

File No. 180394

Committee Item No. 4

Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Comm: Public Safety & Neighborhood Services

Date: May 23, 2018

Board of Supervisors Meeting:

Date: _____

Cmte Board

- | | | |
|-------------------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

- | | | |
|-------------------------------------|--------------------------|--------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referral FYI - April 25, 2018</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |

Prepared by: John Carroll

Date: May 18, 2018

Prepared by: _____

Date: _____

1 [Urging the Recreation and Park Commission to Remove the Name of Julius Kahn from the
2 Playground at West Pacific Avenue and Spruce Street]

3 **Resolution urging the Recreation and Park Commission to remove the name of Julius**
4 **Kahn from the playground located at West Pacific Avenue and Spruce Street; and to**
5 **rename the playground to recognize the value of immigrants and multicultural diversity**
6 **to the City of San Francisco.**

7
8 WHEREAS, In 1926, the playground at West Pacific Avenue and Spruce Street in the
9 Presidio was named after former Congressman Julius Kahn, who represented San Francisco
10 in the House of Representatives from 1899 to 1903, and from 1905 to 1924; and

11 WHEREAS, In 1902, Julius Kahn drafted and introduced United States House of
12 Representatives Bill 13031, dubbed "the Kahn bill," which made permanent the Chinese
13 Exclusion Act; and

14 WHEREAS, The Chinese Exclusion Act, originally signed into law in 1882, extended
15 in 1892 and made permanent in 1902, excluded Chinese laborers from entering the United
16 States, making it the first time in the country's history that a specific ethnic group was barred
17 from entry; and

18 WHEREAS, The Chinese Exclusion Act also required Chinese people who were
19 already in the United States to obtain certifications to re-enter the U.S. if they left, prohibited
20 state and federal courts from granting Chinese persons citizenship, and required that each
21 Chinese resident register and obtain a certificate of residence or else face deportation; and

22 WHEREAS, On the floor of the House of Representatives, Julius Kahn stated that
23 Chinese people were "morally the most debased people on the face of the earth," that they
24 "resorted . . . to trickery and duplicity to circumvent our laws," that "their daily intercourse with
25 the Caucasian has not materially changed their customs or habits," that "gambling and

1 sensuality are the great vices of the Chinese . . . while murderous assaults, robberies,
2 kidnapping, and blackmail are a frequent occurrence;” and

3 WHEREAS, Beyond Chinese exclusion, Julius Kahn pursued efforts to exclude other
4 Asians from entry into the United States; and

5 WHEREAS, Julius Kahn declared at a speech in 1906, mere months before the United
6 States and Japan entered into the 1907 Gentlemen’s Agreement, which effectively barred
7 Japanese laborers from entering the U.S., “[W]e want the Japanese coolie kept out of our
8 State. . . . I voice the unanimous sentiment of people of the Pacific Coast when I say that they
9 do not want our naturalization law extended to the Japanese. The people of the Pacific Coast
10 feel satisfied that he will always remain loyal to the Mikado, and that the oath of naturalization
11 would be to him but a hollow mockery, an empty formality, signifying nothing;” and

12 WHEREAS, In 1910, Congressman Kahn sent a letter to the Commissioner General of
13 Immigration, Daniel Keefe, writing of immigrants from India, "It must be remembered . . . that
14 they come from a tropical country and from what I hear they cannot stand the rigors of a
15 northern climate and on that account are bound to become burdens upon the communities to
16 which they go;” and

17 WHEREAS, Julius Kahn expressed disdain toward Filipinos on the House floor in 1902,
18 “There are probably 200,000 Chinese of the full blood in the Philippine Island. Those of mixed
19 blood are many times more numerous, and it has invariably been asserted that these latter
20 are a much more dangerous element, because they combine in themselves nearly all the
21 vices of the Chinese and the Malays, with practically none of the virtues of either race;” and

22 WHEREAS, The Chinese Exclusion Act and other exclusionary policies had a harmful
23 and dehumanizing effect on immigrants, their families and their communities, the
24 repercussions of which are still felt to this day; and

1 WHEREAS, Julius Kahn promoted and institutionalized racist and exclusionary policies
2 in the United States on behalf of San Francisco; and

3 WHEREAS, Our parks, which are a space for everyone in our diverse community,
4 should not bear names of hatred or exclusion; and

5 WHEREAS, There is broad community support for the removal of Julius Kahn from the
6 name of the playground; now, therefore, be it

7 RESOLVED, That the City and County of San Francisco urges the Recreation and
8 Park Commission to remove Julius Kahn from the name of "Julius Kahn Playground;" and,
9 be it

10 FURTHER RESOLVED, That the Board of Supervisors urges the Recreation and
11 Parks Commission to remove the name of Julius Kahn from the park after conducting a
12 thorough community naming process; and, be it

13 FURTHER RESOLVED, That the playground be renamed to recognize the multicultural
14 diversity and value of immigrants to the City and County of San Francisco.

Carroll, John (BOS)

From: Quock, Lindsey (Perkins Coie) <LQuock@perkinscoie.com>
Sent: Friday, May 18, 2018 1:33 PM
To: Sheehy, Jeff (BOS); Ronen, Hillary; Peskin, Aaron (BOS); Breed, London (BOS); Stefani, Catherine (BOS); Cohen, Malia (BOS); Kim, Jane (BOS); Safai, Ahsha (BOS); Tang, Katy (BOS); Yee, Norman (BOS); Fewer, Sandra (BOS)
Cc: Calvillo, Angela (BOS); Carroll, John (BOS); Ginsburg, Phil (REC); McArthur, Margaret (REC); Low, Allan E. (Perkins Coie); Zhang, Linda (Perkins Coie); Chang, Kathy (Perkins Coie)
Subject: Rename Julius Kahn Playground- Letters and Materials in Support
Attachments: Submission re Resolution to Rename Julius Kahn Playground.pdf
Categories: 180394

Dear Members of the San Francisco Board of Supervisors,

Attached, please find letters from dozens of community organizations and leaders and some informational materials in support of the renaming of Julius Kahn Playground (File No. 180394). We look forward to the Public Safety and Neighborhood Services Committee's hearing on the matter next week.

We are available to address any questions or concerns.

Thank you for your attention and review,

Allan Low, Lindsey Quock and Linda Zhang,
on behalf of the Chinese Historical Society of America and Chinese for Affirmative Action

cc: Angela Calvillo, Clerk of the Board
John Carroll, Assistant Clerk for the Public Safety & Neighborhood Services Committee
Phil Ginsburg, General Manager of the Recreation & Parks Department
Margaret McArthur, Recreation & Parks Commission Liaison

Lindsey Quock | Perkins Coie LLP
ASSOCIATE
LQuock@perkinscoie.com

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

Submission in Support of Renaming Julius Kahn Playground
Table of Contents

- I. Lead Letters**
 - a. Chinese Historical Society of America
 - b. Chinese for Affirmative Action

- II. Informational Materials**
 - a. Research Memorandum on Julius Kahn, the Chinese Exclusion Act and Asian exclusion
 - b. Excerpts from the Congressional Record

- III. Supporting Letters and Joinders**
 - a. Organizations**
 - 1. Angel Island Immigration Station Foundation
 - 2. API Council
 - 3. Asian American Bar Association
 - 4. Asian Law Caucus
 - 5. California-Asian Pacific American Bar Association
 - 6. Chinatown Community Development Center
 - 7. Chinese Chamber of Commerce
 - 8. Chinese Consolidated Benevolent Association
 - 9. Chinese Culture Foundation of San Francisco
 - 10. Comfort Women Justice Coalition
 - 11. Community Youth Center of San Francisco
 - 12. Edwin Lee Asian Pacific Democratic Club
 - 13. Japanese Community Youth Council
 - 14. Japanese Cultural and Community Center of Northern California
 - 15. Jewish Community Relations Council
 - 16. Kimochi, Inc.
 - 17. LIUNA Laborers' Local 261
 - 18. Mission Child Care Consortium
 - 19. National Japanese American Historical Society, Inc.
 - 20. Nihonmachi Street Fair
 - 21. Presidio Heights Association of Neighbors (Non-Opposition)
 - 22. Rose Pak Democratic Club
 - 23. Rotary Club of San Francisco Chinatown
 - 24. San Francisco Interfaith Council
 - 25. Self-Help for the Elderly
 - 26. South Asian Bar Association- Northern California
 - 27. Southern California Chinese Lawyers Association
 - 28. United Playaz

 - b. Individuals**
 - 1. Senator Scott Wiener
 - 2. Assemblymember David Chiu
 - 3. Gordon Chin
 - 4. Rodney Fong
 - 5. Richard Hashimoto
 - 6. Grace Horikiri
 - 7. Dale Minami
 - 8. Sandy Mori
 - 9. Steve Nakajo



**CHINESE
HISTORICAL
SOCIETY of
AMERICA**

BOARD OF
DIRECTORS

April 3, 2018

Supervisor Sandra Lee Fewer
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Supervisor Catherine Stefani
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Supervisor Norman Yee
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Supervisor Fewer, Supervisor Stefani, and Supervisor Yee:

The Chinese Historical Society of America supports a resolution of the Board of Supervisors directing the Recreation and Park Commission to remove Julius Kahn's name from Julius Kahn Playground. Founded in 1963, the Chinese Historical Society of America is the oldest organization in the United States dedicated to the interpretation, promotion, and preservation of the social, cultural and political history and contributions of the Chinese in America.

As you may already be aware, Julius Kahn was a congressman from San Francisco during the early twentieth century. The playground in the Presidio was named after him in 1926 because he played a prominent role in the playground's creation.

However, Julius Kahn is also known for his relentless efforts to exclude Asians from the United States.

Julius Kahn's most significant contribution was his leadership in making permanent the Chinese Exclusion Act. The Chinese Exclusion Act, originally enacted in 1882, renewed in 1892 and made permanent in 1902, excluded Chinese laborers from U.S. entry. It also required Chinese people who were already in the United States to obtain certifications to re-enter the U.S. if they left, making it difficult and risky for Chinese in America to travel back to China to see their families. Moreover, the Act prohibited state and federal courts from granting Chinese persons citizenship, and required that each Chinese resident register and obtain a certificate of residence or

139260473.2

Supervisor Fewer
Supervisor Stefani
Supervisor Yee
Julius Kahn Park
Page 2 of 3

else face deportation. This Act had a dehumanizing effect on Chinese in America and tore Chinese families apart.

It was Congressman Kahn who, in 1902, introduced House Bill 13031, originally dubbed “the Kahn bill,” which made permanent the Chinese Exclusion Act. He declared on the House floor that Chinese people were “morally the most debased people on the face of the earth,” that they “resorted . . . to trickery and duplicity to circumvent our laws,” and complained that “their daily intercourse with the Caucasian has not materially changed their customs or habits.” He also asserted that “gambling and sensuality are the great vices of the Chinese . . . while murderous assaults, robberies, kidnapping, and blackmail are a frequent occurrence”—rhetoric that reminds us of the anti-immigrant sentiment that we still hear today. The Act passed swiftly through the House and became law later that year.

Beyond Chinese exclusion, Julius Kahn pursued efforts to exclude other Asians from entry into the United States. In a 1906, just months before the United States and Japan entered into the 1907 Gentlemen’s Agreement (which effectively barred Japanese laborers from entering the U.S.), Congressman Kahn campaigned against Japanese immigration and naturalization, questioning the ability of Japanese persons in the U.S. to be loyal citizens. In a speech to a men’s organization in New York, he stated, “[W]e want the Japanese coolie kept out of our State. . . . people of the Pacific Coast . . . do not want our naturalization law extended to the Japanese. . . . he will always remain loyal to the Mikado, and that the oath of naturalization would be to him but a hollow mockery, an empty formality, signifying nothing.”

In 1910, Congressman Kahn sent a letter to the Commissioner General of Immigration, Daniel Keefe, to argue against immigration of people from India. He wrote, “It must be remembered . . . that they come from a tropical country and from what I hear they cannot stand the rigors of a northern climate and on that account are bound to become burdens upon the communities to which they go.”

On the House floor in 1902, Kahn also expressed disdain toward Filipinos: “Those of mixed [Chinese and Filipino] blood are many times more numerous, and it has invariably been asserted that these latter are a much more dangerous element, because they combine in themselves nearly all the vices of the Chinese and the Malays, with practically none of the virtues of either race.”

Julius Kahn was a vocal and effective advocate for racist policies. San Francisco cannot change its history, and we certainly will not forget it, but we can change whose legacy our City honors. Our parks, which are a space for everyone in our diverse community, should not honor or bear the name of a man who promoted hatred and exclusion.

We respectfully request that you introduce a resolution to the Board of Supervisors directing the Recreation and Park Commission to remove Julius Kahn’s name from the playground.

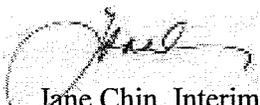
Supervisor Fewer
Supervisor Stefani
Supervisor Yee
Julius Kahn Park
Page 3 of 3

According to its policies, the Commission may change the name of any existing recreation and park facility if "there are the most extraordinary circumstances of City or National interest . . ." (S.F. Rec. and Park Comm'n, Res. No. 12470, adopted May 14, 1981) The exclusion of Chinese and other Asians from the United States is a shameful and extraordinary part of our nation's history. Given similar, imminent threats to immigrants today against which the City and County of San Francisco has already taken a stand, it is important that the City remove the name of a man who represents hateful, racist, anti-immigrant policies from this popular playground in our community.

Please find enclosed for your reference some additional information we have put together regarding Julius Kahn and Asian exclusion. We would be happy to discuss this matter with you further.

Very Truly Yours,

CHINESE HISTORICAL SOCIETY OF AMERICA


By Jane Chin, Interim Executive Director

Enclosure

cc: Hoyt Zia
Chinese Historical Society of America

Phil Ginsburg
General Manager
Recreation and Park Department

President Mark Buell
Secretary Margaret McArthur
Recreation and Park Commission



April 3, 2018

Supervisor Sandra Lee Fewer
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Supervisor Catherine Stefani
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Supervisor Norman Yee
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Supervisor Fewer, Supervisor Stefani, and Supervisor Yee

On behalf of Chinese for Affirmative Action, we are writing to support a resolution of the Board of Supervisors directing the Recreation and Park Commission to remove Julius Kahn's name from Julius Kahn Playground. Founded in 1969, Chinese for Affirmative Action has been a leader in protecting civil rights and building alliances that strengthen the social justice movement.

We fully support our fellow community organization the Chinese Historical Society of America on the request to rename Julius Kahn Park. As outlined in the letter to you, dated April 3, 2018, from Interim Executive Director Jane Chin of the Chinese Historical Society of America, Congressman Julius Kahn actively campaigned to make the Chinese Exclusion Act permanent and was instrumental in enacting the first laws that specifically targeted one minority group from entering and becoming citizens of the United States.

All San Franciscans should enjoy our parks and have access to our facilities regardless of the color of their skin or how they got to San Francisco. Our parks should not honor or bear the name of a man who promoted xenophobic rhetoric and sought to eliminate an entire racial group.

All immigrants share a common goal to seek a better opportunity for themselves and all contribute to the success of our communities. Decedents of those Congressman Kahn sought to exclude became leading members of our communities, some even becoming members of the Board of Supervisors.

Supervisor Fewer
Supervisor Stefani
Supervisor Yee
Julius Kahn Park
Page 2 of 2

The lesson learned of the Chinese Exclusion Act and the Alien Exclusion Act is that hate is not the answer. We all can learn from San Francisco's unfortunate past that exclusion of one minority group does not work and we as a city and as a country should not repeat history.

We join the Chinese Historical Society of America and also respectfully request that you introduce a resolution to the Board of Supervisors directing the Recreation and Park Commission to remove Julius Kahn's name from the playground.

Sincerely,

CHINESE FOR AFFIRMATIVE ACTION



By Vincent Pan, Co-Executive Director

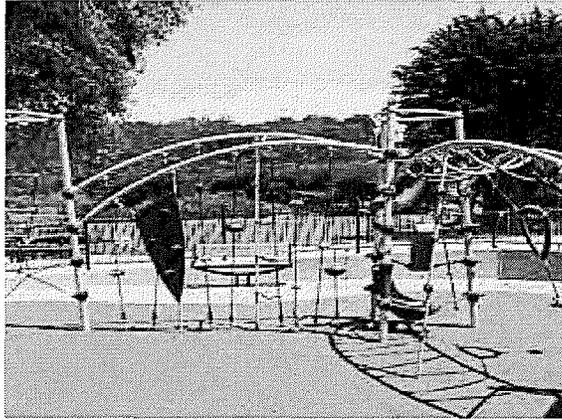


By Cynthia Choi, Co-Executive Director

cc: Phil Ginsburg
General Manager
Recreation and Park Department

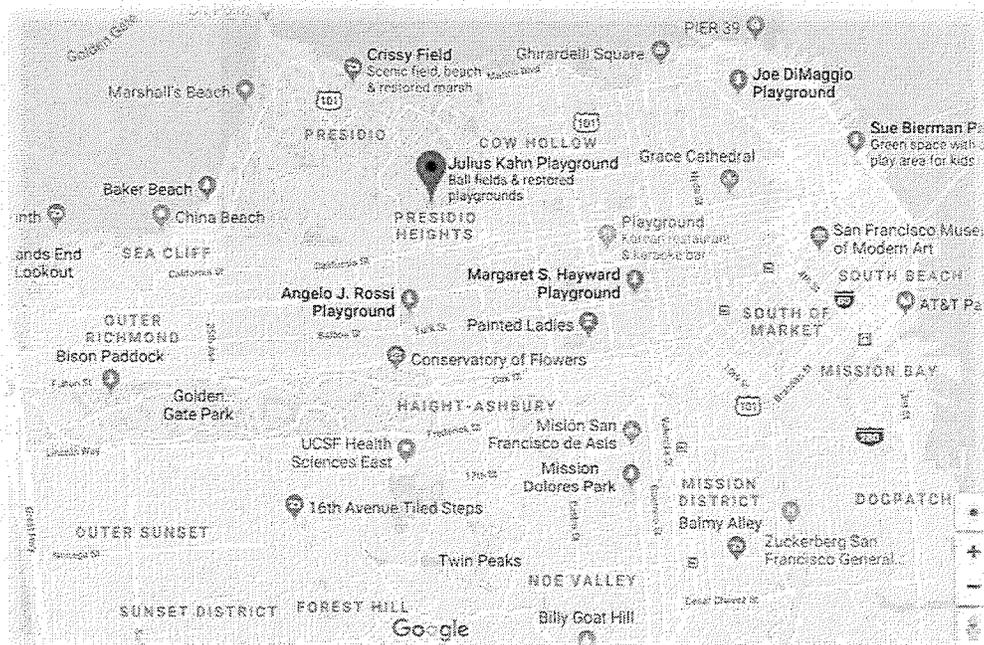
President Mark Buell
Secretary Margaret McArthur
Recreation and Park Commission

RENAME JULIUS KAHN PARK



Introduction

Julius Kahn Playground is a San Francisco Recreation and Park playground on W. Pacific Avenue nestled between the Presidio and the City's Presidio Heights neighborhood. The park consists of a baseball diamond, clubhouse, children's playground, basketball court, and tennis courts. The children's playground was renovated through a generous donation by The Helen Diller Foundation and is a popular destination for children and families.¹



Who was Julius Kahn?

Julius Kahn was an actor-turned-lawyer who represented San Francisco in the House of Representatives from 1899 to 1903 and from 1905 to 1924. Congressman Kahn was an influential figure of his time, known “for his fervid patriotism and his advocacy of military preparedness,” and is considered the father of the selective service.² He played a prominent role in the creation of the park that has been named in his honor.³

Julius Kahn is also known for his advocacy for and leadership in the permanent extension of the Chinese Exclusion Act. In 1902, he drafted and introduced H.R. 13031, dubbed “the Kahn bill,”⁴ which gained quick passage through the House of Representatives before moving on to the Senate for approval.⁵

Julius Kahn and Chinese Exclusion

The Chinese Exclusion Act, originally signed into law on May 6, 1882, excluded Chinese laborers from entering the United States under the purported fear that they “endanger[ed] the good order of certain localities.”⁶ This was the first time in U.S. history that the country barred entry of a specific ethnic group.⁷ The Exclusion Act also required Chinese people who were already in the United States to obtain certifications to re-enter the U.S. if they left, making it difficult and risky for Chinese in America to travel back to China to see their families.⁸ Moreover, the Act prohibited state and federal courts from granting Chinese persons citizenship.⁹ The Chinese Exclusion Act was initially meant to last for ten years, but it was renewed by the Geary Act in 1892 for another ten. The extension further required that each Chinese resident register and obtain a certificate of residence, or else face deportation.¹⁰

When the Act was again set to expire in 1902, Julius Kahn led the effort to make the Act permanent. Upon the bill’s introduction in the U.S. House of Representatives, Kahn explained to

his fellow congressmen that laws against Chinese immigrants needed to be more restrictive because of the deceitful nature of Chinese immigrants:

It has been maintained that the attitude of our Government is exceedingly severe in the matter of Chinese exclusion; that our laws have been becoming more and more stringent and drastic; but I submit **if the Chinese people themselves would deal honestly with us, and if they resorted less to trickery and duplicity to circumvent our laws, then there would be no need of closing up all possible loopholes in the law with the seemingly severely restrictive measures that the Chinese themselves make necessary.** (emphasis added)¹¹

In his remarks to Congress, he also quoted the writings of Bayard Taylor in the book, "A visit to India, China and Japan," which described Chinese people as having poor character:

It is my deliberate opinion that the **Chinese are morally the most debased people on the face of the earth.** Forms of vice which in other countries are barely named are in China so common they excite no comment among the natives. They constitute the surface level, and below them there are depths of depravity so shocking and horrible that their character cannot even be hinted. (emphasis added)¹²

Kahn also lamented about the inability of Chinese in America to assimilate:

For nearly fifty years the Chinese have lived in this country. **Their daily intercourse with the Caucasian has not materially changed their customs or habits.** Mr. Taylor's description of conditions in China is undoubtedly equally applicable to any Chinese community in our country. (emphasis added)¹³

Congressman Kahn played into people's fears by portraying the Chinese in San Francisco's Chinatown as dangerous criminals—rhetoric that is similar to the anti-immigrant sentiment that we still hear today:

It is true that **gambling and sensuality are the great vices of the Chinese,** the latter taking unnatural forms with terrible frequency. . . . But they do not confine themselves to petty offenses exclusively. As I have already shown, **murder is not an uncommon thing among them, while murderous assaults, robberies, kidnapping, and blackmail are a frequent occurrence.** . . . That gives you a fair idea of their peaceableness. (emphasis added)¹⁴

Julius Kahn and the Exclusion of Other Asians

Beyond Chinese exclusion, Julius Kahn pursued efforts to exclude other Asians from entry into the U.S. During a speech to a men's organization in 1906, Kahn expressed California's hostility toward the Japanese and argued for their exclusion, just months before the United States and Japan entered into the Gentlemen's Agreement which effectively prevented Japanese laborers from entering the U.S.:

“And now we are threatened with another Oriental invasion. Since the great disaster that overwhelmed the City of San Francisco last April 1,000 Japanese laborers have been passing through the Golden Gate ever month, and I do think that I am not stating the facts too strongly when I say that **the people of California regard these Japanese coolies with greater abhorrence- aye, even with greater fear- than they did the coolies from China. We feel that the former have all the vices of the Chinese, with none of their virtues.** The Chinaman lives up to the letter of his obligation, while the Japanese never hesitates to break that obligation if it suits his purpose. . . . We are peaceable, law-abiding citizens, but **we want the Japanese coolie kept out of our State. . . . We will never permit our young children to be thrown into close contact with adult Japanese . . . I am positive that I voice the unanimous sentiment of people of the Pacific Coast when I say that they do not want our naturalization law extended to the Japanese. The people of the Pacific Coast feel satisfied that he will always remain loyal to the Mikado, and that the oath of naturalization would be to him but a hollow mockery, an empty formality, signifying nothing.** We do not want that kind of citizenship, and we do not intend to have it if we can prevent it. (emphasis added)¹⁵

Kahn also pushed for the exclusion of Asian Indians who, among many other Asians, would soon be excluded from the U.S. by Congress through the Immigration Act of 1917, also known as the “Asiatic Barred Zone Act.” In 1910, Congressman Kahn sent a letter to the Commissioner General of Immigration, Daniel Keefe, asserting that people from India would be a burden on U.S. communities: “It must be remembered . . . that they come from a tropical country and from what I hear they cannot stand the rigors of a northern climate and on that account are bound to become burdens upon the communities to which they go.”¹⁶

Finally, although Filipinos would not be excluded because the Philippines were a U.S. territory at the time, Julius Kahn nevertheless openly expressed disdain toward Filipinos, especially those of mixed Chinese and Filipino descent:

There are probably 200,000 Chinese of the full blood in the Philippine Island. Those of mixed blood are many times more numerous, and it has invariably been asserted that these latter are a much more dangerous element, because they combine in themselves nearly all the vices of the Chinese and the Malays, with practically none of the virtues of either race.¹⁷

Conclusion

An influential man of his time, Julius Kahn promoted and institutionalized racist and exclusionary policies in the United States on behalf of San Francisco. Our parks should not bear names of hatred or exclusion. Julius Kahn's name should be removed from the park and there should be a community process to rename the park.

