Congressional Record, vol. 13, 1882, pp. 1515–1522.



He further stated that the bill represented,

*"...nothing less than the legalization of racial discrimination. Nothing is more in conflict with the genius of American institutions than legal distinctions between individuals based upon race or upon occupation. The framers of our Constitution believed in the safety and wisdom of adherence to abstract principles. They meant that their laws should make no distinction between men except such as were required by personal conduct and character. The prejudices of race, the last of human delusions to be overcome, has been found until lately in our constitutions and statutes, and has left its hideous and ineradicable stains on our history in crimes committed by every generation. The negro, the Irishman, and the Indian have in turn been its victims here, as the Jew and the Greek and the Hindoo in Europe and Asia. But it is reserved for us at the present day, for the first time, to put into the public law of the world and into the national legislation of the foremost of republican nations a distinction inflicting upon a large class of men a degradation by reason of their race and by reason of their occupation. . . . I will not consent to a denial by the United States of the right of every man who desires to improve his condition by honest labor—his labor being no man's property but his own—to go anywhere on the face of the earth that he pleases..."*<sup>9</sup>



**GEORGE FRISBIE HOAR**

The Chinese Exclusion Act<sup>10</sup> was overwhelmingly approved by both the US House of Representatives on April 17, 1882, and by the Senate on April 28th, and signed into law by President Chester A. Arthur on May 6, 1882. The Chinese Exclusion Act dramatically reduced the US Chinese population and laid the groundwork for decades of racial and ethnic restrictions and discrimination against Chinese Americans. The Act was renewed, and restrictions increased several times, and in 1892, these restrictions were made permanent by passing of the Geary Act.

In 1943, Congress passed the Magnuson Act<sup>11</sup>, fully repealing the Chinese Exclusion Act. Many believe that this repeal was mainly to encourage China to become our ally against the Japanese in WWII. Though the Magnuson Act allowed Chinese immigrants to become naturalized citizens, it limited Chinese immigration to only 105 people per year into the US.

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<sup>9</sup> "Remarks on Chinese Immigration." Congressional Record, vol. 13, 1882, pp. 1515–1522.

<sup>10</sup> "The Chinese Exclusion Act of 1882." History, Art & Archives, U.S. House of Representatives, <https://history.house.gov/Exhibitions-and-Publications/APA/Historical-Essays/Exclusion-and-Empire/First-Arrivals/>.

<sup>11</sup> "Chinese Exclusion Repeal Act, 1943." Office of the Historian, U.S. Department of State, <https://history.state.gov/milestones/1937-1945/chinese-exclusion-act-repeal>.



**Condemnation.** It was not until 2011 that the Senate, and 2012 the US House, officially condemned the Chinese Exclusion Act. The votes were unanimous. It took nearly 130 years for lawmakers to officially erase this horrific stain on the reputation of our Republic.

Though Senator Hoar has been dead for over 120 years, his impassioned representation of the rights of early Chinese Americans has not been forgotten by their descendants. Members of the Chinese American community of Massachusetts still visit to plant THEIR American flags at his gravesite.<sup>12</sup>



*"Those who cannot remember history are doomed to repeat it."*

**– GEORGE SANTAYANA, 1905**



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<sup>12</sup> Photo Credit: "Honor United States Senator George Frisbie Hoar." Chinese American Association of Lexington, 28 Aug. 2022, <https://calexma.org/2022/08/27/honor-senator-george-frisbie-hoar/>.

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