¹ "A 2003 renovation transformed a heavily used playground into a state-of-the-art, Parisian-style play area. The new Julius Kahn design was developed with the feel and aesthetics of the Luxembourg Gardens in Paris. The park also includes an interactive wet sand play sculpture and unique and challenging play equipment." San Francisco Recreation and Park District Website- Julius Kahn Playground <<http://sfrecpark.org/destination/julius-kahn-playground/>>

² Alan Boxerman, "Kahn of California," California Historical Quarterly Vol. 55, No. 4 (Winter, 1976/1977), pp. 340-351.

³ San Francisco Playground Commission, Meeting Minutes of November 10, 1926.

⁴ Congressional Record, House Floor, April 4, 1902, p. 3678

⁵ Henry S Cohn and Harvey Gee, "No, No, No, No!": Three Sons of Connecticut Who Opposed the Chinese Exclusion Acts, 3 Conn. Pub. Int. L.J. 1 (2003)

⁶ H.R. 5804, 47th Cong., Ch. 126 (1st Sess. 1882)

⁷ The Our Documents Initiative- Chinese Exclusion Act (1882)
<<https://www.ourdocuments.gov/doc.php?flash=false&doc=47>>

⁸ Id.

⁹ Id.

¹⁰ Id.

¹¹ Congressional Record, House Floor, April 4, 1902, p. 3689

¹² Id. at p. 3693

¹³ Id.

¹⁴ Id.

¹⁵ "Lone Japanese Hears His Nation Assailed: Takes Notes as Congressman Kahn Voices California's View," New York Times, Dec. 12, 1906.

¹⁶ Munshi, Sherali, "Immigration, Imperialism, and the Legacies of Indian Exclusion," 28 Yale J.L. & Human. 51 (2016) (citing Karl Douglas Hoover, "The Hindu-German Conspiracy in California in 1913-1918" (1990), an unpublished Ph.D. dissertation, University of California at Berkeley)

¹⁷ Congressional Record- House of Representatives April 4, 1902, p. 3692

year ending June 30, 1902, and for other purposes; in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

The bill (H. R. 13360) making appropriations to supply additional urgent deficiencies in the appropriations for the fiscal year ending June 30, 1902, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

EXECUTIVE SESSION.

Mr. GALLINGER. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Saturday, April 5, 1902, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate April 4, 1902.

APPOINTMENTS IN THE ARMY.

Artillery Corps.

Louis E. Bennett, of Illinois, late major, Fourth Illinois Volunteers, now captain in the Porto Rico Provisional Regiment of Infantry, to be first lieutenant, September 23, 1901, to fill an original vacancy.

George L. Hicks, jr., of Maryland, late major and surgeon, Thirty-eighth Infantry, United States Volunteers, to be first lieutenant, September 23, 1901, to fill an original vacancy.

Guy E. Manning, of Ohio, late second lieutenant, Third Ohio Volunteers, to be first lieutenant, September 23, 1901, to fill an original vacancy.

Charles O. Zollars, of Colorado, late second lieutenant, First Colorado Volunteers, to be first lieutenant, September 23, 1901, to fill an original vacancy.

Cavalry Arm.

Ralph E. McDowell, of Kansas, late private, Twentieth Kansas Volunteers, and Troop F, Eleventh Cavalry, United States Volunteers, now sergeant Troop F, Thirteenth Cavalry, United States Army, to be second lieutenant, February 2, 1901, to fill an original vacancy.

PROMOTIONS IN THE ARMY.

Cavalry Arm.

First Lieut. George W. Moss, Fourth Cavalry, to be captain, March 31, 1902, vice Horne, Ninth Cavalry, retired from active service.

Artillery Corps.

Lieut. Col. James B. Burbank, Artillery Corps, to be colonel, April 1, 1902, vice Andrus, retired from active service.

Maj. Richard P. Strong, Artillery Corps (detailed as assistant adjutant-general), to be lieutenant-colonel, April 1, 1902, vice Burbank, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 4, 1902.

POSTMASTERS.

Charles H. Boody, to be postmaster at Hart, in the county of Oceana and State of Michigan.

Carroll M. Heard, to be postmaster at Elberton, in the county of Elbert and State of Georgia.

HOUSE OF REPRESENTATIVES.

FRIDAY, April 4, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDRY, D. D.

The Journal of the proceedings of yesterday was read, corrected, and approved.

TRANSFER OF REMAINS OF MAJOR-GENERAL ROSECRANS.

The SPEAKER. Without objection, the Chair will lay before the House a statement from the Society of the Army of the Cumberland.

The Clerk read as follows:

SOCIETY OF THE ARMY OF THE CUMBERLAND.

SIR: The Society of the Army of the Cumberland at its last annual meeting resolved to transfer the remains of the late Maj. Gen. William S. Rosecrans, long the commander of the Army of the Cumberland, and subsequently a member of the House of Representatives, from the receiving vault in Los Angeles, Cal., where they were deposited, to Arlington Cemetery. The burial will take place about the middle of May, the exact day to be hereafter announced.

The officers of the society respectfully ask that the House of Representatives may be represented at the burial by committee or otherwise.

Very respectfully, your obedient servant,

H. V. BOYNTON,
Corresponding Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,

Washington.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

House concurrent resolution No. 48.

Resolved by the House of Representatives of the United States (the Senate concurring), That there be appointed a committee by the President pro tempore of the Senate and the Speaker of the House to attend the ceremonies incident to the transfer of the remains of Gen. William S. Rosecrans from California to the cemetery at Arlington, Va., said committee to be a joint committee of the two Houses.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The resolution was considered, and agreed to.

ANDREW J. FELT.

The SPEAKER laid before the House the bill (S. 2371) granting a pension to Andrew J. Felt.

Mr. SULLOWAY. Mr. Speaker, I move that the House insist on its amendment and agree to the conference asked for by the Senate.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. CALDERHEAD, Mr. GIBSON, and Mr. NORTON.

HOUSE PENSION BILLS WITH SENATE AMENDMENTS.

The following House bills with Senate amendments were severally considered, the Senate amendments read, and, on motion of Mr. SULLOWAY, the House concurred in the Senate amendments:

A bill (H. R. 1706) granting an increase of pension to John E. White;

A bill (H. R. 2120) granting an increase of pension to Horatio N. Warren;

A bill (H. R. 2124) granting an increase of pension to Dewitt C. McCoy;

A bill (H. R. 3413) granting a pension to Dermis Dyer;

A bill (H. R. 3180) granting an increase of pension to Edward S. Dickinson;

A bill (H. R. 5413) granting an increase of pension to Alfred H. Van Vliet;

A bill (H. R. 6023) granting a pension to Mary E. Kelly;

A bill (H. R. 6463) granting a pension to Josephine M. Dustin;

A bill (H. R. 7990) granting an increase of pension to Uriah Reams;

A bill (H. R. 9301) granting an increase of pension to Barbara McDonald;

A bill (H. R. 9321) granting a pension to John W. Moore;

A bill (H. R. 10193) granting an increase of pension to John Hollister;

A bill (H. R. 10269) granting a pension to Eliza Stewart;

A bill (H. R. 11975) granting a pension to Charles F. Merrill;

A bill (H. R. 11331) granting an increase of pension to Abraham N. Bradford;

A bill (H. R. 10044) granting an increase of pension to William Larzalere;

A bill (H. R. 1011) granting an increase of pension to John S. Raulett; and

A bill (H. R. 6713) granting an increase of pension to Freeman R. E. Chanaberry.

BRIDGE ACROSS SAVANNAH RIVER.

The SPEAKER also laid before the House, with amendments of the Senate, the bill (H. R. 11403) to authorize the construction of a traffic bridge across the Savannah River from the mainland, within the corporate limits of the city of Savannah, to Hutchinsons Island, in the county of Chatham, State of Georgia.

The amendments of the Senate were read.

Mr. ADAMSON. I move that the House concur in the amendments just read.

The motion was agreed to.

On motion of Mr. ADAMSON, a motion to reconsider the last vote was laid on the table.

SETTLERS IN FOREST RESERVES.

The SPEAKER also laid before the House, with an amendment of the Senate, the bill (H. R. 3084) for the relief of bona fide settlers in forest reserves.

The amendment was read, and, on motion of Mr. MARTIN, concurred in.

PROTECTION OF LIVES OF MINERS.

The SPEAKER also laid before the House, with an amendment of the Senate, the bill (H. R. 5337) to amend an act entitled

"An act for the protection of the lives of miners in the Territories."

The amendment was read.

Mr. MOODY of Oregon. I move that the House nonconcur in this amendment and ask a conference.

The motion was agreed to.

The SPEAKER announced the appointment of Mr. MOODY of Oregon, Mr. SCOTT, and Mr. HALL as conferees on the part of the House.

LEAVE OF ABSENCE.

Mr. COWHERD, by unanimous consent, obtained leave of absence for five days, on account of important business.

URGENT DEFICIENCY APPROPRIATIONS.

Mr. CANNON. I ask unanimous consent that the Committee of the Whole on the state of the Union be discharged from the further consideration of the bill (H. R. 13900) to make certain urgent deficiency appropriations, and that the same be considered in the House as in Committee of the Whole.

Mr. RICHARDSON of Tennessee. Pending the request for unanimous consent, and reserving the right to object, I think that the gentleman from Illinois [Mr. CANNON] ought to tell us what the items of this urgent deficiency bill are. I have not been able to look at the bill.

Mr. CANNON. The bill appropriates for the District of Columbia \$36,000 in round numbers—\$10,000 for fuel for the public schools, the supply being now exhausted; \$20,000 for cleaning the streets, the funds for which will soon be exhausted, and other smaller items called urgent. It also appropriates for repair of hospitals at the Hot Springs, Ark., and elsewhere—an urgent matter, the appropriations being exhausted—\$10,000; for the naval establishment (expenses of Marine Corps), \$3,000 in round numbers; for furniture in the Interior Department, \$7,880; for printing and binding in the Post-Office Department, the Agricultural Department, the War Department, and the Library of Congress, an aggregate of \$113,000. The appropriations being exhausted or about to be exhausted, this urgent deficiency bill covers items which ought to be appropriated for at once.

Mr. RICHARDSON of Tennessee. I presume that of course the minority members of the committee have agreed to the bill?

Mr. CANNON. Oh, this has been reported by the direction of the committee.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? The Chair hears none.

The bill was read, as follows:

Be it enacted, etc., That the following sums be, and the same are hereby, appropriated out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year 1902, and for other objects hereinafter stated, namely:

DISTRICT OF COLUMBIA.

To enable the collector of taxes to prepare tax-sale certificates, with authority to employ clerks of the collector's and other District offices after office hours, \$500.

Fire department: For forage, \$5,000.

Public schools: For fuel, \$10,000.

Health department: For the enforcement of the laws relating to the manufacture and sale of drugs and foods, including candy and milk, and for the necessary expenses of the chemical laboratory incident thereto, under the direction of the health department, for the service of the fiscal year 1902, \$500.

Sprinkling, sweeping, and cleaning streets: For sprinkling, sweeping, and cleaning streets, avenues, alleys, and suburban streets, including necessary incidental expenses, \$20,000.

One-half of the foregoing amounts to meet deficiencies in the appropriations on account of the District of Columbia shall be paid from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated.

MILITARY ESTABLISHMENT.

For construction and repair of hospitals at military posts already established and occupied, including the extra-duty pay of enlisted men employed on the same, and including, also, all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Ark., except quarters for the officers, \$10,000.

NAVAL ESTABLISHMENT.

To pay expenses incurred for articles purchased, and transportation of the same; for the special detachment of marines ordered to duty with the North Atlantic fleet, \$1,130.33.

DEPARTMENT OF THE INTERIOR.

Office of Geological Survey: For furnishing additional office rooms, including carpets, linoleum rugs, desks, chairs, tables, book, map, letter cases, file, and catalog cases, awnings, window shades, washstands, ward-robes, cabinets, water coolers, and lumber for shelving, and all other absolutely necessary articles, \$7,880.

PRINTING AND BINDING.

For printing and binding for the Post-Office Department, exclusive of the Money-Order Office, \$30,000.

For printing and binding for the Department of Agriculture, \$20,000.

For printing and binding for the War Department, \$55,000.

For printing and binding for the Library of Congress, \$18,000.

None.—Total amount appropriated by this bill, \$182,737.33.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question being taken, the bill was ordered to be engrossed and read a third time; and it was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. McDERMOTT. Mr. Speaker, I would like to ask a question of the chairman of the committee, before the bill is passed.

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from New Jersey?

Mr. CANNON. Certainly.

Mr. McDERMOTT. There is an additional appropriation here for sweeping the streets of the city of Washington of \$23,000. What was the amount appropriated originally?

Mr. CANNON. I have not the memorandum before me. I will ascertain in a moment. I will say to the gentleman that this appropriation is to be exhausted early in May. The exact amount appropriated I do not recollect, nor have I the memorandum before me, but I will ascertain in a moment.

Mr. McDERMOTT. There can be such a great amount of sweeping done for \$23,000—that is, sweeping as it is done within the city here—

Mr. CANNON. It is sprinkling and cleaning the streets. Just the amount of streets there are or the number of miles I do not know at this moment, but the gentleman is aware there are several hundred miles. Somebody suggests to me 320 miles, but I am not sure as to the exact amount. In my judgment this deficiency ought not to have been made, but it is alleged by the District authorities that it was necessary. I trust that the proper committee, in the coming year, when they come to appropriate for this purpose, will put a monthly limitation upon it; but as the appropriation is substantially exhausted, and because of the fact that during the spring of the year, from early in May until the 1st of July, the streets will be filthy, it seemed to your committee that there was no alternative except to recommend the deficiency. I will state that \$155,000 was the appropriation.

Mr. McDERMOTT. My recollection is this: That the amount appropriated for cleaning the streets of the city of Washington per mile was greater than any appropriation made in any city in this country. I do not say that an excess of \$23,000 was not necessary, but anybody who recalls the condition of Pennsylvania avenue during the last three months will recollect that during the hours of the day, because of the fact that the avenue had not been cleaned, it led to such a condition that you could not enter into any stores or hotels without tramping over street rubbish that should have been removed every day, and certainly that does not indicate that the \$23,000 of excess of appropriation was properly used. The amount of \$200,000 for sweeping and cleaning the streets of the city of Washington is very, very large, and the amount per mile accordingly very high, and I wanted a little information upon the subject if it was within the possession of the gentleman.

Mr. CANNON. The total amount appropriated in the regular bill for this year for this purpose was \$155,000. The amount of streets in mileage, as I understand, according to my information, is something over 300 miles. The judgment of the committee was when the original appropriation was made of \$155,000 that it ought to do the work, but it has not done the work. Now, I apprehend when the next annual bill is reported there ought to be and will be reported for the consideration of the House a direction to apportion the appropriation in such a way that one-twelfth part of it will not be exceeded in any one month.

Mr. McDERMOTT. And in the line of economy I would like to suggest to the gentleman from Illinois that you could obtain a bond for a million dollars guaranteeing to sweep the streets and keep them in better condition than they have been or will be under that appropriation for 99 per cent of the amount mentioned. The work should be done better.

Mr. CANNON. I do not care to go into that question. My observation has been that when the streets are cleaned under contract that at times there is severe criticism, and when they are cleaned as they are now, by the hiring of labor—day's work—there are grounds at times, no doubt, for criticism; but, upon the whole, I am inclined to think that the city of Washington and its streets is best cared for, and its streets are perhaps the cleanest, month in and month out, of any city in the country.

Mr. McDERMOTT. They are very easy to take care of, and my objection is not to the manner in which they are cleaned, but to the fact that they are not cleaned at all in a good many instances.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to ask a question.

The SPEAKER. Does the gentleman from Illinois yield?

Mr. CANNON. Yes.

Mr. RICHARDSON of Tennessee. What is the purpose of the amount expended for public printing? What is that item?

Mr. CANNON. It is in the various departments. There is an absolute exhaustion of the appropriation. In the Post-Office Department the increase of business, and in the Agricultural Department the same thing, and this is the cause. The Agricultural Department does large quantities of printing, the public

service requiring it to be done, also in the War Department and in the Post-Office Department, and Congress requiring it to be done in the Agricultural Department.

Mr. RICHARDSON of Tennessee. I want to ask the gentleman how many deficiencies he has asked for the public printing during this session?

Mr. CANNON. I do not recollect.

Mr. RICHARDSON of Tennessee. It strikes me this is about the third deficiency appropriation bill in which appropriations are made for the Government Printing Office.

Mr. CANNON. I will have the figures in a moment that will give the exact amount. I did not anticipate that there would be any question about it and therefore have not the memoranda before me, but I will have in a short time.

Mr. RICHARDSON of Tennessee. I am not objecting to the amount, because it may be absolutely necessary, nor do I criticize the action of the gentleman nor of his committee further than to say that it seems to me that the best legislation would be had by putting these amounts in the regular appropriation bill and thus not require so many deficiency appropriation bills.

Mr. CANNON. I will say to my friend that we absolutely gave the estimate for the current fiscal year.

Mr. RICHARDSON of Tennessee. Then the Public Printer must have been pretty far off in making his estimate, if that is true.

Mr. CANNON. I will give the gentleman the definite information in a moment. The estimate for the current fiscal year for the Post-Office Department was \$250,000. The appropriation was \$250,000. Now, this is the first deficiency for the Post-Office Department, a pretty large one, as the gentleman will notice, \$20,000, and the explanation of it is the absolute growth of that Department—increasing in offices, increase in work, increase in printing, rural free delivery, and, in addition, the action of Congress in increasing the wages of printers and others.

Mr. RICHARDSON of Tennessee. If I am mistaken the gentleman from Illinois can correct me, but if I am not mistaken the last Congress in all their appropriation bills except one increased the amount of appropriations over the former Congress.

Mr. CANNON. I can give the exact figures to the gentleman in a moment.

Mr. RICHARDSON of Tennessee. Now, these deficiency appropriations are to be added to the excessive or the very large appropriations in the annual bills of the last Congress.

Mr. CANNON. For the year 1901 in the Post-Office Department the appropriation in the regular annual bill was \$315,000 and the deficiency was \$35,000, making a total of \$350,000. Now, the appropriation for the current year was \$250,000, which equals the total appropriation for the previous year, and this deficiency bill carries \$30,000 for the Post-Office Department, which measures the increase in printing for that Department.

Mr. RICHARDSON of Tennessee. That makes \$280,000.

Mr. CANNON. Yes.

Mr. RICHARDSON of Tennessee. Now, I am quite sure the gentleman reported a deficiency appropriation in December last for the benefit of the Government Printing Office.

Mr. CANNON. Not for any of the departments. That appropriation in December was to meet a deficiency that need not have been met if Congress had not ordered so much printing for its own use.

Mr. RICHARDSON of Tennessee. I was only speaking from recollection, but I remembered that there was a deficiency in December for the Government Printing Office.

Mr. CANNON. Yes; and it came from the excessive orders for printing by the House and Senate.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

On motion of Mr. CANNON, a motion to reconsider the last vote was laid on the table.

OMNIBUS CLAIMS BILL.

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the House nonconcur in all the Senate amendments to the bill H. R. 8587, and ask for a conference.

The SPEAKER. The gentleman from Pennsylvania [Mr. MAHON], chairman of the Committee on War Claims, asks unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill (H. R. 8587) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, and to nonconcur in all the amendments of the Senate to the bill, and ask for a conference. Is there objection?

Mr. MADDOX. Mr. Speaker, I object.

The SPEAKER. Objection is made.

Mr. MAHON. Will the gentleman withhold that for a moment?

The SPEAKER. Does the gentleman suspend his objection on the request of the gentleman from Pennsylvania?

Mr. MADDOX. Yes.

Mr. MAHON. Just for a moment.

Mr. HITT. Will this exclude the consideration of the Chinese bill?

The SPEAKER. The gentleman withholds his objection for a moment.

Mr. MAHON. Mr. Speaker, this is a House bill that has come back from the Senate with a great many amendments put on it by that body. The bill took its usual course, went to the Committee on Claims, and the committee, after consideration which has taken almost a week, have recommended a report that the House nonconcur in all the Senate amendments.

Mr. MADDOX. Mr. Speaker, I can not hear what the gentleman says.

Mr. MAHON. I will speak a little louder. I want to state to the gentleman from Georgia that this is a House bill to which the Senate added a good many amendments. It went to the Committee on War Claims in its usual course, and that committee, after looking over these amendments for a week, have recommended to this House by a unanimous vote of the committee that the House nonconcur in all the Senate amendments and allow it to go to conference, for this reason: There are some six hundred items in this bill, and I will frankly say to the gentleman that a good many of them will go out. This bill will have to remain in conference at least a month or six weeks before the differences can be adjusted, and I want to say further that there will be no disposition on the part of the chairman of the Committee on War Claims when that report comes in to move the previous question and to choke off debate.

I am perfectly willing to take the matter up on Friday and give the whole day for the consideration of the conference report. Mr. Speaker, it will take at least three, four, or five days. It will take a day to read the amendments, and the discussion of the paragraphs might take a couple of weeks in Committee of the Whole. Now, the gentleman from Georgia knows since he has been in Congress that the conferees of this committee have always stood with the House. They have examined these matters carefully, and if the gentleman wants to bill the bill, he will simply insist on his objection. Now, there is another reason. This day belongs to the Committee on War Claims, and an important bill is pressing for consideration in the House—the Chinese-exclusion bill—which we are all interested in, and I would like for this bill to be sent to conference and got out of the way of the chairman of the Committee on Foreign Affairs; and I hope the gentleman will not make any objection, but let it go to conference.

Mr. MADDOX. Mr. Speaker, this bill, as I understand it, carried about \$125,000 when we sent it from the House. It is called the "omnibus bill." Since it has gone over to the Senate they have added about \$3,000,000 of all sorts of claims, scraped up from the time the Government was formed up to the present time. Now, all I want to know and all I want to demand is simply this: That when this House comes to consider these claims they will have an opportunity to vote on these paragraphs when these claims come up. Now, I am perfectly aware that if there is no objection made and this bill is allowed to go into conference, unless the gentleman stands up to what he says now, when he comes to the House it will have no opportunity to weed out these claims that ought not to be allowed.

Mr. MAHON. I will say to the gentleman from Georgia that when the conference report comes here I am willing that he shall have an hour.

Mr. SHAFROTH. Will the gentleman allow me?

Mr. MADDOX. That is a matter for the House when it comes back.

Mr. SHAFROTH. This is the only way in which they can be weeded out.

Mr. UNDERWOOD. If my friend from Georgia will allow me, we sent the bill over to the Senate with about \$200,000, and it comes here with amendments added making it in the neighborhood of three millions.

Mr. MADDOX. That is what I understand.

Mr. UNDERWOOD. There are a great many items in that bill that ought to be considered in Committee of the Whole, and there is only one certain course that will give us an opportunity to consider these claims, and therefore I hope the gentleman will insist on his objection; that is, for the bill to take its regular course and that the claims be considered in the regular way.

The SPEAKER. Objection is made.

Mr. MAHON. There are claims amounting to three millions in this that have never been discussed at all. It belongs to you gentlemen upon the other side to take the responsibility. There are 23 States concerned in these claims, and if you want to kill the claims of those people, that is for you to determine. I have no personal interest in the bill.

ORDER OF BUSINESS.

Mr. HITT. Mr. Speaker, I call up, under the special order, the bill H. R. 13091 and move that the House resolve itself into Committee of the Whole for the consideration of the Chinese-exclusion bill.

Mr. MAHON. Mr. Speaker, one moment. Under the rules of the House this day belongs to the Committee on War Claims; but I am willing to yield to the gentleman from Illinois if, by unanimous consent, the committee may have another day. We have been in session since the 4th day of December, and this committee has had but three hours. I do not want to get in the way of this important bill. I believe that next Monday is not District of Columbia day. We did think so, but it is not. Now, I will ask unanimous consent that that day be given to the Committee on War Claims.

Mr. HITT. I do not know that it is certain that this bill will be disposed of by that time. There will be considerable general debate.

Mr. MAHON. Then I will ask the next day.

Mr. HITT. There will be no opposition probably, but a good many voices for it.

Mr. MAHON. Then I will ask that it be next Tuesday, or the next day after the completion of the consideration of that bill.

Mr. DALZELL. It is the purpose to call up the Cuban reciprocity bill on Tuesday.

Mr. MAHON. It is not privileged.

Mr. DALZELL. Oh, yes; it is.

Mr. MAHON. Oh, yes; it is a revenue bill. Will not the gentleman from Illinois get through the bill by Monday?

Mr. HITT. I can not say that, as there is much demand for time.

Mr. MAHON. Then, Mr. Speaker, I ask unanimous consent that the War Claims Committee be given the day following the passage of the Chinese-exclusion act.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the day following the disposition of the Chinese-exclusion act be assigned to the Committee on War Claims. Is there objection?

Mr. DALZELL. I do not like to object to my colleague's request, but arrangements have been made and notice given to go on with the Cuban reciprocity bill on Tuesday, and I would suggest to him to make his request to follow that bill.

Mr. MAHON. Oh, that might make it two or three weeks from now. How long will that bill take?

Mr. DALZELL. I suppose it will take three days. I would think it would.

Mr. MAHON. I will take next Tuesday week.

The SPEAKER. The gentleman from Pennsylvania modifies his request that a week from next Tuesday be assigned to the Committee on War Claims. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13091, the Chinese-exclusion bill.

The motion was agreed to.

CHINESE-EXCLUSION BILL.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. Moody of Massachusetts in the chair.

The CHAIRMAN. The House is in Committee of the Whole on the state of the Union for the consideration of the bill H. R. 13091, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13091) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Mr. HITT. Mr. Chairman, I move to dispense with the first and formal reading of the bill.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the first reading of the bill may be omitted. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. HITT. Mr. Chairman, the bill now before the committee is one that has been very carefully prepared in all its parts, with the unanimity of the Committee on Foreign Affairs upon nearly every line, its purpose being to provide efficiently for the exclusion of Chinese laborers from the United States. In that purpose we were all agreed. The country, we believe, universally desires that there should be efficient prohibition. The existing law will expire on the 5th of May, and there is no time to lose if Congress intends to act.

The bill is based upon a measure which was drawn up with care by the combined wisdom and experience of the members of this House and of the Senate who represent the Pacific coast, where most of the Chinese in the United States are found, and

where the people and their representatives are most familiar with the practical side of the problem. Telling that bill, which is known in this House as the Kahn bill, because the honorable gentleman from California introduced it, representing his associates, our committee have carefully prepared the measure which lies before you, and which is substantially the Kahn bill.

While we desire to effectively exclude Chinese laborers, we do not forget that our country has considerable commerce with China, and all are desirous of promoting American interests and commerce everywhere. In this bill the privileged classes are designated who are entitled by the treaty and by the laws heretofore to come into the country—merchants, travelers from curiosity or pleasure, officials, teachers, and students. We have endeavored to make the provisions effective and prevent fraud, but to avoid harassing or tormenting merchants, officials, and teachers, whom we desire to come and for whose presence we are all of us very anxious. The commerce of a country is in the hands of the merchants. We have a large and growing commerce with China.

The representatives of labor who presented and framed the objections to having Chinese labor here we heard at great length, and also representatives of commerce and of manufacturers. They stated with great force how important it was that we should avoid harassing and driving away merchants from our country who could promote our interests so rapidly. The representatives of the manufacturers of South Carolina, where the cotton industry has become so vast, and is the largest in the country, second to Massachusetts, and now is growing, informed us that they sent the largest part of their product to China. The cotton product alone last year was a million dollars a month sold to that country. It fell off during the war, but it has revived.

Now, the Chinese merchant, if he is harassed here and imprisoned or insulted, can exercise a powerful influence at home to our detriment, and an official can do the same. True, we are liable to frauds of pretended merchants, and that is the problem that this bill tries to meet.

It would seem that much legislation was not necessary in the case of officials, a class so potent and few in number; for, if every one of the officials that came into the country could smuggle somewhere about him a Chinese laborer, it would amount to something inconsiderable in our vast population. But vexatious provisions to humiliate and disgust public officials might result to our great disadvantage by the influence of this powerful class.

These are the problems we have conscientiously and laboriously tried to solve, and this bill is the answer.

I will not take up the time of the committee in explaining it further. It will be debated very fully by my colleagues. I believe everybody is in favor of the bill. I merely wish to state the motive impulse of the committee, all working together for one end.

I now yield to the gentleman from New York [Mr. PERKINS], because he has given the most patient labor to the details, reconciling contradictions and smoothing the asperities of the bill.

Mr. PERKINS. Mr. Chairman, if the committee will be in order it will, I think, take but a very few minutes of the time of those here to explain briefly the purport of this bill. I shall not, Mr. Chairman, take the time of this committee in discussing the general question of Chinese exclusion, because I imagine that every member of this House is agreed that the admission of Chinese laborers on any large scale would be injurious to the laboring interests of this country; but, Mr. Chairman, as was said by the chairman of the committee, the problem is in what way should that exclusion best be carried out; and it is, perhaps, due to the committee in presenting to it a bill 30 pages in length that we should state briefly what has been covered by this bill.

Now, Mr. Chairman, in the first place we were met by this new question, and that was, what should be done in reference to the Chinese who are now living in the colonial possessions of the United States. It was testified before the committee that there were in the Philippine Islands at least 250,000 Chinese, and perhaps very many more, and Governor Taft testified before our committee that, in his judgment, the great majority of the Chinese in the Philippine Islands would gladly come to the United States if they could have the opportunity. What should be done with them? It was the unanimous opinion of the committee that the exclusion of the Chinese against those living in China should be extended to the Chinese who live in the colonial possessions of the United States, and the act provides that Chinese laborers, Chinese coolies, can not come from the colonial possessions to the mainland any more than they can come from China to the United States. That provision, Mr. Chairman, I think will meet the approval of the members of the House.

Then came the next question, Mr. Chairman: Should the exclusion of the Chinese be extended to the colonial possessions? Now, the committee can see in one moment that the conditions existing in, for instance, the Philippine Islands are totally different

from the conditions existing in the United States. Here we have a large body of intelligent, educated, industrious laborers, and we owe it to them that they are not subjected to any unfair competition from men brought here who live on a different scale, who are willing to work for less price, who are content to live on a lower degree of comfort and civilization; but the members of the committee can see that those conditions do not exist in our colonial possessions.

There is in the Philippine Islands, for instance, no body of educated, industrious, intelligent laborers, and the question was, What is the best thing for the interests of the Philippine Islands? And, Mr. Chairman, that question is by no means as free from doubt as is the question of the introduction of Chinese laborers into this country. But we felt bound, Mr. Chairman, and it is the doctrine, it is the principle, of the Republican party—of, I think, all members of Congress, regardless of party—to do for the Filipinos what within reasonable limits they themselves ask should be done. The committee was convinced that the desire of the Filipinos themselves was that they should not be subjected to the further competition of Chinese labor; that they were not ready to compete with them, and certainly they are not, and for that reason the committee has reported, by the bill before this Committee of the Whole, that Chinese laborers be excluded from the colonial possessions of the United States upon the same terms and in the same manner that they are excluded from the mainland of the United States.

Now, Mr. Chairman, a word or two more about some provisions of detail in this bill that I wish to explain very briefly to the committee. The chairman of the Committee on Foreign Affairs said that we have taken in its general outline the Kahn bill, which was introduced in behalf of the members from California. The question of Chinese exclusion is more important in California than in any other part of the country, and it was our endeavor in every way to carry out the desire of the California delegation to make this law a law which should not only say that Chinese laborers should be excluded, but should furnish the means and the appliances and the requirements for making that exclusion effectual, which should check the fraudulent introduction of Chinese into this country.

There were, however, two or three questions of detail in which the committee differed from some provisions of the Kahn bill, which I desire to submit to the judgment of the Committee of the Whole. By your judgment we will be guided. The Committee on Foreign Affairs had but one desire, namely, to have a bill which would be most effective, most judicious, most wise, to carry out the principle of Chinese exclusion, but on questions of detail we all have our judgment. Now, there are substantially three questions which I shall state very briefly to the members of the committee. The first was this: The bill provides that the Chinese shall be excluded from the Philippine Islands.

Then the bill as it was introduced—not the committee bill—provided that the Treasury Department should appoint officials who should go to the Philippine Islands, who should there make a registration of all Chinese in the Philippine Islands or any other foreign possession, who should carry out the enforcement of this law in reference to Chinese landing and the preventing of their landing. In reference to the removal of Chinese from one possession to another, Mr. Chairman, we did not regard that provision as judicious, and I feel confident that the committee will agree with us. What would be the necessary result? Why, Mr. Chairman, it would take 10,000 employees of the Treasury Department. Ten thousand employees would have to be shipped from San Francisco to the colonial possessions, to the foreign possessions of this country, to take charge of making that registration, to take charge of that detail.

It was with surprise, Mr. Chairman, that I saw that my friend from Missouri [Mr. CLARK] in presenting the minority report and the substitute bill advocated a different method of treating this problem, because I have heard him and others associated with him say so often that the Filipinos should have every possible right of self-management and self-government; that this country should not exercise in every detail of their life a power which the British Empire, for instance, exercises—that the administration of the Philippine Islands so far as possible should be by the Filipinos. It is therefore with surprise, Mr. Chairman, that I see the gentleman recommends a substitute bill providing that the management of the Chinese in the Philippine Islands should be turned over to 10,000 officials appointed by the Secretary of the Treasury and sent out there. Ten thousand! The largest vessel that carries the American flag on the Pacific Ocean could not carry the officials that would be required to execute this bill if it should be done in that manner.

I think, Mr. Chairman, that provision was injudiciously introduced. I believe my friend from Missouri, when he contemplates the subject more maturely, will see that while the end is right the proposed means are wrong.

Mr. CLARK. Does the gentleman refer to the section in regard to ships?

Mr. PERKINS. No, sir; I am referring to the provision in regard to sending Treasury employees to the Philippine Islands to take care of the Chinese there. I will come to the provision about the ships in a moment.

Now, what has the Committee on Foreign Affairs done? The Government has appointed a Philippine Commission, thoroughly familiar with all local questions. Governor Taft, the head of that Commission, appeared before the Committee on Foreign Affairs and gave his evidence. He is in thorough sympathy with the exclusion of the Chinese. What he said before the committee had, I think, more effect than what was said by anyone else in leading the committee to the conclusion that the exclusion of the Chinese from the Philippine Islands was judicious. We have reported in our bill a brief provision, embracing half a dozen lines, in which we propose to authorize and direct the Philippine Commission to take such measures as may be necessary to carry out the provisions of this bill as to the exclusion of the Chinese from the islands and to attend to registration or whatever else may be requisite with reference to the regulation of this subject.

I submit that gentlemen of the House will say, on consideration, that that is, above any other measure that can be proposed, the proper and right way to do. We authorize the local authorities to use their own local means, their own Philippine officials, to carry out the provisions of this proposed law.

I ought to say one word more, Mr. Chairman, on this point, because this bill was submitted to the War Department, and that great Department entirely concurs with the members of the committee in saying that the provisions of the original bill proposing that the exclusion of the Chinese from the Philippine Islands should be carried out by the Treasury Department are entirely wrong. They said, and they said rightly, that those provisions could not be carried into effect. But, naturally enough, the War Department suggested to us that not the Treasury Department, but the War Department, should take charge of this subject.

Now, Mr. Chairman, if there is anything that is desired or should be desired by this Congress it is that, so far as possible, the administration of the Philippine Islands should be in the hands not of the War Department, but of the civil authorities. A large number of these islands are no longer under the control of the Army. We trust the day will soon come when not one of them will be under such control. And therefore the committee would not take any branch of the domestic administration there and put it into the hands of the Army, where it ought not to be, but would place the matter in the hands of the civil authorities, where it ought to be. That is the bill.

Now, Mr. Chairman, there are two other points on which I wish to say a word. This bill, if I may pass any criticism upon it, largely owed its inception, I imagine, in some of its details, to some official in the Treasury Department. I find no fault with that; but every man in every department who sets to work to frame legislation thinks that everything that is to be done can be done and ought to be done by his department. That is human nature. The bill as drafted provided that a census should be taken, or rather, not a census, but that a record should be made of every Chinese born in this country from now on for all time, and that this record should be made under the direction of the Treasury Department; that the Treasury Department should have officials charged with this duty who would necessarily be scattered from the Atlantic to the Pacific, from Mexico to Canada, in every town where a Chinese might be born; and I suppose that a Chinaman is as likely to be born in one town as another. Therefore, under this provision it would be the duty of the Treasury officials to watch if by any chance in any part of the United States a Chinese should be born and to make record of it.

Now, we have just authorized a permanent Census Bureau, with much tribulation, as all members of the House know. Some of us have thought that the duties of that Bureau would be light for a long time to come. Whether that is true or not, certainly, Mr. Chairman, if it be necessary to secure a register of every Chinese baby that comes into the world in the United States, why should not the Census Bureau at least attend to that? Why should there be a branch of the Treasury Department charged with this duty? If officials of the Treasury Department were to be spread over the country everywhere, their number growing and their pay growing, as we know full well would be the case, from year to year, the cost, I venture to say, would be a quarter of a million dollars every year. The duty of this vast body of officials would be to keep a record of the Chinese babies that might be born, and there are not 800 born in this country during a year. Now, is it worth while to spend a thousand dollars to keep a record of every Chinese baby that may be born? The question is whether such an expenditure will pay.

A MEMBER. They are not worth that much.

Mr. PERKINS. My friend near me remarks that they are not

worth that much. So we have cut out that provision. We think that the Census Bureau will be amply competent to keep all records that may be required of Chinese growth and Chinese birth. One other provision, Mr. Chairman, and then I shall weary the members of the committee no longer—that provision I should say, in my judgment, by far the most important provision omitted from the bill as it was drawn. These other provisions, as the committee will see, where we have differed from the bill, are matters of administration, matters of detail. But in one provision we have differed on what may be called a question of principle, and the committee regard it as a question of very great importance.

What is the object of this bill, Mr. Chairman? It is, as stated in its heading, to exclude Chinese coolies from the United States. Let us remember what we are legislating about—to exclude Chinese coolies from the United States. And every member of that committee is glad, and certainly I as much as any other member, am glad to do anything that will exclude Chinese laborers, Chinese coolies, from the United States. Of course, the merchant classes, the exempt classes, come in. Why are we in favor of that? Because, as we all know, the Chinese coolies coming into this country would be a dangerous element by reason of their competition with our own American labor. Well and good. But there is a provision in this bill, Mr. Chairman, which no more excludes Chinese coolies from the United States than it excludes them from Great Britain; not one bit. We struck it out because we thought it was a provision that would do no good, and that would do much harm. And though my friend from Missouri [Mr. CLARK] differs with me in that, I confess I am still very strongly in accord with the views of the majority of the committee.

First, I should say, gentlemen, that among the restrictions against the unlawful landing of Chinese we have in this bill a provision that when a ship comes alongside any wharf or dock of the United States on which are Chinese coolies who are not to be landed, the steamer must give bond in the penal sum of \$2,000 for every Chinaman on board, to see to it that the Chinaman whom they have on board do not get on land—that the ship that brings them carries them away. So, certainly the provision is stringent enough to keep these ships having Chinamen on board—men employed on the ships—from allowing them to land. If a ship has Chinamen on board who are to be landed, then there must be the certificates and the necessary papers to show that they are Chinamen who are entitled to land; but this proposition refers to ships having Chinamen on board who are not to land. There must be a bond signed by the steamship company, with the penalty of \$2,000 for every Chinaman on board who is not to land, that he shall not be permitted to land.

Mr. UNDERWOOD. Does that provision apply to foreign ships as well as to American ships?

Mr. PERKINS. All ships, when they come to our harbors, must submit to this law. So as you see, gentlemen, these Chinamen employed on the ships that sail on the great seas are not going to get into this country. We have made stringent provisions that they shall not come in. But the bill as drawn, as submitted to the committee, contains this provision, that no ship carrying the American flag, no ship admitted to American registry shall employ on it any Chinese. We struck out this provision, because, as the committee can see, it was no more needed for the protection of American laboring men living in America, and it has no more to do with them than it has with British laboring men living in England, not one bit.

These Chinamen employed on American ships can not land; they can not get into the United States; they can not come into competition with United States labor. That is out of the question. But what is the result of this provision if passed? There are on the Pacific Ocean 60 steamers sailing from San Francisco to the East. Of these, I regret to say, there are only 3 steamers that float the Stars and Stripes. It has been the endeavor of the Republican party and of the Democratic party, and it is the endeavor of every American, to do anything we can to increase the American marine, to see that more ships on the ocean carry the American flag, because where they carry the American flag they carry American commerce, American trade, and American civilization. We will all agree in that.

Now, when that is our object we are met with this provision, and what will be the result? Mr. Chairman and gentlemen of the committee, when a ship goes out on the high seas it must meet all the world in absolutely free competition. There are no protective tariff laws or registry laws or any other laws that can help a ship when it sails on the Atlantic or the Pacific. It must meet the whole world in absolutely free competition. How many Chinese do you think are employed on these three steamers, which, I am sorry to say, are the only steamships we have on the Pacific? As I am informed, there are a little over 300 of these Chinese—only 300 Chinamen. If they were dismissed from these ships, would American

laborers take their places? Not one bit of it, gentlemen. If these 300 men were sent off, I make the prophecy that not one man who now breathes the air of the United States of America would take their places. If these steamers were kept under American registry, the places of these 300 Chinese would be taken by Japanese and by Malays.

Now, what is the work done by these Chinese. These ships sail through the hottest parts of the world; they sail through the Tropics. The Chinese they employ work about the furnaces. They work about cleaning the ship, and they do work, Mr. Chairman, that no American laborer would do or could do or ought to do. It would be a sad thing, Mr. Chairman, if any American laborer was driven to do the dog's work that is done by the Chinese in these boats. What would be the result of this provision? We could not make place for any American laborers. We know that beyond any possible doubt, from what the agents of the steamers say, and common sense makes us believe it, that the only result of this law would be that the three ships that now carry the United States flag on the Pacific would no longer do so.

One word more, because this is the only provision which I care to discuss, and I have but little further to say about it. If that provision forbidding the use of Chinese laborers on the ships carrying the American flag is restored to the bill, you will have just one result. You will not keep one Chinaman out of the United States; you will not find work for one more American laborer; but the Stars and Stripes of the American flag will no longer float over a boat that sails from San Francisco over the Pacific. The American Steamship Company will take a British register for each of their ships. Believing that to adopt the bill with that provision in it would do no good and would do much harm, I hope this committee will join with the Committee on Foreign Affairs in agreeing that it was a judicious act to strike this provision from the bill.

Mr. FITZGERALD. Will my colleague allow me to ask him a question?

Mr. PERKINS. Certainly.

Mr. FITZGERALD. Section 11 of the bill enumerates the ports at which Chinese may enter. I will ask if there is any change from the ports enumerated in the present law?

Mr. PERKINS. I understand there is not.

Mr. FITZGERALD. I understand that they are now permitted to enter at Ogdensburg alone in the State of New York.

Mr. PERKINS. I understand that is by permission. The gentleman from New York will see it in the bill.

Mr. FITZGERALD. Under a provision that that might be done by Commissioner-General of Immigration.

Mr. PERKINS. The Commissioner-General, I understand so; and the same power is in the Commissioner-General of Immigration to designate additional ports besides those given in the bill.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LOVERING having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed with amendments bill of the following title in which the concurrence of the House of Representatives was requested:

H. R. 9206. An act to make oleomargarine and other imitation dairy products subject to the laws of any State or Territory or the District of Columbia into which they are transported, and to change the tax on oleomargarine, and to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 3, 1886.

The message also announced that the Senate had passed the following resolutions, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 27.

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill (S. 1572) granting an increase of pension to Abbu George.

Senate concurrent resolution 31.

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill (S. 3016) granting an increase of pension to Robert S. Woodbury.

CHINESE EXCLUSION.

The committee resumed its session.

Mr. HITT. I will ask the gentleman from Missouri to take his time.

Mr. CLARK. Mr. Chairman, since this House has ceased to be a deliberative assembly, and become a "business body," it desires facts rather than rhetoric, elucidation of the subject under discussion more than eloquence.

The question of Chinese exclusion has for more than a quarter of a century been one of extreme difficulty, taxing to the utmost the ingenuity of the Congress and the thought of the country to

derive a solution which will exclude the Chinese from competition with our laborers and at the same time retain and increase our trade with China.

It would be easy to pull down the bars and let the Chinese in ad libitum—a thing not to be thought of for one moment by any lover of his country. It would be a simple performance to shut out, rigorously and ruthlessly, Chinese of all classes—a proposition to which there are objections in various quarters. But the task which the Congress seems to have set for itself, of excluding as many Chinese as possible without giving such offense as will destroy our trade with the Chinese Empire, is one of the most vexatious problems that the legislative mind has ever considered.

Within the last five years both the difficulties and the dangers of the situation have been multiplied; first, by a decision of the Supreme Court of the United States, in the case of Wong Kim Ark against the United States, in the 169th United States Report, declaring that a Chinese born in this country of parents subject to our jurisdiction is a citizen; secondly, by the annexation of Hawaii, the Philippines, Porto Rico, Guam, and other islands, as the title bill says, "too tedious to mention." That decision of the Supreme Court sounded like a fire bell at midnight. In the wild orgy of annexation in which we have been recently indulging, we took to our palpitating bosoms hundreds of thousands of Chinese, of all classes and conditions, ranging from savants and merchant-princes to coolies, who are a little above the beasts that perish.

When we annexed the Sandwich Islands we took twenty-odd thousand Chinese. When we acquired the Philippines we took in a number of Chinese variously stated at from two hundred thousand to a million and three quarters. Consequently, for the first time, the Congress is confronted with the exceedingly difficult proposition of holding our newly acquired provinces, colonies, or insular possessions—whichever or whatever you please to call them—and at the same time excluding from our mainland the denizens of these same provinces, colonies, or insular possessions.

Verily, verily, we have troubles of our own—lots of them. Not having enough on hand prior to the Spanish war to suit our taste, like the Knight of La Mancha, we went forth in quest of ventures to the uttermost ends of the earth, even to far Cathay, and we accumulated troubles enough, not only to last us during our natural lives, but to harass our posterity to the remotest generation, unless we possess the courage, the resolution, the wisdom, and the patriotism to unload them and thereby end them. Without being a prophet, or the son of a prophet, I make bold to predict that should the Supreme Court of the United States decide—as many think it will decide—that the citizens or subjects of Spain, resident in the islands we annexed, became when annexed *ipso facto* citizens of the United States, the people of this country will speedily find a way to rid themselves of that huge incubus; because it can not be that in their sober senses Americans will deliberately determine to subject American laborers to death-dealing competition with the cheap labor of the Orient.

The truth is that it is high time the laborers of this country were waking up to the fact that their one escape, not only from competition with European cheap labor, but from unrestricted competition with the cheaper labor of Asia, is for us to at once and forever cut loose from the Philippine Islands. [Applause on the Democratic side.] It is their only salvation. Suppose the Supreme Court of the United States decides that the subjects of Spain residing in the islands we annexed became American citizens by the act of annexation, then what? The probabilities in the case are that the Supreme Court will decide that Congress has no power to restrict the free locomotion of an American citizen into any part of the territory over which the Stars and Stripes float, and the laborers of the country, for whose benefit this bill is made, might just as well wake up now as later on to the realization of the fact that the whole tendency of this latter-day annexation is to bring them into ruinous competition with the cheap labor of Europe and the cheaper labor of Asia. There is no sense in locking the barn after the horse is gone. The quicker we get rid of the Philippines the better off the laborers will be; the better off we will all be.

If we do not speedily unload these accursed islands, the day is not far distant when all of us, especially the laborers of the land, will in agony of soul exclaim: "Who will deliver us from the body of this death?" Should it be decided that the free locomotion of the inhabitants of the Philippines can not be restrained, the yellow flood will pour in and utterly submerge the laborers of America. Our retention of the Philippines means a reduction of wages to the Asiatic level. That is one of the main reasons why I was opposed to acquiring them and why I am dead against keeping them.

That the longer we keep them the harder it will be to get rid of them is a proposition too plain to be argued.

Let no man hug to his breast the delusion that Asiatics can work only as unskilled laborers, for the evidence in the case flatly

contradicts that theory. They have the imitative faculty largely developed and soon learn to do anything they see done. Consequently they will not only compete with unskilled laborers but also with those of all degrees of skill, even unto the highest.

The cry once rang along the Pacific coast, "The Chinese must go!" Some day the laborers of America in self-defense will raise the cry, "The Philippines must go!"

The Committee on Foreign Affairs has been wrestling with these brain-racking problems for two months.

We have listened patiently to a vast array of witnesses—ex-Cabinet ministers, ex-ambassadors, ex-governors, ex-Senators, great lawyers, great editors, Congressmen, the head of the Federation of Labor and the heads of other labor organizations, representatives of our sailors, the commissioners of the State of California, representatives of great commercial bodies and of great lines of transportation, ministers of the gospel, the Commissioner-General of Immigration and other Treasury officials—male and female, great and small—until their evidence constitutes a large, instructive, and decidedly interesting volume.

To no question was there ever given a more patient, a more thorough, or a more conscientious investigation. I say this gladly as to the entire committee.

We agree that Chinese laborers on land should be excluded; we differ somewhat as to how best to accomplish that end.

The majority refuse to apply the exclusion principle to Chinese seamen, while the Democratic minority desire to make the exclusion apply both by land and sea.

Upon these differences we ask the judgment of the House.

The report of the minority, among other things, says:

The question of Chinese exclusion is largely a racial question and largely a labor question.

Because our Pacific coast is the chief place of entrance of Chinese into our country, because a vast majority of Chinese immigrants settle on the Pacific coast, and because American citizens resident on the Pacific coast having had more experience with Chinese than the rest of our people, they understand the Chinese character better and are better fitted to know what legislation is necessary to solve the numerous and difficult problems connected with Chinese immigration.

Individually, I go further and say that the Chinese question is the race question of the Pacific coast. There is no use dodging it. The Chinese problem is to the Pacific coast what the negro problem is to the Southern States, except that the race question of the South is entirely a domestic question, while the race question on the Pacific is complicated with international questions. I believe, moreover, that the white people of the South are the most capable of dealing with their race question, just as the white people of the Pacific coast are most competent to deal with their Chinese race question. [Applause.]

Upon these race questions I unhesitatingly take my position with the white people of the South and the white people of the Pacific coast.

The substitute reported by the Democratic minority is substantially the bill desired by our Pacific coast citizens and by the laborers of the whole country, which is a very persuasive reason why it should be adopted by the House.

Another strong argument in its favor is the fact that it is identical with Senate bill 2060, as reported to the Senate unanimously by the Committee on Immigration, and which will, most probably, be passed by the Senate. Time presses. The Geary Act expires by limitation on the 5th of May, and whatever legislation we intend to place upon the statute books should be enacted as soon as is consistent with a thorough understanding of the subject. In order to win the fight against time the Democratic minority concluded it better to report the Senate bill, though some of us would prefer a different phraseology for some portions of it; but we did not propose that any hair-splitting about the verbiage should delay this most important legislation.

On the whole, the Democratic minority substitute is more drastic than the majority bill. Wherever the Democratic substitute differs from the majority bill it is for the purpose of strengthening the bill and making Chinese exclusion more effective and to more thoroughly protect our laborers from a competition which would prove absolutely ruinous to them and consequently to the whole American people.

The first great question on which the minority and majority differ is this: Whether a ship flying the American flag shall carry Chinese seamen. The section is as follows:

And it shall be unlawful for any vessel holding an American register to have or to employ in its crew any Chinese person not entitled to admission to the United States, or into the portion of the territory of the United States to which such vessel plies; and any violation of this provision shall be punishable by a fine not exceeding \$2,000.

The Pacific coast delegation wrote that section into the bill. The majority of the committee struck it out. The minority propose to put that section back. The majority of the committee say, first, that if we put that section in the bill every one of these steamships doing business on the Pacific coast will go under the British flag. I do not believe a word of it, and I will give you my reasons. Ships sailing under the American flag have the

benefit of the coastwise trade, which includes the trade of Hawaii and the trade of the Philippines.

I repeat this statement, because I "am fighting for blood" on that section, and if I can not get the substitute adopted in its entirety I intend to offer detailed amendments to the majority bill. Not a single American steamship on the Pacific will ever go under the British flag, because the American ships have the benefit of the coastwise trade, which is enormous in quantity and profit, including the trade of the Hawaiian Islands and the trade of the Philippines.

Mr. GILLETT of Massachusetts. The gentleman does not mean, does he, that only American citizens can carry on the trade with the Philippines? I do not understand that that is included in the coastwise trade.

Mr. CLARK. If not, it soon will be. If we keep on, the Philippines will be included in that trade.

Mr. WACHTER. Suppose a ship is in a port where it can not obtain any other than Chinese seamen?

Mr. CLARK. Wait a moment and I will answer that point. I will only say now that a ship will never get into such a port.

The gentleman from Massachusetts [Mr. GILLETT] does not deny that the trade with Hawaii is a part of the coastwise trade?

Mr. GILLETT of Massachusetts. Oh, no; but I do not understand that it includes the Philippines.

Mr. KAHN. I believe that under the Philippine tariff act the trade with the Philippines will become a part of the coastwise trade in 1904.

Mr. CLARK. Yes; I think that is true.

There is another reason: under the American flag there are two lines of steamers plying between our Pacific ports and the Orient—the Pacific Mail Steamship Company, which is nothing except a continuation on water of the Southern Pacific Railroad and the Union Pacific Railroad, making a through line by land and water from New York to Hongkong, and the Northern Pacific Steamship Company, which is nothing except a continuation of the Northern Pacific Railroad upon water, making a through line from New York to Hongkong. Is there anyone in this House simple enough to believe that the steamships of those lines are going to switch off from an American registry to a British registry and forego the coastwise trade, which is growing like Jonah's gourd, and at the same time break up their lines of communication from New York to Hongkong? I do not believe a word of it; and the proposition that Mr. Everts made in the committee—he is one of the greatest lawyers in the country—was a "bluff" pure and simple.

Another thing. The majority say in their report that we can not run our ships in a hot country without Chinese in the stockholds, etc. Let us see if that is true. Of course the gentlemen on the committee would not state a thing they did not believe to be true; it is merely a question of information. Listen to the facts. The ships plying between our Pacific ports and Australia and New Zealand carry only white sailors on board. Why? In the first place, the stevedores and longshoremen in Australia and New Zealand refuse absolutely to handle the freight carried on a ship that employs Chinese sailors. That is one good reason. The second is that the Australian and the New Zealand governments will not give any part of the mail subsidy to a ship that carries Chinese sailors. The two reasons suffice.

It is going into a hotter country to Australia and New Zealand than that through which our trade between the Pacific and China passes. That is fact number one about the heat. In the second place, our ships and transports plying between our Pacific ports and Manila do not carry a single Chinese, although they run 20 degrees closer to the equator and therefore get into a good deal hotter climate than the ships that ply between our Pacific ports and China. That is not all. I will give you a more convincing proof than that that there is not any sense in carrying Chinese on board ship at all. The ships that ply between our Atlantic ports and Central and South America, and which cross the equator going and coming, carry nobody but white men. Surely you can not find a hotter place than the equator—in this world, at least. [Laughter.] Another thing. In our coastwise trade between our Pacific ports that goes down to Panama the ships cross the hottest tract of ocean on the face of the earth, and nobody but white sailors are on board those ships.

One other fact: The Atlantic ships that go through the Suez Canal and the Red Sea carry nobody on board but white people. One other fact and then I will finish that branch of the subject: The Firemen's and Seamen's Union sent to me, and I propose to every member of the committee and perhaps to every member of the House, resolutions asking that this section be put into this bill, asserting absolutely that they can find white sailors and white men to work in the stockholds, contradicting any theory that heat will prevent it. Here are their resolutions:

Whereas during the subsidy debate, and also during the hearings on the Chinese-exclusion bill, it has been stated in Congress that white firemen, for

reasons of health, can not be employed in the fire rooms of steamers trading in the Tropics and

Whereas this statement is being used to deprive us of the protection against Chinese competition: Therefore,

Resolved, That we, the Firemen's Union of Philadelphia, call attention to the fact that we sail in vessels on the Gulf coast to Central and South America and in any vessels anywhere as long as we are wanted and paid; and

Resolved, That in our opinion it is not a friendly act to deprive us of work and give it to the Chinese; and further

Resolved, That it would be more frank and friendly to state the reason why Chinese are carried, it being known of all seafaring men that the wages of Chinese are \$3, while we as American firemen insist upon about four times that amount; and further

Resolved, That, being good enough to fight under the flag for its honor, we ought to be good enough to make a living under it.

Approved by regular meeting March 25, 1902.

WILLIAM ROBERTSON, Chairman.
HORACE ATKINSON, Secretary.

Whereas Senator HAZEN and Senator FAYE stated that the heat in the stockholds of steamers trading to the Orient is such that no white stokers can endure the same; and

Whereas this statement appears to have been the cause of the Senate voting down the anti-Chinese amendment to the ship-subsidy bill; and

Whereas this statement is without any foundation in fact, the truth being that white stokers go in the transports from the coast through the Bazar, the Red Sea, and the Indian Ocean to the Philippines, and that white stokers go to the West Indies, Central and South America; Therefore, be it

Resolved, By the Marine Firemen's Union, of New York, in regular meeting assembled, that we repudiate the heat argument and the idea that it had any justification in any humanitarian concern for the health of the stokers or marines firemen; and further

Resolved, That we have been and are now willing to serve as stokers in those vessels, and will gladly do the work now done by the Chinese; and further

Resolved, That we hereby urge upon Congress to give to us, who go to sea, the same protection from Chinese competition that it shall be willing to give to workers on land.

WILLIAM MACQUEEN, Chairman.
JAMES W. BIRD, Secretary.

MARCH 25, 1902.

My next objection to the proposals of our associates of the majority is to the striking out of the seventeenth section of H. R. 2330. The section provides that before certificates of status shall be issued by diplomatic or consular representatives of the United States or shall be issued by other officers of the United States, in the case of the "exempt" classes of Chinese persons, there shall be careful investigation of status. We heartily indorse the opinion of the Bureau of Immigration experts that the section is one which, if made law, will be productive of much good and of no harm.

Experience has clearly proved that there would be a great deal less friction and much more expedition in dealing with Chinese immigrants on their arrival at our ports if careful inquiry were made on the other side of the Pacific. There should be a weeding out of the impostors before vessels sail from the Orient, and then there would be a minimum of fraud and scandal here. We have not heard any sound reasons for denying the Treasury experts' suggestion that section 17 ought to be retained as a valuable aid to early discovery of masqueraders and consequent safeguarding of immigrants having a right to enter our territory.

Now, your question [to Mr. WACHTER].

Mr. WACHTER. I would like to know when a ship strikes a port, and where they can not get anything but Chinese sailors, or at least the bulk of them Chinese, what are you going to do in that case?

Mr. CLARK. My judgment about it would be that when a ship struck a port it would have the crew that it started out with and could get back with that same crew, and if it leaves the Pacific ports with white men on board, it would bring them back again.

Mr. WACHTER. I am not speaking of the mail steamers, the regular liners, but I mean the tramps and sailing vessels.

Mr. CLARK. If they sail under our flag, if they leave the Pacific ports, and this section is put back into the bill, they have to have a white crew, and they can go out with a white crew and come back with it. I would not ruin American trade. There is nobody in this House who is constituted the special guardian of American trade, but here is my conclusion: That if all this talk and worry and propositions for expenditures of millions of dollars to have an American merchant marine means nothing more than that the profits of that business shall go to a job lot of Chinese, I say that all the talk about a merchant marine is tommyrot; but if white men are to profit by it, I am in favor of a merchant marine.

Mr. WM. ALDEN SMITH. Does the gentleman from Missouri mean, when he says white men, Americans or aliens?

Mr. CLARK. The best white man that you can get are American white citizens—either native or naturalized.

Mr. WM. ALDEN SMITH. I agree with that.

Mr. CLARK. And I would not have sailing on an American ship any white man who is not either native born or naturalized, or who had not given notice of taking out naturalization papers as quick as the law will allow him to. [Applause.] The American merchant marine is the nursery of the Navy, and a Chinese having no patriotic impulse toward his own country will not have any toward ours [applause], and I would rather a good deal, if I

had to fight at sea, be aboard a ship whose sailors, clear down to the lowest, were American citizens, than to have a lot of foreigners on board who were not American citizens, and who had never declared their intention to become American citizens, and who had no intention of becoming American citizens.

There testified before the Senate committee a man, Captain Seabury, who was very friendly to the Chinese, but they twisted it out of him on cross-examination—and it was a corkscrew performance, too—that the Chinese, if given a chance, would drive any other set of sailors off their own ships; that they have driven the Japs off their wharves where they are permitted to compete; that they have driven the Lascars off the English ships, and the Americans off the American ships. There is one other thing about this business which is not true: That the difference in running a ship manned by Americans or white men and Chinamen would be as great as it is made to appear. Captain Seabury admitted that 30 white men were equal to 32 Chinese sailors. So that makes a good big difference of itself.

Mr. WACHTER. In what way?

Mr. CLARK. Why, in capacity to work; in disposition to work.

Mr. WACHTER. And in the amount of money, too.

Mr. CLARK. The American sailor gets \$30 a month and the Chinese sailor \$7.50.

Mr. RICHARDSON of Alabama. Now, what does the Chinese sailor live on?

Mr. CLARK. On rice and fish, chiefly. I will tell you who will profit by having Chinese sailors. The owners of the ships, and nobody else. Now, if our stevedores and longshoremen will form a league, offensive and defensive, like those New Zealanders and Australians, not to handle cargoes carried by ships that have Chinese sailors on board, and if our legislators will act with as much sense in the preservation of the integrity of the white race as Australia and New Zealand have, and declare that under no conditions shall any ship carrying Chinese on board have any subsidy for carrying the mail or anything else, then you will never hear another howl as long as you live about this Chinese sailor business.

It is of no use to be deceptive about things, and I will confess that at one time I took the identical view of this section defining the Chinese that the majority do. I thought the rest of it was tautology; but I read this book of evidence, and put in about three weeks doing it. Our friends of the majority say:

That the term "Chinese" and the term "Chinese person" as used in this act are meant to include all persons who are Chinese either by birth or by descent.

That is where they stop, and at first blush it looks as though it is enough; but our minority put back the old section:

Sec. 32. That the term "Chinese" and the term "Chinese person" used in this act are meant to include all male and female persons who are Chinese either by birth or descent, as well those of mixed blood as those of the full blood.

Now, why do we want added these words:

As well those of mixed blood as those of full blood, and males as well as females.

I will tell you why. If you cut that section off at the word "descent," there is not a Chinese in Hawaii or in the Philippines who will not be able to prove that he has a strain of some other sort of blood in him. Every one of them will turn out to be a mulatto.

I have an argument that I can address to Southern men with the hope of intelligent appreciation, but not with much hope of belief to Northern men, simply because they do not understand the situation. That is that by common consent down South anybody who has one drop of negro blood in him is classed as a negro. If that applies to the negroes, it certainly ought to apply to the Chinese.

You know there are certain excepted classes. The fellows who are excluded are the laborers. If there was some way to pick out a laborer just by looking at him, there would be no difficulty about it at all. Teachers, merchants, officials, and persons traveling for curiosity or pleasure are exempted, and then any sort of a Chinese under certain conditions is permitted to pass through this country under what are called transit privileges. When it comes to defining these exempted classes it is an extremely difficult matter. The original bill and this substitute that we offer define teachers more elaborately than the majority bill does. Here is the way the Pacific coast people wrote it:

Sec. 6. That the term "teacher," used in this act, shall be construed to mean only one who, for not less than two years next preceding his application for entry into the United States, has been continuously engaged in giving instruction in the higher branches of education, and who proves to the satisfaction of the appropriate Treasury officer that he is qualified to teach such higher branches and has completed arrangements to teach in a recognized institution of learning in the United States and intends to pursue no other occupation than teaching while in the United States.

The majority of the committee changed that to those who "have been engaged in teaching." The minority reported it as the Pacific coast people wrote it: "And has completed arrange-

ments to teach in a recognized institution of learning in the United States and intends to pursue no other occupation while teaching in the United States." You want to know, in order to vote intelligently, what object we have in not leaving it simply "teaching" and making it "teaching in the higher branches."

Well, I confess that I learned a vast amount while the committee has been making its investigations. To my utter amazement, and I actually believe to the amazement of every man on that committee except the chairman, who has had large experience, but to my amazement, at any rate, I found out that primary education is well-nigh universal in China; that they have compulsory education, and they have a provision that if a Chinese child does not go to school they thrash his daddy for not sending him to school, instead of thrashing the child. [Laughter.]

If I had been called on two months ago to give an off-hand opinion as to what proportion of Chinese could read or write, I would have been willing to risk my head on the fact that not more than one in ten thousand could do so. I have increased my stock of knowledge on this subject at least. Now, you leave it at "teaching" and do not put in "higher education," and every cooly will apply to enter as a teacher. I am informed by credible men that before we had that restriction in there for higher education, primary Chinese schools sprang up in San Francisco and on the Pacific coast like mushrooms in a damp cellar, and that coolies who came to work as laborers really, by the score and by the hundreds, came into this country under the cloak of being "teachers."

Mr. ADAMS. Mr. Chairman, will the gentleman permit a question?

Mr. CLARK. With pleasure.

Mr. ADAMS. They are to have a contract with an American institution of learning, are they not?

Mr. CLARK. Yes.

Mr. ADAMS. Therefore there would have to be collusion between an American institution of learning and the Chinaman?

Mr. CLARK. That is just it exactly, and there was collusion.

Mr. ADAMS. I have a better opinion of American institutions of learning than to believe that they would enter into collusion for the evasion of the law.

Mr. CLARK. What is an institution of learning? Why, a primary school is as much an institution of learning as Johns Hopkins, Yale, Harvard, Princeton, or the universities of Michigan, Virginia, and Missouri. Of course it is a different sort of institution of learning. The bill says, "a recognized institution of learning." It does not say an American institution of learning. Now, my friend from Pennsylvania, these are the schools, and this is just exactly the way the collusion was performed. I am opposed to it, and I want to say, gentlemen, that the whole difficulty of the situation grows out of the utter duplicity of Chinese character, and I am going to show you an instance.

Among other things which are provided in this bill, in the majority and minority report, is this: A Chinese merchant who is here and who has the right to be here, who goes back to China on a visit, and who claims entrance again by right of previous residence here, is required to show that he has at least \$1,000 worth of property. Now, I want to show you how he gets around that. Here is a case. Mr. Dunn, of the Treasury Department, stated it. There was a boy who wanted to get in as a merchant. He had to make it appear that he had \$1,000 worth of property and that he had been a merchant. Now, listen to this astonishing evidence:

I will not stop to read this testimony at length. This boy was asked about his history as shown in the certificate.

And as to his mercantile status. He claimed that in a certain year, which would have been at about the age of 16, he had invested \$2,000 in a store in China.

And two years later he had invested \$1,000 in still another store, and had disposed of his interests there.

I said, "You say that when you were a mere boy of 16 you were a merchant with an interest of \$2,000 in a store?"

(That would be a small fortune to a man in China, you know.) He said, "Yes," very blunderly. I asked, "Where did you get the \$2,000?" He answered, "God gave it to me."

[Laughter.]

It was the first time I had ever known of a Chinaman claiming any direct assistance from the Almighty, and I was mystified. I said, "Do you mean to say that God gave you that \$2,000?" He said, "Well, God gave me \$1,500 and my father gave me \$500."

[Laughter.]

"How did God give you the \$1,500?" "Why, he sent it to me." "How? Right from heaven?" "Yes." Then he went on to describe how God sent the \$1,500 to him, and that when he saw it fall from heaven he picked it up.

[Laughter.]

How are you going to get around witnesses like that? Questioning him a little more closely, I said, "You are sure it was exactly \$1,500 that God sent you from the sky; you saw it fall and picked it up?" "Well," said the Chinaman, "God sent me the winning lottery ticket that won \$1,500." [Laughter.] That is surely a remarkable bit of history. Now, that is the trouble; that illustrates it. There used to be a police judge in St. Louis

who was death on tramps, but he had a very tender heart for laborers who got into trouble; and when a fellow would come into the police court, ranked up for loitering around, and claimed that he was a laborer, the police judge would make him stick out his hand and he would examine it, and if he did not have the proper marks on it he would send him to the workhouse. So at last the poor tramps would go out and rub their hands industriously on the brickbats and make corns on them and come in and undertake to deceive the judge that way. [Laughter.]

There is a provision in here that the Chinese shall be allowed to bring with him his minor children; and it is absolutely true that one Chinaman 40 years old tried to get into San Francisco as the minor child of another Chinaman. I heard a distinguished member of the committee tell this tale: The Canadian Pacific Railway has always tried to sneak these coolies over our border, and they let them get off the train about three miles and a half the other side of the border, and then they would send them through the bushes, and then they would take them on just this side of the border. They would haul them sometimes in wagons, and one night they undertook to haul five of them through concealed in a great big music box. Generally they went through like Old Nick was after them and never stopped anywhere; but that night the driver got thirsty and he stopped at a town to get him a drink, and the Chinese in the music box, thinking he had arrived at the destination, and as the consul was watching, out popped five Chinese ghosts from the music box. [Laughter.]

The second section of this bill is bothersome. Section 2 says:

That from and after the passage of this act the entry into the mainland territory of the United States of Chinese laborers coming from any of the insular possessions of the United States shall be prohibited; and the prohibition shall apply to all Chinese laborers, as well those who were in such insular possession at the time or times of acquisition thereof, respectively, by the United States as to those who have come there since, and those who have been born there since, and those who may be born there hereafter.

I will tell you very frankly why I wanted to put that section in, and especially the last clause of it. The minority say they have grave doubts about the constitutionality of that section. Gentlemen, I do not believe—and I am not setting up to be a Solomon, either—I do not believe that the decision of the United States Supreme Court in Wong Kim Ark against the United States, declaring that the Chinese born in this country of Chinese parents are American citizens, is a sound and just decision. I want to see them compelled to decide that case over again, and the only way that you can compel them to decide that question again is to put that language in this bill.

Mr. LESSLER. What was the decision in that case?

Mr. CLARK. It decides that Chinese born in the United States of Chinese parents, subject to our jurisdiction—and that means everybody except diplomats—are American citizens, clothed with all the immunities, privileges, and duties of American citizens. I do not believe a syllable of it. They decided it under the first clause of the fourteenth amendment, which says that anybody born in the United States or naturalized here is a citizen. That is the strict letter of that amendment, but in construing a law it has always been held that you must consider the history of the times in which the law is written, and it was said in the celebrated Slaughterhouse Cases by Mr. Justice Miller that the thirteenth, fourteenth, and fifteenth amendments were passed for the sole benefit of the negroes.

I do not believe that the Congress that passed the fourteenth amendment was thinking any more about making citizens out of Chinese than they were of making a citizen of the man in the moon. [Laughter.] If the Supreme Court never had changed its opinion, I would hesitate a long time before I would say anything in the way of dissent from it; but I recollect, that it first declared the legal-tender act unconstitutional, and then the Supreme Court was enlarged and packed in order to get a majority that would hold the legal-tender act constitutional. It is within the recollection of persons who are yet children—that the income-tax portion of the Wilson-Gorman bill was declared unconstitutional because one supreme judge changed his mind over night. And if the court can change its ruling so quickly as that on a question like the income tax or a question like the legal-tender act, it certainly can change it on a question involving the momentous proposition of making American citizens out of Chinese.

A strange fact in this connection was stated by the gentleman from New York [Mr. PERKINS] that there could not have been more than 200 Chinese born in the United States. And he was right, because the Chinese women who are brought over here for nameless purposes have a certain surgical operation performed upon them before they are brought here, so that they can not conceive or give birth to children. But notwithstanding the fact that there could not be more than two or three hundred born here, 5,000 Chinamen have claimed under that decision since 1897 that they were born here.

Mr. KAHN. Five thousand in the States of New York and Vermont alone.

Mr. CLARK. I am glad to have the gentleman make the correction; it makes the case that much stronger. The matter, it appears, is worse than I stated it. It is said to be an absolute fact that the records of the California courts show that one Chinese woman out there is the mother of 500 children. If she had been a short-horned cow she would have been worth more than a Cripple Creek gold mine. [Laughter.]

While the birth of Chinese in the United States proper—God save the mark—could not amount to much, because the women coming here are incapacitated for conception; the fact is not the same in the Philippine Islands. Governor Taft has reported that there are some 200,000 to 400,000 Chinese over there, and the representatives of the Federation of Labor say that there are a million and a quarter to a million and three-quarters of Chinese—full blood and mixed blood. With a million and three-quarters of them breeding over there, this becomes a very serious question.

I am willing to take the chances on this question of the constitutionality of section 2. I am willing to take the chances rather than have the Philippine Islands used as a breeding ground for Chinese that may become American citizens and may come here and compete with American labor. I thank God fervently and reverently this day that whatever calamities may accrue to this country in general, and the laboring people in particular, from the mania for universal annexation, that in the day of judgment nobody can say to me "Thou didst it." I fought the annexation of the Sandwich Islands on this very proposition. I fought the annexation of the Philippines on this proposition, and I want it written on my tombstone that I was one of the 35 men in this House, out of 367, who had the courage, the patriotism, the nerve, and the good sense to vote against paying Spain \$20,000,000 for the Philippines.

My friend from New York [Mr. PERKINS] says that it would be an unnecessary expense to register these Chinese babies. It would not cost near as much as he says, anyhow. It will cost us only a dollar a head, and if there are only 300 babies born the expense will be only \$300 instead of a million—a very considerable difference. In the original bill it was provided that in the Philippine Islands the Chinese themselves could pay for this registration, and I am in favor of that.

But I will state why I prefer that the Treasury officials should attend to this matter. They already know how. They have the machinery. They know the ways and the manners of these people. They can do this work more cheaply and more effectively than anybody else. But I will not particularly object to that part of the bill providing that the Philippine Commission shall arrange this business over there. I would not object very much to the Army doing it. But I want to ask my friend from New York, How can the Philippine Commission register the Chinese in Porto Rico? They have no jurisdiction there.

For these reasons I am in favor of these provisions going into this bill. I intend to offer them or somebody else will as amendments to the majority bill. If these and some 20 or 30 other amendments that have been prepared are inserted in the majority bill, I have no objection to that bill passing. But if we do not secure these changes by way of individual amendments, I intend to secure, if I can, a square vote on this substitute that the Democratic minority of the committee have reported that embraces all of these changes.

Now, some of us do not like some of the phraseology of this bill and do not want to stand for it. The truth is, that nearly all of this stuff that seems to be tautology and redundancy is either a part of the old statute on the subject or is a part of the decisions of the Treasury officials of the United States. There is not a lawyer in the House that does not know that finally somehow or other every word of a statute has to be construed; and where the statutes have been construed it is better to retain the old language even if it does not exactly suit us in its phraseology.

I do not believe that this bill will lose us the trade with China. The Chinese do not trade with us because they love us. They follow the rule of nature and of common sense, buying where they can buy the cheapest and selling where they can sell the highest. Senator Beveridge has been writing some exceedingly interesting letters about China in the Saturday Evening Post. In one of them he thus discourses on force and kindness as applied to the Chinese:

Germany, too, is insidious and insistent in creating an impression on the Oriental mind that she is the world's superior power. Whosoever there is an excuse for the display of military force, German soldiers are seen. The writer never visited, on two extended trips to China, a single Chinese port in which one or more German war ships were not found. The German military element was so predominant in Shanghai in the summer of 1901 that a casual and unimpaired traveler might have been excused for thinking it a German colony. No one who knows the peculiar practical quality of the German mind will believe for an instant that all of this is for mere show. It is the working out of a carefully evolved theory about China and its inhabitants, and Orientals in general. With the same patience with which their scientists have evolved working theories, the stolid politicians with which they have developed and put into practice theories of navigation,

the German has developed his theories of the oriental mind and character, and bases his treatment upon it.

In a word, that theory is that the only two things which the oriental mind understands are a plain demand and over-whelming force. The German does not believe that the Chinaman is grateful for special favors shown him. His German theory is that the strong hand is the only thing an Asiatic respects. Therefore, everywhere the German beyond, everywhere the German uniform, and everywhere German ships of war; and now there is the beginning of another "everywhere," and that "everywhere" is German barracks.

How does all this affect German trade? Alongside of the military phenomenon just noticed is a growth of German trade in the East quite unequalled in its rapidity. In Hongkong the most active and with one exception the largest merchant houses are German. In Shanghai there are 50 German firms, some of which, like Arnhold, Karberg & Co. and Carlowitz & Co., are immense establishments with branches at every treaty port.

Though the report and returns of trade issued by the China imperial maritime customs show the great bulk of trade at this central port to be still English, there is nevertheless a falling off of English and a rapid advance of German importation.

But does not this constant military menace of Germany interfere with her trade? Does it not anger the Chinaman? Is it not natural that this people should buy of those they like better than of those they hate? Were questions asked of the leading American merchant in China and one of the best-informed men in the Empire. "Naturally one would think so," he replied, "but it is not true. Chinamen come to us and abuse the German with words, but go to him and buy his goods. So far from decreasing German trade, this military reputation which they are working so hard for is the best advertisement they could have with Chinese customers."

There is a proposition pending here to this effect—not in this bill, for there have been 27 bills introduced in here—to make a four or five line bill just simply extending the present law. I will give you as good a reason as you ever heard why that should not be done and why it will not accomplish anything.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK. I believe I will take ten or fifteen minutes more, Mr. Chairman, and I will get through.

Mr. HITT. I will ask unanimous consent that the gentleman be allowed to proceed until he has concluded. After he is done I trust we can make an arrangement as to time and not take the rules of the House, but some agreement to divide the time and have it allotted.

Mr. CLARK. Yes, we will do that.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Missouri have the opportunity to conclude his remarks. Is there objection?

There was no objection.

Mr. CLARK. In order that you may understand that proposition I will state the facts as briefly as possible. The first treaty we had with China was in 1844, negotiated by Caleb Cushing, a great man. That simply provided for commercial relations. Then in 1853 there was another treaty extending that. Then in 1868 Anson Burlingame turned up here at the head of the Chinese embassy, as the first ever sent here—having resigned his position as United States minister there to accept that curious position—and negotiated the Seward treaty of 1868, in which we guaranteed unlimited Chinese immigration into this country. They came, and they came in such numbers that they scared the people of the Pacific coast to death, or nearly so, and they commenced a great clamor, and in 1882 another treaty was negotiated with the Chinese excluding the Chinese, bless your heart, and the Chinese dilly-dallied around about ratifying the treaty, and Congress went to work, thinking they were going to ratify the treaty, and passed the bill of 1882—in fact, there were two or three of them—that was extremely severe in its provisions.

Now, remember that, and lo and behold, the Chinese refused to ratify that treaty. Then in 1892 Congress passed another severe law and in 1893 amended it, and the Geary Act simply continues the act of 1882. That is, most of the Geary Act is simply the old act of 1882 continued. Then, in 1894, the present treaty was made, in which the Chinese say that they are anxious to keep the cooly from coming to the United States; they are anxious, so they have got no right to idle.

The treaty of 1894 continues until 1914, on the 8th of December, unless one country or the other gives the other six months' notice prior to the 8th of December, 1904, that it is coming to an end; so the longest that treaty is certain to run is the 8th of December, 1914, and the law expires on the 5th of May, 1902. Now, the representatives of these great trading concerns say, "We want to keep these coolies out; we are just as anxious to as you are."

Their attorneys declared before the Senate committee that they stand on identically the same platform as Mr. Gompers, the president of the American Federation of Labor, who really wants to keep the coolies out; but they simply want to keep them out by a five-line law, extending the law as it now is. That would seem fair on its face, would it not? At the very same time, however, they have three suits pending in the Supreme Court of the United States attacking the validity of the law of 1882, and it is the supposition of most people that it will go by the board, and here is the predicament you will be in if you do not pass the majority bill or the minority substitute. That is, you will go through the performance of continuing the laws that are in existence, and the

Supreme Court will declare them all bad, and in three weeks they will import 100,000 Chinese coolies, and there you are.

Now, one of two things will happen. If they ever get here in large numbers they will drive the American laborers out, or the American laborers will kill them, mob them—one or the other. I believe that is all I want to say about the bill, except this: I asked Governor Taft how the Chinese in the Philippine Islands felt about this country. He said that they regarded it as heaven. What will be the effect? Why, if the Supreme Court ever decides those people can come over here, every Chinaman over there will head for the United States. They want to go to heaven, of course. [Laughter.] Nobody wants to go to hell.

I have named the principal things. I have not named all of them; I could not in an hour or five hours. This bill is no longer than all of the statutes on the Chinese subject that are supposed to be enforced now would be if they were all put together. Now, I know there are some people who want them in here. For instance, the Hawaiian sugar kings say, yes, they want them in Hawaii. They say that the white men can not work out there; that the negroes will not work and they must have the Chinese. That is what they say.

The Manila Board of Trade has sent a memorial here. They want the coolies let in over there. Of course they do. I have not a particle of doubt that a company that had a hundred thousand dollars or a million dollars or more that would operate in the Philippines and exploit the Philippines could make more money with Chinese coolies than with anybody else. But the Filipinos do not want them in the Philippine Islands. Why? Because they go to the wall in this Chinese competition.

I am testefully opposed to anybody coming here that you can not make an American citizen out of, and the Chinese will not assimilate with white people—that is, it is a very poor assimilation and a very rare one. The evidence in the case shows, strange as it may seem, that the cross between the Chinese and the white race or the Chinese and the negro is inferior either to the white man, the Chinaman, or the negro. Why, they never had any law in California even against Chinamen marrying white persons until within the last few years. It was a recent enactment.

Mr. KAHN. The last legislature.

Mr. CLARK. And notwithstanding that they very rarely married. Now, there is a distinguished Senator who has a proposition pending that Christian Chinese shall be admitted into this country free. Why, Mr. Chairman and gentlemen, I undertake to say that that is the most marvelous wholesale proposition for conversion to Christianity that has been made in this world since St. Paul started out on his great missionary tour. [Laughter.] If that proposition was to be accepted, every Chinese cooly who appeared at our ports would be a full-fledged Christian. Why, the Philippine Commission said that the Spaniards got tired of the Chinese once in the Philippine Islands, ran amuck on them and killed about 20,000 of them. Then they softened down the regulation and declared that Christian Chinese should be permitted to stay in the Philippine Islands. The result of it was, as the veracious chronicler says, that when the day of deportation came a very large majority of them had already embraced Christianity, and nearly all the rest were seriously considering the mysteries of the faith. [Laughter.]

I know that the provisions of this bill seem cruel. I understand perfectly well that they seem to run counter to everything that we have ever advocated or ever offered to the world; but, in my judgment, they are absolutely necessary to secure the desired end.

THE AMERICAN LABORER.

The policy of Chinese exclusion is bottomed on the instinct of self-preservation—the supreme law of nature. It is not a mere demagogical scheme to win votes for any party or for any man. It is a philosophical and patriotic movement, growing out of facts which can be neither denied, blinked, obscured, or shunted out of the way. It not only goes to the root of our institutions, but it lays hold of the foundations of Caucasian civilization on this continent.

It is largely a racial question, and it raises the paramount issue, "Shall the white man continue to dominate the Western Hemisphere, or shall he be placed in the process of ultimate extinction and be supplanted by the yellow man?" It is utterly futile to vaunt our superiority and vaingloriously assert that in free competition with the Chinese in any field of physical endeavor we shall triumph, for it is not true. Governor Taft, our great proconsul in the Philippines, testified that a Chinese can live on 2 cents a day—not only live, but flourish like a tree planted by the rivers of water. A cloud of witnesses support the governor-general in that mystifying statement—so mystifying and so variant from our experience in living that I endeavored to ascertain how that seeming miracle can be wrought. The only answer I elicited was that a Chinese can live on 2 cents per diem because

of centuries of enforced practice in the difficult art of curtailing his diet to the minimum.

By reason of both constitutional characteristics and of ancient habit an American can not compete with a Chinese in cheapness of living, even if he so desired; and in the fierce fight in the arena of labor, constantly growing fiercer as our population multiplies, for the right to live, the infinitesimal cost at which a Chinese can exist will inevitably give him the victory over the white man. The starvation test would end in a survival of the unfittest. It is written: "The laborer is worthy of his hire." The American laborer is the foundation of the Republic and of our civilization—the highest civilization the world has known since the primal curse was placed upon man: "In the sweat of thy face shalt thou eat bread."

The American laborer produces the wealth of this country, a wealth that is too vast to be comprehended by the mathematical powers of the human mind, a wealth so stupendous that it eclipses the wondrous tale of Alroy or any story out of the Arabian Nights. We all take pride in the fact that American laborers are the most intelligent, the most skillful, the best clothed, the best fed, the best housed, the most public-spirited, and the most ambitious laborers on the whole face of the earth. For one I am unalterably opposed to anything that will deprive them of a single comfort or that will in any manner reduce their standard of living or that will lower them in the scale of civilization even in the estimation of a hair. So far as in us lies, it is our duty to prevent Chinese competition with American laborers either by land or sea. [Loud applause.]

Mr. HITT. I will defer conferring with my friend for a moment, and ask the Chair to recognize the gentleman from Pennsylvania [Mr. Adams], and we will arrange the matter of time.

Mr. ADAMS. Mr. Chairman, a most important and far-reaching question has been submitted to the Fifty-seventh Congress for its consideration. Shall immigration be entirely excluded, or to what extent shall it be restricted? Two bills have been introduced, one of which was referred to the Committee on Immigration and the other to the Committee on Foreign Affairs. The Shattuck bill, which was referred to the Committee on Immigration, referred more particularly to migration from the countries in Europe to the Atlantic seaboard, while the bill that bears the name of the distinguished gentleman from California [Mr. Kern] had to do with the restriction or entire prohibition of immigration from the Orient.

It has been my good fortune to sit for many weeks with both of these committees and to hear the testimony which has been presented for their consideration by what may be held, I suppose, to be the conflicting interests in this question. Before the Committee on Immigration, on the one side, appeared the representatives of labor, many of whom, extreme in their views, would carry to the point of exclusion immigration on the Atlantic seaboard; others desired an educational test. On the other hand, we had those who employ labor and the steamship lines contending that it would be cutting off an absolute necessity for the development of our country to inaugurate any restriction in regard to free immigration. After a great deal of consideration the bill has been reported to the House and will come before it in the future for its action. I can state that the committee, irrespective of its political affiliations, have exercised their patience and best judgment in reporting a bill which they believed to be for the best interests of the country.

I come now, sir, to the bill which has been reported by the Committee on Foreign Affairs, relating to immigration from the Orient. During the hearings on this subject we have heard some extreme views—those who wish to exclude entirely immigration from China and other countries in the East, and those who say the necessity for increased labor exists in California and in the rest of the country and have entered their protest thereto. On the one hand we have the representatives of the labor organizations, and those, of course, from the Pacific coast are more urgent in their protests than those in more remote sections, for they claim that they understand the evil better. On the other hand we have had resolutions from the boards of trade in California and Oregon, representing the business interests, and claiming that the demands of labor are excessive and too restrictive. We had representatives of the agricultural interests who entered their protest, claiming that at certain seasons of the year it was impossible to gather the crops, and they were allowed to perish because of the want of labor.

We have had the women in their various organizations protesting against exclusion, saying that the domestic problem was a serious one, and that they needed the immigration of Chinese in order to supply the necessary wants of the household in the way of service. This will give some idea of the difficult problems which appeared before the Committee on Foreign Affairs for solution. On one point, Mr. Chairman, we were united, and that was that the immigration of the lower class of Chinese laborers,

commonly known as coolies, must be prohibited in the interest of the purity of the morals of our country and in the interest of American labor. The one difficulty that might have arisen before the Committee on Foreign Affairs would naturally be our relation to a foreign government. It would strike anyone at the first blush that to have our country pick out a single nation on the face of the earth and say to that particular nation that the inhabitants of your country shall not enter ours with the same freedom as is extended to the balance of the powers of the world would cause a feeling between the two countries that in some instances might be the cause of war.

But China, with a liberality which, I must say, reflects great credit on the intelligence of that people and its rulers, recognized the difficulty which our country labored under owing to the protests of our laboring class, and with a liberality that I may say is extraordinary under the circumstances, for it almost implied an inference in our mind against the character and morals of her people, negotiated a treaty with the United States in 1864, and in that instrument inserted and agreed to the following clause in article 1:

The high contracting parties agree that for a period of ten years, beginning with the date of the exchange of the ratifications of this convention, the coming, except under the conditions hereinafter specified, of Chinese laborers to the United States shall be absolutely prohibited.

Mr. Chairman, I can dismiss the consideration of the main feature of this bill by saying that the committee was unanimous on that point, and the existing conditions were continued that Chinese laborers as such should absolutely be prohibited from coming to our shores. This left us to deal with the remaining classes in China, and here came a somewhat more difficult problem. Under the existing treaties the classes who were to have free access to our country had been classed as officials, teachers, students, merchants, and travelers for curiosity or pleasure.

This may seem very large in its scope, yet there were many classes that were not covered by it. Mr. Chairman, in the last few years of our country a great change has taken place in its geographical and economic conditions. With the acquisition of the Philippine Islands, Hawaii, and Guam, with the events that have taken place in the Empire of China, a new status has arisen. The entire civilized commercial world is now struggling to obtain the trade of China, whose doors have been opened under the different treaties for the trade and commerce of the world. It is essential with the economic conditions developed in this country that America should have its full share of this trade.

The whole effort of our State Department, which deals with our foreign affairs, has been directed in this direction, and I am glad to say, in spite of some of the caustic remarks recently made on the floor of this House attacking our Secretary of State, that his policy has been most eminently successful; that America has almost brought the world to her own terms in regard to China. Our status has developed so strongly by the recent events that America is more potent than ever in laying down the rules that shall exist in negotiations about to take place between the powers of the world.

Now, Mr. Chairman, the proposition presented itself to our committee that if we wish to preserve this good feeling with China, if we wish to secure our share of the vast trade with 400,000,000 of her people, we must be careful not to go too far in this bill and not to affront China in its provisions.

We have, therefore, in this bill guarded with every possible restriction that the laborer as such should be excluded. We have left open the door, so that the intelligent and educated people of China, whether they come here as teachers or merchants or the traveler for pleasure, shall have free access to our country, to learn its resources and investigate its inventions and carry back to their own people the reports of what we have to sell and what they should want to buy, for all the advertising and all the drummers and all the agents of commerce that we could send to China would not have one-fiftieth of the influence that a native going back would be able to spread in his own tongue, and inform those people of the state of advanced civilization here and of our products; and it is for that reason your committee felt it incumbent on them to allow free access to the intelligent commercial people of China, and at the same time throw such safeguards around their entry that our officials would be enabled to discriminate between the laboring class and those to which I have referred.

I will refer to one other general feature in this bill. Under the new conditions the further question had to be met than the one which faced us in the treaties of 1880 or 1884. The acquisition of our new possessions of the Philippines and Hawaii and Porto Rico raised what was to be the course of conduct of this Government toward our new possessions. The status of the Chinese in Hawaii had already been settled by the legislation which was enacted in regard to that island, but the Philippine question still confronted us. We took much testimony on the question, and it was finally

determined that we would refuse migration of Chinese from that Empire to the Philippines, and, furthermore, we would restrict the migration of Chinese already in the Philippines to the mainland of the United States. These provisions have been carefully guarded, so their evasion would be most difficult.

Having considered some of the general features of the bill and the reasons which actuated your committee in framing it in the form in which it is, I will endeavor to answer some of the objections advanced by the gentleman from Missouri [Mr. CLARK]. The gentleman made an unfortunate comparison, in my judgment, and it seems almost impossible for those who come from the section which he has the honor to represent to avoid dragging in the social evil which they claim surrounds them on all hands, the negro question. And he proceeded to argue to this House that there was some relation or some comparison between the Chinese question as it stands to-day and the negro question as it exists in the South. Why, Mr. Chairman, there is no relation between these two questions. One is a domestic question. The negro was brought here against his will. How to deal with him is an economic question, and it must be met and settled among ourselves. It does not concern an evil which can be prevented, as does the measure involving the Chinese question. In the one case the evil is an accomplished fact; the other, I am thankful to say, involves an evil which it is in our power to avert. The negro question will have to be settled at home, here among ourselves, as best we can, amicably, consulting all interests, as fellow-countrymen who have the best interests of the whole country at heart. And, sir, the Chinese question must be settled on similar grounds in its relation to the future.

The gentleman from Missouri committed himself to the ultra view maintained here by the gentlemen from California and other Representatives of that section, because, as he held, the persons locally concerned are the best judges as to how an evil shall be dealt with. Mr. Chairman, in my view that is not a sound proposition. If there is an evil, the people locally suffering from it are not necessarily the best judges of the evil as affecting the whole country. There are sections where this evil does not reach at all. But in undertaking to restrict it in an undue degree to benefit persons locally interested we may do some great wrong to other sections of the country, wrong which would not be compensated by advantages which might be gained by certain localities.

I can illustrate this by an incident that happened to come under my personal observation. During the pendency of this bill it has been stated that the Chinese are bad sailors; that they are cowardly; that when there was a collision between the steamship *Oceanic* and the *City of Chester* there was great loss of life; that the Chinese sailors became utterly uncontrollable and refused to launch the boats; that discipline disappeared on board the *Oceanic*, and that from this fact resulted the loss of life, because the Chinese sailors on board the *Oceanic* would not launch the boats necessary to give help. Now, sir, it is a curious fact that within two or three days after that testimony was given before our committee I met, while traveling from my home in Philadelphia to this capital, a gentleman who in the course of conversation stated that he was himself a passenger on the *Oceanic*, that the Chinese sailors behaved with the greatest courage, and that discipline was maintained. As the best proof of this fact that gentleman stated that the boats were so promptly launched that when the *City of Chester* sank, which she did very quickly, her spars as she went down struck a boat that had already been launched from the *Oceanic*, and in that way all on board the boat were lost because it had been launched so quickly.

This incident shows that persons locally interested are not the best witnesses on questions of national importance. They are carried away by their views of the evil pressing upon them and they do not take into consideration the interests of the entire country.

The gentleman from Missouri, in referring to the clause of the bill which our committee has with great unanimity struck out—the clause prohibiting the employment of Chinese sailors on ships—made the argument that as the Philippine Islands belong to this country, the trade with those islands would be a part of our coastwise trade, and therefore it would not be necessary for vessels to take down the American flag to secure it. But as the gentleman gained more information he found that the benefits from the Philippine trade, under the act, as coastwise trade, could not be thus enjoyed till 1904.

But I can not refrain from calling attention to the inconsistency of the gentleman's position. If another bill were presented here relating to the Philippine Islands he would be the first to rise here and maintain the doctrine of his party that we must let go these islands and not allow them to become a part of the United States. In that case his arguments in reference to coastwise steamers would certainly disappear.

But the gentleman does not reach out far enough when he limits his arguments to the trade of the Philippines. We do wish to

develop that trade; but there is a larger and greater trade beyond—the trade of China, the trade of Australia, the trade of the East Indies—that our country desires to secure. The steamers engaged in this trade will not be coastwise steamers; they will be steamers plying with foreign ports. They will be thrown into all the competition as to the wages of seamen and every other species of competition entering into the running of steamship lines.

Why, Mr. Chairman, the remarks of the gentleman from Missouri were most potent arguments in favor of a measure that has passed the Senate, and is, I hope, soon to come before this House for consideration—the ship-subsidy bill—for he has shown conclusively by his argument that it is impossible for American ships on the Pacific Ocean, as it has been proved impossible for American steamships on the Atlantic, to ply in competition with foreign vessels, because we do not want to crush our seamen down to taking the wages that it would be necessary for them to take in order to compete with the vessels that fly foreign flags. How can they compete, Mr. Chairman, in view of the testimony given by the representative of the sailors' association before our committee in regard to the rates of wages paid on the Pacific Ocean? I read from the testimony of Mr. Andrew Furuseth, who represents the association of sailors on the Pacific coast:

Sailors of Chinese blood may be had in Hongkong in practically unlimited numbers at \$16 Mexican per month and from 50 to 60 American. This means, respectively, \$7.00 and \$3 in gold. The wages which would be paid to sailors if they were hired on the Pacific coast would be at least \$25 gold—more likely \$30 gold—and to from 10 to 15 gold, being four times the amount paid to Chinese in Hongkong.

He further testified that they had swept the Japanese sailors off the seas, and the Malays and the others, and yet he comes to the American Congress and wants us to forbid the employment of these people for merchant marines, and says that we can compete, when they have driven all other sailors off. How can we do that, Mr. Chairman? We had testimony and information before our committee that it would drive every American flag off the ocean. We had information that four large steamers, which are proposed to be put upon the Pacific Ocean to ply in the trade with China, would never so be placed and would be run under a foreign flag. On the eastern coast we had testimony that a large six-masted schooner that had been built for trade in the Orient would never be sent around Cape Horn if this provision was left in the bill.

Furthermore, Mr. Chairman, your committee took into consideration that that question was beyond the scope of present legislation. Heartily in sympathy with the protection of our operatives on land, we determined to put into this measure the restrictions we have on the immigration of the Chinese. I will now come to the other point, which was the only class that the gentleman attacked in regard to the provision that has been laid down in restricting them from coming into this country, and that was the term "teacher." He showed the high state of general education in China, that everyone was compelled to go to school, and therefore it was likely that these people would come into this country in the form of teachers. Why, sir, in the interrogatory I put to him he involved the institutions of our country in bad faith, if they would enter into collusion for the migration of these people. He did not read the entire paragraph. His argument was specious. I will read it for the information of the House:

Sec. 3. That the term "teacher," as used in this act, shall be construed to mean one who, for not less than two years next preceding his application for entry into the United States, has been continuously engaged in teaching and who proves to the satisfaction of the appropriate officer that he has completed arrangements to teach in a recognized institution of learning in the United States and intends to pursue no other occupation while in the United States.

The two conditions that the gentleman from Missouri omitted were, one, that he should prove to the satisfaction of the United States officer his intent, and the other, that he must prove that he was going to continue in the occupation of a teacher in this country. Why, Mr. Chairman, the compliance with the requirements of this act would make it simply impossible for anybody to evade it, and the Chinese who come here with honest intentions to teach in this country and to learn, if necessary, and to understand our institutions and to carry the information back should be admitted, in my judgment, as freely as possible. The gentleman from Missouri is much more expansive in his statements than he is in his ideas of expanding our country. With the greatest solemnity he announced that there were a million and a quarter of Chinese in the Philippine Islands, when if he were present the day that Governor Taft appeared before our committee, he would have heard his reply to that question put to him that there were about 150,000 Chinese in the Philippine Islands and 250,000 at the outside.

Mr. CLARK. If the gentleman will permit me, here is what I said: That the number of Chinese of the whole blood and of the mixed blood, according to the evidence before the committee, ranged from about 200,000 to a million and three-quarters. Mr. Livernash said there were about a million and a half in the whole gang.

Mr. ADAMS. I will take the statement of Governor Taft as against that of Mr. Livernash; for, if anybody heard his argument, he knows he is an extremist, and, representing the local people I have already referred to, he would be extreme in his statements.

Mr. CLARK. The statements of those two gentlemen do not conflict much. Governor Taft evidently was confining himself to the full blood and Mr. Livernash to the mixed blood.

Mr. ADAMS. I will say to the gentleman from Missouri that we did not carry our definition of Chinese down to the same fine point that he does his of the negro. He will trace it down to the thirty-third generation.

Mr. CLARK. That is what Booker Washington says.

Mr. ADAMS. That is all right. I am not quoting him; I am quoting you.

Mr. CLARK. Well, I am quoting him.

Mr. ADAMS. Well, you are quoting a very good man; but I am only saying that that does not hold good, for in this country where would you place the men who have mixtures of blood in their veins, men who make our people what they are. Take the fourth generation of the German and the fifth generation of the Irish, and where are you going to put them?

Mr. CLARK. They are all white and they all become Americans.

Mr. ADAMS. Where are you going to put them?

Mr. CLARK. Right along with us.

Mr. ADAMS. Is he of German descent or Irish?

Mr. CLARK. Why, no; they are Americans.

Mr. ADAMS. Now, Mr. Chairman, in further reply to the section of this bill which prohibits the employment of Chinese on the Pacific Ocean, I have given the facts that appeared before our committee, that it would practically drive our commerce off the Pacific. I can not help stating here—my interest is so deep in the subject—that the provisions of the ship subsidy bill as it now stands would cover this, for it insists on an employment of a certain proportion—one-third at the beginning—of native or naturalized Americans, and increasing as time goes on; but the great question involved in this bill, and why our committee have made it as stringent as in our judgment it is safe to go, is to refer once again to the conditions under which we must develop our trade in the Orient.

It is absolutely essential that we keep the good will of China in that respect. It is absolutely essential that we have their merchants coming to our country to report on what we have to deliver to them for sale, and in the exchange of commodities. The bill is framed in the broad, liberal spirit which should dominate our country. We have already discriminated against China, keeping out the coolies, which I admit is necessary, and we are all together in that; but I protest against any over-strict regulations which would stop all intercourse between the educated of both countries. It is not in keeping with our American civilization, it is not in keeping with the views of the American people. We believe in the exchange of ideas.

China was civilized for centuries while we were wandering Huns and Gots in the forests of Europe and wild men on the heather of Scotland and Ireland. I believe China can teach us much out of her past history and much of her great sciences that were known to her before we were ever heard of. I want intercourse between the two countries. I want that development between the Orient and the rapidly growing West which will tend to the advancement of the world and to the benefit of mankind at large; and I believe, Mr. Chairman, that this bill as it has been framed by our committee is liberal in that direction, and I believe it will meet the consensus of opinion and the best judgment of this House. [Applause.]

Mr. KAHN. Mr. Chairman, it may be assumed that the committee, in stating that they were all agreed that Chinese laborers should be excluded from the United States, voiced the sentiment of almost all the people of the United States. The members from the Pacific coast, Senators and Representatives, met frequently after this Congress was convened and agreed upon the provisions of an exclusion bill.

It has been said that that measure was extremely stringent. Mr. Chairman, the people of the Pacific coast have had a large experience with this question. They did not always ask for stringent laws. Indeed, the early legislation upon this question was exceedingly mild, was exceedingly moderate; but the duplicity and the trickery of the Chinese themselves made it necessary from time to time to add new restrictions, to make new regulations in order that the coolie laborer whom we were trying to keep out of the country should not be allowed to land upon our shores.

It may not be amiss at this time to state briefly the history of Chinese-exclusion legislation. The first act upon the subject passed Congress in 1879. Its purport was to limit the number of Chinese that each vessel could bring to any port of the United States.

At that period in the history of California, the coolie class was

arriving through the Golden Gate by the thousands every month. They had driven out the white skilled mechanic in the manufacture of shoes, cigars, brooms, underclothing, and overalls. They were making steady inroads in the field, the farm, the factory, and the workshop, and alarmed at the unrestricted immigration of this people, who, as a result of forty centuries of privation, had learned to support life upon the smallest quantity of food, whose creature comforts were few, who knew none of the blessings of home life, and who had a reserve population of 400,000,000 of equally undesirable elements to draw upon, caused the people of the Pacific coast to raise a cry of alarm which Congress did not fail to hear. The President, however, believing that the proposed legislation was in violation of treaty obligations, vetoed the bill, but forthwith appointed a commission to negotiate a new treaty that would give our Government the power to regulate Chinese immigration.

The Commission negotiated two treaties—one to regulate commerce, the other to regulate the immigration of laborers. These treaties were ratified on November 17, 1880, and in consonance with the provisions of the latter treaty Congress passed an act to suspend for the period of twenty years the further immigration of Chinese laborers. President Arthur vetoed this bill on account of the twenty-year limitation, but on May 8, 1883, an act was approved that for a period of ten years suspended the coming of Chinese laborers into the United States. The people of the Pacific coast States hailed this legislation with delight and believed that the flood of Chinese immigration had been effectually stopped.

Within a year it was discovered that the act of May 8, 1883, was seriously defective, and so Congress enacted a law amending thereof on July 5, 1884. By the provisions of these laws any Chinese laborer who had been in the United States prior to the enactment of the law of 1882 was permitted to return to this country. This provision gave rise to no end of fraud. By a decision of our courts it was held that parol evidence was sufficient to establish the prior residence of a Chinese laborer in this country.

With a supreme contempt for our judicial system and with a duplicity that is almost unparalleled among the nations of the earth, hordes of Chinese laborers did not hesitate to reveal themselves into the country as former residents, and the acts of Congress, which the people of the Pacific coast had hailed with joy and expectancy, were soon found to have turned out "Dead Sea fruit." The invasion of the coolie laborer was not arrested. He migrated to our shores in practically undiminished numbers. The suspension of immigration was found to be no remedy for the evil, and so the Administration at that time negotiated a new treaty with China, which was intended to give our Government the right to absolutely prohibit the coming of Chinese laborers into the United States for a limited period.

Believing that this treaty would be ratified by China, Congress passed an act, approved September 13, 1888, which was to go into effect upon the ratification of the said treaty, and shortly after, on October 1, 1888, the so-called Scott Act, which was intended to cure many of the defects of earlier legislation and which was supplementary thereto, became the law of the land.

But the treaty upon which the law of September 13, 1888, was predicated was never ratified by China, and there has always been a contention among able lawyers as to whether that act went into effect, notwithstanding the nonratification of the treaty. This act of September 13 is one of the great bulwarks of the existing exclusion laws. It is given force, however, simply by the decision of the Solicitor of the Treasury, who has held that all of the act, from section 5 to section 14, inclusive, with the exception of section 13, went into effect, notwithstanding that the treaty upon which it was based failed of ratification. At the present time, as my friend from Missouri has said, there is a case pending in the Supreme Court of the United States which tests the validity of this act of September 13, 1888, and should the Supreme Court decide adversely to the Government we would be left with practically no exclusion laws, except the totally ineffective suspension laws of 1882 and 1884, for the Attorney-General has held that the Scott Act, of October 1, 1888, was repealed by the treaty of 1894.

In 1892, the period of the first suspension law being about to expire, Congress enacted the so-called Geary law. Its first paragraph continued all the laws then in force prohibiting and regulating the coming into this country of Chinese persons or persons of Chinese descent for a further period of ten years. The rest of the Geary law provides for the registration of all Chinese in the United States and the issuing to them of certificates of residence. In case they failed to register, they were to be deported to the country of which they were subjects or citizens.

The Chinese in this country fought the registration provisions of the Geary law in the courts, but finally the Supreme Court sustained its constitutionality. In the meantime, the Chinese, with few exceptions, had refused to register, and the limitations fixed by the Geary law upon the period within which they were

allowed to register had expired. In order that there should be no hardship imposed upon the Chinese who were then in the country, and who had failed to comply with our laws—and I do not doubt but that they were acting under legal advice that had been given them in all good faith—Congress passed the act of November 8, 1893, which was intended to give all Chinese laborers who were in the United States at that time six months further time within which to register.

It also defined the words "laborer or laborers" and the term "merchant." There had been a great deal of litigation in our courts to secure a judicial determination of what was meant by laborer and what constituted a merchant under the provisions of our exclusion laws. It also provided that the certificate of registration should contain the photograph of the applicant, and this provision has certainly done much to break up the fraud that had been practiced under the provisions of the earlier enactments.

After the Supreme Court had sustained our right to register Chinese laborers in this country, the Chinese Government negotiated a new treaty with our Government in March, 1894, acknowledging our right to absolutely prohibit the coming of Chinese laborers into the United States except under the conditions specified in that treaty. It was promulgated December 8, 1894. Under Article III thereof, Chinese subjects being officials, teachers, students, merchants, or travelers for curiosity or pleasure, but not laborers, were continued in their right of coming to the United States and residing therein. In recent years the frauds that have been attempted and that have been committed in the matter of bringing Chinese laborers into this country have been practiced principally under the exemptions of these privileged classes.

At the beginning of my address I stated that the Chinese, as a race, are known for their duplicity, and that this duplicity has compelled us to safeguard, as far as possible, every possible loophole in our exclusion laws. This characteristic permeates every grade of society. The Emperor is no more exempt from it than the cooly. Indeed, there are numerous instances in Chinese history where the Emperor deliberately tricked the representatives of foreign governments and practiced deceit upon his own people without hesitation or compunction. As early as 1796 the British Government sent an embassy, under Lord Macartney, to the Emperor Chien Lung. This potentate, with a great deal of flourish and ostentation, graciously condescended to receive the English lord. But in order that the Chinese people might be deceived as to the true intent of the embassy Chien Lung had a flag raised upon Lord Macartney's vessel which bore upon it the inscription, "Tribute bearer from the country of England."

Again, in June, 1873, the world was cheered with the intelligence that the Emperor Tung Chih had finally consented to receive the foreign ministers at Peking in audience. The whole civilized world regarded this act as a great triumph for occidental firmness and diplomacy. But after the audience was over the joy turned to chagrin, for it was discovered that the ministers of the great powers of the world, including the American minister, Hon. Frederick F. Low (I believe he came from California), had been received by the Emperor in the "Pavilion of Purple Light," where his majesty invariably gave audience to the envoys of "tributary states." This was doubtless done to deceive the common people of the Celestial Empire.

The same thing occurred under the present Emperor, Kowong Sui, in 1891, but after this second audience the diplomatic corps firmly denounced this act of duplicity by passing resolutions that they would forego the ceremony rather than again submit to the indignity. I could give many similar cases of official duplicity, but I merely cite these instances to show that even the highest in authority are guilty of the same trickery that we find among the common people.

It has been maintained that the attitude of our Government is exceedingly severe in the matter of Chinese exclusion; that our laws have been becoming more and more stringent and drastic; but I submit that if the Chinese people themselves would deal honestly with us, and if they resorted less to trickery and duplicity to circumvent our laws, there would be no need of closing up all possible loopholes in the law with the seemingly severely restrictive measures that the Chinese themselves make necessary.

I have already stated how they perjured themselves under the acts of 1892 and 1894 by swearing that they were laborers in the United States prior to the passage of the former act, and that therefore they had the right to return. Thousands of them who had never been in the United States before managed to gain ingress into the country by this system of perjury. They have invented all kinds of "coaching papers," which are sent to China from this country in this form of questions and answers so as to enable the prospective Chinese immigrant to evade the questioning and cross-examining of the inspectors at our various ports of entry. And in a few instances they have been caught smuggling

written information and instructions in shrimp pates and other articles of food to some tricky cooly on board of a newly arrived ship, so as to permit him to baffle the efforts of our inspectors in his desperate endeavor to effect an entrance into the United States.

Thousands of alleged natives have crossed our borders in New York and Vermont alone, and I desire to quote from the report of Ralph Izard, a Chinese inspector in the Bureau of Immigration, made to the Commissioner General of Immigration on November 20, 1901, in which he shows a condition of affairs that speaks more eloquently than words of the thorough recklessness with which Chinese perjure themselves.

Mr. Izard says:

Since the decision of the United States Supreme Court in the Wong Kim Ark case, in which it was held that all Chinese persons born within the United States of Chinese parents, regardless of the status of those parents, were entitled to full citizenship in this country, it is safe to say that at least 600 Chinese have been admitted through the United States courts in the States of New York and Vermont as native-born citizens of this country, upon the perjured testimony of pretended fathers and other relatives.

While it is well known that during the period of their alleged birth in San Francisco, namely, from 1875 to, say, 1885, there were no more than a few hundred Chinese women in San Francisco; that at this time they were being admitted with more and more freedom; that practically none returned to China during the period above named; that there is little question but that at least 50 per cent of such as were admitted were brought from China and sold for the purpose of prostitution; yet the invincible testimony of the witnesses for the defendants is to the effect that at the age of 5 to 8 years the defendant returned to China with his mother and both remained there.

The records of the commissioners' courts in northern New York and Vermont alone, according to sworn testimony of witnesses for alleged native-born Chinese, would require the annual departure from San Francisco, extending over a period of seven years, of twice as many Chinese women, including prostitutes, as ever dwelt in that city, and each one accompanied by from one to two healthy boys.

Now, that was in the matter of natives alone. But they have tried to bring into the country, under the guise of merchants, students, teachers, persons traveling for curiosity or pleasure, a great many cooly laborers.

Mr. WM. ALDEN SMITH. Does the gentleman refer to the Chinese Government?

Mr. KAHN. No; I exonerate the Chinese Government. I do not think they have any knowledge of this business. But our Immigration Bureau, by a system of rigorous investigations and examinations, eventually broke up the scheme of evasion by the so-called natives, and consequently new schemes were resorted to in order to circumvent the laws. The loopholes offered through the channels of existing law and regulations, so far as officials, teachers, students, and persons traveling for curiosity or pleasure are concerned, were soon closed up, but not before an effort had been made by interested parties to smuggle laborers into the country under the guise of each one of these privileged classes. The result of these efforts to circumvent the law was the promulgation by the Treasury Department of regulations defining in clear and unmistakable terms the status of these privileged classes. These definitions have had the desired effect, and to-day a bona fide Chinese official, teacher, student, or person traveling for curiosity or pleasure has little difficulty in establishing his right of admission into our country. The present bill undertakes to give the Treasury regulations defining the status of the privileged classes the full force and effect of enacted law. These are some of the sections of the bill which are denominated "drastic." Yes; they may be "drastic" to the unscrupulous evader of the law. They may be "drastic" to the man who desires to see our exclusion laws abrogated, but they have not been found "drastic" by the good-faith Chinese, who has endeavored to come into this country by reason of his bona fide status as one of the privileged classes.

But perhaps the most prolific source of fraud has been in the matter of Chinese laborers who endeavor to masquerade as merchants. Under existing law a Chinese merchant can come to this country, provided that he can produce a certificate from his Government or the government where he last resided, visited by the diplomatic or consular representative of the United States in the country or port whence he departs. I think I can safely say that 90 per cent of the cases that are refused admission into this country are those of so-called merchants.

The term "merchant" as applied to Chinese has an entirely different meaning from what we consider the term to mean, and it is this ignorance of the so-called Chinese merchant class that makes many of our countrymen believe that our exclusion policy should be liberalized so far as this particular class is concerned. Many of the merchants of that race in this country came here as coolies. After having saved a little money they open a little shop and thereafter are classed as merchants. A number of such laborers will frequently put their joint earnings into a common fund and then each man becomes a partner in the concern, his interest being equivalent to the amount that his investment bears to the capital of the partnership. We of the Pacific coast, who know the Chinese better, perhaps, than our Eastern brethren, do not regard all of this class with the same reverence that they do.

It is this so-called merchant class that is largely responsible for

the commission of most of the crimes committed by the Chinese in this country. It is they who import Chinese girls into this country for immoral purposes. It is they who hire highbinders and murderers to assassinate their business and personal enemies. It is they who own the gambling houses and the lottery joints. It is they who are the owners of opium dens and whose money is invested in houses of ill fame. Of course I do not intend to say that all Chinese merchants are of this class, but I do say, and I challenge contradiction, that a large number of Chinese merchants in this country are guilty of the things that I have mentioned.

The Rev. Ira M. Condit, D. D., who has been engaged in Chinese mission work for many years, in his recent work entitled "The Chinamen as We See Him," says of the traffic in Chinese women:

In Canton, Hongkong, and Macao are houses used for the sole purpose of training up young, innocent girls for a life of shame. None are too young to be secured, as they can be kept in these nurseries of hell until they are old enough to be sent out to their wretched life.

There are different ways of procuring young victims. Many agents make this their sole business. They find parents who are so poor as to be willing to sell their daughters for a trifle; or who, to secure money for the vice of gambling or opium smoking, are willing to sell their girls to these traffickers in the flesh of innocent little girls. When the supply is scarce there are gangs of kidnapers who steal or inveigle young girls from their homes. In these ways a large supply is kept constantly on hand across the waters.

On this side there are agents whose only business is negotiating with parties in Hongkong to import these victims to our country. They are made willing to come by the promise that in this land of gold are wealthy merchants who want them for wives. Written statements are sent over for these girls to come to and repeat when questioned by officials on this side, such as they are coming to join their father or brother or relative of some sort. Since the passage of the exclusion law the only plea on which they can land is that of being American born. Hence fathers, brothers, uncles, and cousins are trained to play their part in testifying that the girl was born here and sent back when small. Highbinders generally set this part for a certain percentage on each one successfully landed.

It is known that a girl costing from \$100 to \$200 in China is worth here from \$1,000 to \$1,500. Since the enforcement of the restriction law, and the consequent greater difficulty in handling them, the market value of these girls has greatly increased. When they are safely landed, if not previously disposed of, they are decked out in gorgeous silk clothing, with gaudy jewelry and highly-painted faces, and placed on exhibition for purchasers to see. When sold they are passed over to their reputed "husbands" to find themselves only brothel slaves.

There is a class of little girls brought over who are held in families as servants. Few Chinese homes are to be found without having in them one of these bond slaves. They are compelled to do the drudgery of the household. Often they are well treated, as it is the intention of the owners to sell them as wives when they become older; and they are in this way a valuable piece of property. But oftener they are intended for a disreputable life, and are treated in a most cruel manner. Some of them who have escaped to the home have shown marks of the most brutal treatment. They are beaten, dragged by the hair, burned with hot irons, and scalded with boiling water.

The slaveholders do not easily give up their prey. Writs of habeas corpus are generally resorted to, and our American laws used to permit the return of escaped slaves into the dens of Chinatown. The arrest of girls and the attempt to get them out of the hands of those who are seeking to save them is done by villainous highbinders.

The Chinese laborers are not identified with these transactions. They have not the means at their command. They can not afford to hire highbinders. They have no families. It is only the merchants who are so situated. The bond slaves that the reverend gentleman speaks of are servants of the merchant class; but if this were not sufficient evidence to prove that it is this merchant class that is guilty of these outrages, I submit the translation of a circular which was posted throughout the walls of Chinatown on the 4th of February, 1901. The translation was made by John Endicott Gardner, United States Chinese Inspector and interpreter at San Francisco.

[Circular.]

NOTICE OF SALE.

The stock in trade and good will of a house of prostitution for sale. Madame Law Wong Tsui, of this city, secretly escaped and returned to China on the 14th day of the present month, leaving behind the business, stock in trade of the house of prostitution on Sullivan Alley. Madame Law Wong Tsui owed a lot of money on goods advanced to her by people of wealth. The creditors have agreed to take the whole business and sell it to pay her debts. Any countryman wishing the business, let him go to the house of prostitution and talk to the creditors. As to the amounts owed by Madame Law Wong Tsui, they will be reported by the 23rd of the month. Bills will be presented up to that time and not after. This notice is given so that there may be no after talk.

Dated Kwong Sui, 26th year, 14th day, last month (February 4, 1901).

(The expression "stock in trade" means the slave girls kept as prostitutes. The idea the Chinese would take out of that expression is that these girls would be auctioned off and nothing else. Note by translator.)

I have in my possession here a solar-print copy of the original document in the Chinese language.

This, if you please, is the merchant class of whom we hear so much. These are the people whom it is desired to let in with a greater ease.

Referring to the highbinders of San Francisco the Rev. Dr. Condit has this to say:

On this coast there are many highbinder societies. Some are branches of the Chinese Kung Tong, and are organized for special kinds of work; but many of them are not connected with her by people of wealth. The creditors have agreed to take the whole business and sell it to pay her debts. Any countryman wishing the business, let him go to the house of prostitution and talk to the creditors. As to the amounts owed by Madame Law Wong Tsui, they will be reported by the 23rd of the month. Bills will be presented up to that time and not after. This notice is given so that there may be no after talk.

In case a woman seeks to escape from her life of slavery, as often occurs, the most common way of dealing with her is for a highbinder to swear out a charge of grand larceny against her, and she is cast into prison by the officers of the law. This puts her into the power of her owner, and if she returns, as she often finds it best to do, he lets the case of larceny go by default. But if she can get to the Refuge Home the missionaries can generally protect her from those who would draw her back to infamy. Won, however, be to the Chinaman who helped her to escape if he is found out.

If a man is to be gotten rid of, the hatchet man stand ready, for a consid-

eration, to undertake the task. In secret conclaves they deliberate on the case of one who has offended them, and select the agent who is to make over with him. He gets a round sum for the job. If arrested, they agree to clear him in the courts; if he is imprisoned or killed, a goodly amount is given to his family. Few Chinamen have the courage to stand against the fiat of this dark tribunal, and they all fear its power much more than they do our own courts of justice. They have different ways of dealing with those who have incurred their enmity. If it is not deemed prudent to assassinate them, charges are made out against them in our courts by means of false witnesses. A complete chain of evidence is forged by which many an innocent man is condemned. It is not only difficult to clear one against whom the highbinders have laid charges, but it is equally difficult to convict one whom they have undertaken to defend.

Many are laid under tribute to their blackmailing schemes. Their victims generally find it wiser to submit to their demands than to offer resistance and be ruined in their business, or lose their employment, if not their lives. The revenue of these hatchet societies is very large, hence they never lack for money to carry on their notorious work. Money and cunning seldom fail to thwart the ends of justice and accomplish what they undertake.

The highbinders have their regular band of paid fighters, who wear chained armor, carry revolvers, knives, and other kinds of concealed weapons. Nearly all the shooting affairs in the Chinese quarters of San Francisco and other towns may be laid to their charge. The street battles which so often occur are brought about by a contest between rival gangs. Perhaps there has been some slave girl stolen, who was under the protection of some other society, or blackmail is levied by a rival gang, or in some way the rights of others are encroached on and a deadly contest arises, which nothing but blood can wipe out.

These hired assassins are not employed by laborers. The poor laborer, working for a pittance, has no need for these scoundrels. It is the well-to-do merchant class, if you please, that alone can afford the luxury of hiring an assassin to put a rival to death.

Mr. WM. ALDEN SMITH. Are the laws of California powerless in such cases?

MR. KAHN. The laws of California are not powerless; and I am glad the gentleman has referred to the matter. The laws of California are ample; but I stated at the very inception of my argument that these people go into the courts and swear to almost anything. It is very difficult to get a conviction on the charge of perjury. So cleverly do they plot and execute their crimes that during the year 1901 there were committed in Chinatown, San Francisco, a part of my Congressional district, 17 murders, and not in a single instance was the assassin apprehended.

Let me tell you just what that would mean if that same ratio of capital crime were committed in other parts of the United States. I will give it to you in the exact figures. The urban population of the United States in 1900 was 35,849,516 persons. If that same ratio of murder had existed in the various urban settlements of the United States it would have aggregated the startling total of 23,904 homicides. You ask me if the laws of California are not able to reach these people. Yes, they are; they are adequate, but the Chinese works in the dark in many ways.

For ways that are dark
And for tricks that are vain
The leathern Chinese is peculiar,
Which the same I shall always maintain.

[Laughter and applause.]

It is this merchant class also that has been most indefatigable in its efforts to break down our exclusion laws. To the average Chinaman a Government official is the embodiment of venality and corruption. All travelers in China admit that the Chinese official class are corrupt and dishonest. Reinsch, in his World Politics, says:

It is accepted calmly and as a matter of fact that those in office should provide for themselves and their relatives, while every group of relatives hopes in time to be made happy by the preferment of one or more of its members.

The inspectors at San Francisco have repeatedly told me of efforts made to bribe officials, and when the corrupt offers are spurned the wily Chinese begins to prefer charges against the inspector and does everything in his power to make his position a burden and a discomfort. I think I can safely say that nearly every inspector at San Francisco has been at various times under charges simply because he has endeavored to perform his duty faithfully and honestly.

But the most recent method employed to evade our exclusion laws was in the matter of Chinese laborers who desired the privilege of transit across the territory of the United States in the course of their journeys to or from other countries. Under the treaty of 1894 this privilege was to be continued to Chinese laborers, subject to such regulations by the Government of the United States as may be necessary to prevent said privilege of transit from being abused. It was recently discovered by the Treasury officials that large numbers of Chinese were being given this privilege of transit, and that subsequently they would leave the steamer upon which they had departed from the United States at the first Mexican port, and so would return overland across our border. It was only within the past year or two that this practice was unearthed. Since then our Treasury officials have made a strict investigation of every case, with the result that several hundred of these transit passengers have been returned to China.

The bill now under consideration seeks to enact into law necessary provisions for regulating these transit passengers. Under the existing treaty the Government of the United States may

make such regulations as may be necessary to prevent the privilege of transit from being abused. Acting upon this provision of the treaty, the Treasury Department formulated and issued the necessary regulations; but it has been contended that the Treasury Department is not the "Government of the United States," and a case is now pending in the Supreme Court of this country to determine whether the Treasury Department has exceeded its authority in making the regulations that are now in force. If the contention that the Treasury Department had no such authority be correct, then all our existing regulations upon this subject will fall to the ground and this great loophole for fraud will be left unguarded. But I firmly believe that it is the desire of Congress to safeguard the interests of the laborers and mechanics of the United States, and I am satisfied that the sections incorporated in this bill to regulate the transit of Chinese laborers going to or coming from other countries will meet the hearty approval of the membership of this House.

Mr. Chairman, I am not unmindful of the sentiment that prevails in this country regarding the upbuilding of our trade with the Orient, and with China in particular. There is no disposition on my part to do anything to decrease or in any way hinder the development of our commerce with China, but I am free to admit that I think the possibilities of that trade have been greatly exaggerated.

It is true that for the time being and probably for some time to come our trade will increase with that country. It has constantly increased heretofore, notwithstanding the policy pursued by our Government in the matter of the exclusion of Chinese laborers. It has risen and fallen just as the trade with China of the other great commercial nations of the world has risen and fallen, the increase or decrease being invariably due to local conditions in China.

An effort has been made to lead the American people to believe that our exclusion legislation has at various times materially affected our commerce with the Celestial Empire, but an investigation of the facts will readily disclose that such statements are not based upon truth. For instance, in the year 1891 our trade was \$8,701,003. In 1892, at which time the Geary law was enacted, it fell to \$5,063,497, and then to \$3,900,457 in 1893 (the year in which the Supreme Court declared the Geary law unconstitutional), and rose to \$5,803,420 in 1894, after our latest treaty with China was ratified. An attempt has been made to draw from these facts and figures the inference that our trade relations with that country were influenced by our attitude in the matter of our exclusion policy. But let us examine China's trade with other countries:

In 1891 the United Kingdom did a trade with the Chinese Empire, exclusive of Hongkong (British) and Macao (Portugal) of \$6,525,662. In 1892 this fell to \$3,836,397; in 1893 to \$4,599,393, and in 1894 to \$4,363,596. And yet England passed no Geary law nor any other kind of an exclusion bill.

Again, France, which never passed an exclusion law, did a trade with China of 10,344,940 francs in 1891. This fell to 7,244,480 francs in 1892, and to 5,899,600 francs in 1893. In 1894 the trade suddenly rose to 10,971,563 francs. So that the experience of the French merchants, who lived in a country where the matter of an exclusion law had never even been suggested, found their trade fall and rise again, just as our trade has fallen and risen. All of these figures that I am quoting are from the Bureau of Statistics of our Treasury Department.

And so with Germany. In 1891 her trade with China was \$3,280,000 marks. In 1892 it fell to 30,115,000 marks. In 1893 it rose to 33,443,000 marks, but in 1894 it fell back to 28,440,000 marks. And Germany has no exclusion laws. I am satisfied, however, from my intimate knowledge of German character, that if the interests of German mechanics and laborers were jeopardized by the threatened invasion of thousands of the pauper laborers from the Chinese Empire, it would not be long before the German Parliament would pass all needed legislation to afford the necessary protection to her own working classes.

Mr. WM. ALDEN SMITH. Do the Chinese go to those countries?

Mr. KAHN. They do not go to those countries. Those countries are not as accessible as the United States to the inhabitants of China.

It is universally conceded that commerce is not influenced by sentiment, and that commercial peoples purchase where they can buy to the best advantage. It has been admitted in the hearings on the exclusion bill before the Senate Committee on Immigration that China is no exception to this rule. Her trade with us at present is principally in the purchase of drills, jeans, sheetings, flour, raw cotton, machinery, and kerosene oil. Since the Japanese war China has made a remarkable progress in the development of her mines and the construction of railways. We have had a considerable portion of the trade developed by reason of the activity in those directions. We have succeeded also, for the time

being, in supplanting, to a large extent, English manufactured cottons, especially in the northern provinces of China, by reason of the fact that we manufacture a heavier grade of goods, which are preferable in the cold climate of the north provinces.

The British consul at Niuchwang reported to his Government in 1899:

That the Chinese prefer to go on buying the original brand of which they have had actual experience. The Chinese dealer will not change his usual purchases for new classes of goods, but as soon as equally good or even superior and cheaper goods are brought to his notice he will not hesitate to change his custom. It is perfectly immaterial to him whether the goods he deals in are manufactured in Great Britain or in the United States of America, and as a matter of fact I have asked native wholesale merchants here if they could tell me where the favorite sheetings and drills consumed in Manchuria are manufactured, and they have confessed their entire ignorance of the country of origin, stating at the same time that they merely inquire for their purchases by the special brand or "chop." I am told that the proof of the superiority of the American goods is in the washing. When the English goods are washed and the heavy sizing removed, they are inferior to the American article when similarly treated.

But China herself is now manufacturing the cheaper grades of cotton goods, and no reasonable being can doubt that she is ultimately destined to retain her own market for the better qualities. Cotton mills have already been established at Shanghai, Ningpo, Woohung, Soochow, Hangchow, and several other ports. Consul-General Jernigan, in a report to our State Department, in discussing this question of Chinese competition in the great manufacturing industries of the world, says:

The influence of the cheap labor of Asia and its products upon future prices has become a subject of international importance, but the products of this labor in China in its competitive bearing upon the products of American labor is of more interest to us. The American laborer is very properly protected against the competition of the Chinese laborer on an American soil, and such protection in no sense discredits the industry of the former, but whether the products of the Chinese laborer will seriously compete in American markets with the products of the American laborer is more the question of the hour. In this report I have indicated the belief that competition is not so much to be apprehended in our home markets as it is in the markets of China for our home products, and the plain facts would seem to justify the belief. There has been and is now a tangible demand in the markets of China for the products of British and American looms, but when the desired quality of cotton goods at present imported from Great Britain and the United States can be manufactured in China from the products of her soil, it is unreasonable to expect the importation from foreign countries to continue in such large quantities.

I recommend that to some of my friends from the New England manufacturing States and the Southern States—

and when the products can be produced in necessary quantity on the soil of China and at a far cheaper price, as well as manufactured in China, also at a far cheaper price, it is no longer a question that cotton made and manufactured in China will supply the demand of Chinese for cotton goods. It will, and it therefore follows that the competition will first begin in the markets of China. The prices * * * paid a Chinese laborer are starvation prices to the American laborer, but the price of Chinese food is in proportion to the price of Chinese labor, and the money is received and the food eaten with contentment. Another consideration tending to cause this competition to be more energetic is that the machinery in the cotton mills of China is of the most improved pattern, and that quality as well as the quantity of the cotton goods will enter into the competition. It is certain that there can be produced in China a much superior grade of cotton to that now produced, and with improved machinery Chinese cotton mills will be able to supply the demand for a finer quality of cotton goods, as they are now supplying the demand for the more inferior quality.

Mr. WM. ALDEN SMITH. The writer of that document does not say, does he, where that machinery is made?

Mr. KAHN. Much of it is now made in this country; but I want to call my friend's attention to this fact, that to-day in China, if you want a concession for anything there—for a railroad, for a mine, for a machine shop, for anything of that kind—there is invariably a provision inserted in the franchise that you must also open a school for the education of Chinese youth in the particular industry for which the concession is granted.

All writers agree that China has unlimited mineral resources. Her coal fields and her iron deposits will vie with those of the United States. I do not blame the Chinese for adopting this policy. I think it is farsighted; I think it is shrewd. But, sir, does any man who knows the character of that people—who, as Kipling says, "work and spread, pack close, and eat everything, and who can live on nothing"—that people "with a devil-born capacity for doing more work than they ought"—who will deny that when they have become proficient in the industries and professions which they are studying they will do their own developing without the aid or assistance of "foreign devils?"

Mr. WM. ALDEN SMITH. Is the gentleman able to fix any time when that will be realized?

Mr. KAHN. I am free to admit that for the present we shall have our share of the market. I think our trade will continue to grow—I feel certain that it will grow—even if we pass the most drastic kind of a law. But I simply submit that in the near future—and we talk a great deal these days about "the awakening of China"—I submit that the very market toward which we are looking with so much pleasant anticipation will drop away from us; we shall awake some morning to find that it has gone; that the Chinaman has shrewdly secured it for himself; and as I have said I do not blame him for doing so.

Perhaps there is no people under the sun with the imitative

ability and adaptability for all kinds of work and every condition of climate and environment of the Chinese race. They adapt themselves alike to the tropical heat of the Philippines and the icy cold of the Alaskan fisheries. They swarm in their own country by the millions. As I stated before, they have been inured to all kinds of privation for forty centuries. I again quote from the report of the consul-general at Shanghai as to the question of wages and prices in China:

Human hands are all too plentiful and human life is cheap, so that it comes to pass that many skilled mechanics receive but 16 cents Mexican a day, while master workmen get 20 to 25 cents, and the common laborer saves himself from starving on 2 Mexican dollars a month. These wages must be cut almost in half for expression in United States money. Frequently there are wives and children to be supported, too; but in the poorest families these members frequently find employment in some of the minor industries, the women, perhaps, in the manufacture of shoe soles, the children in making paper money for offerings to the dead or, as in Shanghai, in the manufacture of match boxes, and so the slender earnings of the husband and father are also of use.

A gradual introduction of some Western industries—the building of railroads and other improvements in communication, the opening of mines, and the development of the other resources of the Empire—will no doubt improve matters to some extent by giving a better market to the productions of China, by diverting labor from overcrowded channels to new enterprises, and by creating a greater demand for labor, which will somewhat improve the wages. But as things are at present we can not view with indifference the prospect of bringing the products of our own wage-earners into competition with these cheap fellows.

How the masses of China can live on the wages paid will appear from the following table, in which the present retail prices of some of the commoner articles are given in Mexican silver:

| | Cents. | | Cents. |
|-------------------------|-----------|---------------------------|---------|
| Beef.....per pound.. | 8 | Marrows.....per pound.. | 2 |
| Pork.....do..... | 14 | Onions.....do..... | 8 |
| Fish.....do..... | 10 | Rice.....per picul.. | 44 |
| Eggs.....per dozen.. | 12 | Bean oil.....per catty.. | 9 |
| Cabbage.....per pound.. | 2 | Peanut oil.....do..... | 10 |
| Carrots.....do..... | 2 | Flaxseed oil.....do..... | 14 |
| Celery.....per dozen.. | 12 | Bean card.....per catty.. | 42 |
| | *Dollars. | | *Mills. |

Note.—One picul equals 83 pounds; 1 catty equals 14 pounds.

These are the published prices, but natives do not ordinarily pay as much as is here represented. These prices are somewhat higher than prevail outside of treaty ports, as the wages paid in Shanghai are also better than those received in the interior. The poorer families can not, of course, afford to eat meat often. Some will eat it twice a week; these are fortunate. Others count it a luxury to have meat once or twice a month. The vegetables are cooked in vegetable oil, so that even when there is no meat the food is savory and a certain amount of fat is obtained. Beans, too, are in a measure a substitute for meat. They are eaten in the form of bean card, costing about 2 cents, or one-third of a cent in our currency, for a small cake that will suffice for one person at a meal. The poorest of families will live on 60 cash a piece per diem, which, at the present rate of exchange, is about 3 cents.

Under the guidance of Caucasian foremen these people can readily acquire the art of manufacturing fabrics by the most modern and improved machinery; and working as they do from sunrise to sunset practically the entire year for wages that would not support a 10-year boy in this country is there any doubt but that the fears expressed by our representatives in China, that the natives will ultimately absorb the greater part of the trade of the home market, are based upon substantial and logical conclusions?

But I am not content to rest my assertion upon this statement of an American consular officer alone. What do the representatives of other countries say in regard to this matter? Mr. F. S. A. Bourne, the head of a British commercial mission which traveled through central and southern China, observing and studying commercial conditions, in his report to the British Parliament, in May, 1898, said in part as follows:

The Chinese masses have always worn homespun cotton cloth for the most part, supplemented with imported silks and sherings in the north and northwest, where it is cold and where domestic weaving is not common. The finer imported cottons, like sheetings, have been for the main-to-do only. About twenty-five years ago the import of foreign yarn—English and later Indian—led to the wearing of a cheaper cloth, which is displacing more and more native homespun. Before the war with Japan the Chinese were beginning to erect spinning mills, the enterprise being conducted in the half-hearted and incompetent way usual with them in large undertakings, and when, by the treaty of Shimonoseki (1895), foreigners obtained the long-coveted right to manufacture in China, four foreign-owned mills were put up in Shanghai, and others will follow. By the end of 1898 there should be about 50,000 spindles running in China. Mills here run in day and night shifts of twenty-one to twenty-two hours out of twenty-four in a year of three hundred to three hundred and twenty days, allowing for holidays. Taking the production per spindle at 16 ounces per day of twenty-four hours in a year of three hundred working days we arrive at an output of about 700,000 piculs of yarn. But considering that the operatives will nearly all themselves have to be first made out of raw lands that have never seen a power machine, it can scarcely be expected that even this result will be reached for a year or two. The import of cotton yarn into China during 1898 was 1,491,325 piculs.

It might be expected that the native yarn would reduce this foreign import, and some day this will no doubt happen, but I believe not yet. In regard to wages, employers in China are at a great advantage. The wages of an adult man on the Lower Yangtze for a day of twelve hours for, say, three hundred and twenty days in the year in such industries as native hand weaving and dyeing, average, at the present gold price of silver, 115, to 125, a month, all included. Wages may be expected to rise somewhat in the future for the more skilled classes of labor, as the number actually efficient must be limited at least until the system of apprenticeship, which is universal in China, has had time to take root in regard to the new industry, but any great change in the level of wages among the plain workers must be very slow, as the operatives will have pressing upon them the mass of millions of cheap workers with just as good capacity as themselves, unless, indeed, manufac-

ture is congested in one place and labor allowed to get into the power of Chinese middlemen. The truth is that a man of good physical and intellectual qualities, regarded merely as an economical factor, is turned out cheaper by the Chinese than by any other race. He is deficient in the higher moral qualities, individual trustworthiness, public spirit, sense of duty, and active courage, a group of qualities perhaps best represented in our language by the word manliness, but in the number moral qualities of patience, mental and physical, and perseverance in labor he is unrivalled.

In regard to capital, the third agent besides land and labor in production, the Chinese have not sufficient to develop their country, even with the present backward methods of industry, and interest is accordingly very high. The country does not produce the precious metals to any extent, and the Chinese have, it is believed, no more of silver and copper than is required for the ordinary circulation; but they are likely to get ample capital for enterprises under foreign management from abroad, and there is no more promising field for the investment of English capital.

From this report is there any doubt but that when foreign capital is introduced into the Chinese Empire, with the low rate of wages and the low cost of living, the inhabitants will be able to manufacture at home everything that they will require in the way of cotton goods?

In October, 1897, a French commission that had been sent to China to investigate commercial conditions reported that "the exceedingly rich soil is capable of producing incalculable quantities of cotton." So that it will be seen that she will not be lacking in the production of raw materials either. True, at present she does not grow the finer grades of cotton, but nearly all writers upon the subject agree that in time she will be able to materially improve the standard of the crop produced.

Mr. Chairman, since the enactment of the law of November 3, 1893, which is the latest general statute on Chinese exclusion, new conditions have arisen, new questions confront us. We have acquired the islands of Porto Rico, Guam, Tutuila, the Hawaiian Islands, and the Philippines. In the latter group the Chinese have already secured a firm foothold. But Congress in extending our exclusion laws over the Hawaiian Islands was also determined that the Chinese in Hawaii should not be allowed to enter our mainland territory, and in the joint resolution of July 7, 1898, whereby the Hawaiian Islands were annexed to the United States, this provision was inserted:

There shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may be hereafter allowed by the laws of the United States; and no Chinese, by reason of anything herein contained, shall be allowed to enter the United States from the Hawaiian Islands.

Subsequently, on April 30, 1900, when Congress passed the law organizing the Territory of Hawaii, the following provision was inserted:

That Chinese in the Hawaiian Islands when this act takes effect may within one year thereafter obtain certificates of residence as required by "An act to prohibit the coming of Chinese persons into the United States," approved May 6, 1882, as amended by an act approved November 3, 1898, entitled "An act to amend an act entitled 'An act to prohibit the coming of Chinese persons into the United States,' approved May 6, 1882," and until the expiration of said year shall not be deemed to be unlawfully in the United States if found therein without such certificate; provided, however, that no Chinese laborer, whether he shall hold such certificate or not, shall be allowed to enter any State, Territory, or District of the United States from the Hawaiian Islands.

The bill under consideration will exclude Chinese from all our insular possessions and will prevent those who are in these possessions from entering the American mainland. There are probably 200,000 Chinese of the full blood in the Philippine Islands. Those of mixed blood are many times more numerous, and it has invariably been asserted that these latter are a much more dangerous element, because they combine in themselves nearly all the vices of the Chinese and the Malays, with practically none of the virtues of either race.

It has been suggested that we allow a limited number of Chinese laborers to enter the Philippine Islands for the purpose of rapidly developing the resources of our new possessions; but experience has demonstrated the fact that there, as here, the Chinaman does not remain a laborer long. He has a remarkable aptitude for trade. He is a born trader and is always ready for a bargain. He soon becomes a small tradesman, and the hatred of this class in the Philippines by the native Filipinos is much more intense and is of a different character than is the dislike of the Caucasian mechanic for the Chinese laborer.

During the past summer I had the pleasure of visiting the Philippines, China, and Japan. Even in the receipts, which are patronized by all elements in the community, and which one finds in every populous settlement, the Chinaman is not allowed to mingle with the natives. He is compelled to accept accommodations in a part of the arena especially set apart for him. Men of affairs in Manila informed me that the life of a Chinaman in the interior and away from the seaports is not safe. Members of the Philippine Commission state that an effort to let them enter the islands promiscuously would probably precipitate serious race difficulties, and I am firmly convinced that if we do not crowd the islands with Chinese the Filipino will ultimately be able to take good care of himself.

Mr. WM. ALDEN SMITH. Are they competitors to-day?

Mr. KAHN. In some lines.

Mr. SCOTT. Will the gentleman permit, just there, a question. Were there any restrictive laws in force under Spanish rule of the islands?

Mr. KAHN. I understand there was a head tax at that time. I am not sure. Governor Taft himself, who made the statement, said he was not positive, but he was under that impression.

Mr. SCOTT. Is it likely that many more Chinese would seek admission to the islands under American administration than under Spanish?

Mr. KAHN. No doubt of it; because the development of the islands will grow very much more rapidly.

But is it not the duty of the United States to preserve the islands for the natives thereof? Is it not better to retard exploitation, if need be, and thus enable the natives ultimately to participate in the development of their own land, rather than by opening the gates, allow a limited number of capitalists to aggrandize themselves at the expense of the population, whose future well-being should be our first and paramount consideration?

Governor Taft, Commander Harwood, who had several hundred Filipinos employed at the Cavite Navy-Yard, Brig. Gen. A. W. Graely, who was in the islands superintending the work connected with the operations of the Signal Corps of the Army, and who had quite a number of Filipinos in his employ, all informed me that they were quick to learn and were good mechanics. Let us give them a chance. Let us extend our exclusion policy to those new possessions. I firmly believe that the future will amply justify our decision in this matter.

Mr. WAL ALDEN SMITH. As a matter of fact, we propose to prohibit them from coming there.

Mr. KAHN. Exactly; and they ought to be prohibited. The same restrictive measures that we have for the mainland of the United States should be enforced there, and I shall at the proper time offer some amendments to this bill, so as to extend all the safeguards which we have for our mainland to our island possessions.

Mr. Chairman, I have referred to the fact that I visited China last summer. I saw the Chinaman on his native heath. I had opportunities for observing him when he is "at home." A distinguished Chinese diplomat stated that:

All Chinese in this country come from two or three districts in the Canton Province; that we never find here any Chinese from the northern part of China or from the central part of China; that we never hear of a Chinese from Shanghai coming here.

It was my good fortune to visit both Canton and Shanghai, and to my mind the Chinamen who dwell in the native city in both these places are very much alike. They know absolutely nothing of sanitation. They wear little clothing. Even in many of the most pretentious shops the salesmen are naked to the waist and do not even wear shoes, stockings, or slippers. The only garment many of them had on was a pair of very loose cotton trousers. They seemed to have no private dwellings and "no good equivalent for home or comfort." The poet Coleridge in describing the city of Cologne said:

I counted two and seventy stonches,
All well defined, and several stinks.

But Coleridge never traveled through the streets of Canton. Had he visited that city, or Shanghai either, he would have simply been compelled to stop the count. [Laughter.] And Bayard Taylor says that Shanghai, in its horrid foulness, would be flattered by such a description. [Laughter.] All travelers in the Orient admit that Canton is even worse; and Canton, according to the Chinese officials here, furnishes and will continue to furnish most of the Chinese that come to our shores.

Many antirestrictionists tell us of the honesty of these people, their sobriety, their peaceability. I do not question the motives of these well-meaning but ill-informed persons, but the fact is that brigandage and piracy in the Canton Province are of the most commonplace occurrence. In traveling between Hongkong and Canton and Macao and Hongkong last summer the steamers in which I took passage compelled the Chinese passengers to go under the hatches, and as soon as we started on our journey these hatches were bolted down, while guards armed with rifles paraded up and down the deck so as to prevent possible pirates among the passengers from taking possession of the vessels and looting them.

Rev. George Cockburn, M. A., who has lived among them for many years, and who is anything but unfriendly to the race, in his entertaining work entitled *John Chinaman*, speaking of their business dealings, says:

Proverbial wisdom cautions the intending purchaser to ask the price at three shops, if he does not want to be cheated. The shopman is generally content with half he asks. The following maxim is to be observed: "When the merchant asks up to Heaven in his price, bid him down to earth in your offer." Buyers are warned to guard against mistakes by taking their own scales and measures along with them. A Chinese shopkeeper would be as much surprised at a customer who did not check the quantity as one who did not count the change. * * * There is but one way of avoiding being cheated at times—never buy.

So much for their business honesty and integrity!

As for their sobriety, it is probably true that they do not get drunk on whisky or spirituous liquors, but they are frequently besotted with opium. The latter vice is much worse than the liquor habit, and "the opium ghost" is as bad as the alcoholic wreck, despite a hundred blue books to the contrary.

I desire to say but a few words as to their peaceableness. It is true that gambling and sensuality are the great vices of the Chinese, the latter taking unnatural forms with terrible frequency. And no doubt many of the 31,163 arrests for misdemeanors during the past twenty years, from 1880 to 1900, among the Chinese in the city and county of San Francisco were made on account of infractions of the laws against such crimes. But they do not confine themselves to petty offenses exclusively. As I have already shown, murder is not an uncommon thing among them, while murderous assaults, robberies, kidnapping, and blackmail are of frequent occurrence. It costs the city of San Francisco more to properly police Chinatown than three times its area in any other part of that city—and still they baffle the police constantly. That gives you a fair idea of their peaceableness.

Mr. Chairman, that distinguished American statesman, traveler, and author, Bayard Taylor, visited China as early as 1853. At that period we did not know much about the Chinese. Mr. Taylor was a New Englander, and could not be accused of the so-called "California anti-Chinese prejudice." In his *India, China, Japan*, speaking of this people, he says:

It is my deliberate opinion that the Chinese are morally the most debased people on the face of the earth. Forms of vice which in other countries are barely named are in China so common that they excite no comment among the natives. They constitute the surface level, and below them there are depths of depravity so shocking and horrible that their character can not even be hinted. There are some dark shadows in human nature which we naturally shrink from penetrating, and I made no attempt to collect information of this kind; but there was enough in the things which I could not avoid seeing and hearing—which are brought almost daily to the notice of every foreign resident—to inspire me with a powerful aversion to the Chinese race. Their touch is pollution, and, worse as the opinion may seem, justice to our own race demands that they should not be allowed to settle on our soil. Science may have lost something, but mankind has gained by the exclusive policy which has governed China during the past century.

For nearly fifty years the Chinese have lived in this country. Their daily intercourse with the Caucasian has not materially changed their customs or habits. Mr. Taylor's description of the conditions in China is undoubtedly equally applicable to any Chinese community in our country.

We of the Pacific coast are perhaps more deeply concerned in this question than any of our fellow-citizens. We feel their presence among us more than any other section of the country. Under the census of 1900 there are 4,091,349 inhabitants west of the Rocky Mountains. Included in this population are 67,720 Chinese, while but 22,184 Chinese are distributed among the 71,994,445 inhabitants throughout the other States of the Union, and two-thirds of those in the Western States are found in California.

We have probably learned to know him better than our fellow-citizens elsewhere. He is a present, living, vital problem with us, and we feel that our cause is also the cause of the laborer and the wage worker in the Eastern States. It is only the sordid and the selfish, who prefer a low standard of wages and a low grade of morality—men who want cheap labor because it will increase their individual profits—who would open loopholes in the barriers we have erected after many years of hard, bitter, practical experience.

Mr. Chairman, I had hoped that the committee would see fit to allow the section giving to American seamen that same measure of protection against Chinese competition that we accord the shoemaker, the tailor, and all other skilled and unskilled mechanics to remain the bill. I do not desire at present to take up the time of the House in discussing this phase of the question; but when the bill comes up for discussion under the five-minute rule, I shall again offer the section as an amendment and shall have something to say in favor of that provision.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HITT. I ask that the time of the gentleman be extended for five minutes.

Mr. KAHN. I shall not take up the time of the House. Mr. Chairman, I ask that I may extend my remarks in the RECORD.

In conclusion, however, let me say that our exclusion laws have been a great boon to the laborers of this country. They now ask us to continue extending our shelteringegis over them, and I feel that there is not a patriotic, loyal, liberty-loving American who does not desire the workingmen of his country, its "hewers of wood and drawers of water" protected against this unequal competition. The American laborer and mechanic, in his neat and comfortable home, seated at his fireside, surrounded by his wife and little ones, is the peer of any wage worker in any part of the world. Let us keep him so. [Loud applause.]

APPENDIX.

[From the Washington Post, March 2, 1902.]

CHINATOWN—THE KNIGHTS AND SHADOWS—ITS LESSONS ON THE CHINESE PROBLEM.

[By Hon. Julius Kahn, Member of Congress, Representative of the District including Chinatown, and introducer of the Chinese-exclusion bill.]

Kipling it was who said that "the Chinese quarter of San Francisco is a ward of the city of Canton set down in the most eligible quarter of the place." Having visited Canton last summer, I am ready to bear witness to the truth of the distinguished author's observation.

Chinatown in San Francisco comprises about fifteen squares. It is located in the older part of the city, where the streets are narrow and where numerous cut-throats abound. It is after nightfall that the place assumes its most picturesque appearance. The houses are lighted with lanterns of every shape and size, the streets and alleys are crowded with a dense mass of gas-heating Chinamen, the shrill notes of Chinese coppers and the constant shouts of vendors of various Chinese wares fill the air and make one feel that perhaps he is at the portals of pandemonium.

SQUALOR AND FILTH.

To get an idea of how John Chinaman lives, one should visit the "Palace Hotel" of Chinatown. Just why this ramshackle old establishment should be named after our famous hostelry is not clear, unless it be that each has its courtyard, one of magnificence, the other of wretchedness and stench. It is about this place that the Chinaman is found at home. Within the roomy live several hundred Chinese, huddled together in quarters that would hardly house 50 whites. All the rooms look out upon the central court, which is common property to all the occupants. In the center of the court stand innumerable keramos cans which serve as stoves, on which the life-supporting rice of the Celestial is cooked. The foul smells from the reeking stoves, together with the noisome odors arising from the accumulated filth, cause the white visitor to hold his nostrils and to heave a great sigh of relief as he emerges into the outer air. It is not an infrequent sight to see in this court some wretched white victim of the opium or morphine habit, offering for a dime to "take a shot" to show how the dead is done. There is said to be quite a number of men who eke out a miserable existence in this fashion.

FRINGE AND FAUVER.

There are a number of fairly well-to-do merchants in the Chinese quarter. But by far the greater proportion of the people are exceedingly poor. Many of the latter class live in basements and sub-basements, and their homes might be likened to rabbit warrens. They have none of the ordinary conveniences to which white men are accustomed. The occupant sleeps upon a shelf, with a piece of matting stretched over it, and is met occupying a room that would be considered small for two Caucasians. There are no adornments, no pictures, no chairs, no conveniences of any kind; but at the entrance of every room there is a small table upon which stands a teapot and cup, and the visitor may partake of that which cheers but not intoxicates. Even the wealthy class occupy quarters that the average American mechanic or clerk would not consider comfortable. True, there are not so many people huddled together in the well-to-do quarters, but there are the same smells as in the hovels of the pauper.

"LAST CHANCE" HOSPITAL.

At one time there was a so-called hospital in Chinatown known as the "Last Chance." It was here that those suffering with incurable maladies were brought to die. The very presence of this place spoke more eloquently than words of the utter helplessness of the people. I remember visiting the spot one evening. There was a man in the last stages of consumption. As we entered he appeared pleased to us for money with which to buy opium. He said that his last penny had been taken from him by these in charge. The police authorities finally insisted upon having the place closed up.

The Chinatown of to-day is much cleaner than that of a few years ago. During the past summer a determined effort was made by the combined forces of the Federal, State, and municipal governments to give the quarter a thorough cleansing. Surgeon White, of the Marine Hospital Corps, was in charge. He informed me that Chinatown was the greatest accumulation of utter filth that he had ever seen. Ten tons of dirt and rubbish were removed from every square.

THE SIX COMPANIES.

Practically all the Chinese in this country are allied with one of the so-called Six Companies. In reality there are now eight companies. Indeed, it may safely be said that practically all the Chinese in the United States have been brought to this country by these companies. They have numerous societies among themselves, and many of their feuds arise as a result of membership in the organizations. One of these societies has its highlanders or hatchet-men. When for some reason or other it is determined a wrong has been done to a member of the tong or society by blood atonement, the hatchet-men are called into action, and it is not long before the selected victim is put out of the way. Then the vendetta begins. The tong of the murdered man makes reprisals, and so the fight goes on until both sides are weary of the slaughter, or by paying a money indemnity one side or the other purchases peace.

For many years the two leading tongs were the Sam Yip and the See Yip. Little Pete, a Chinese who had established an unsavory record, but who had been able to amass a fortune of about \$100,000, was president of the Sam Yips. Big Sam, another notorious character, who was at the head of many gambling institutions in Chinatown, was the president of the See Yips. These two tongs became involved in a dispute and a price was put upon Little Pete's head. For upward of two years he never ventured from his home or his business without a bodyguard. One evening, about three years ago, he drifted into a barber shop and thoughtlessly sent his bodyguard on an errand consuming four or five minutes. During that short space of time the highlanders of the See Yips entered the shop, and quick as a flash Little Pete fell riddled with bullets. The Sam Yips went wild in their indignation. They at once placed a price upon Big Sam's head and the latter has not been seen in Chinatown since.

PLAYING FAN TAN.

The Chinaman is an inveterate gambler. His favorite game is fan tan. It is a simple diversion, but the Chinese player frequently loses every cent he has during a night's sport in Chinatown. Fan tan is played after this fashion: The players range around a large table, in the center of which a small square is marked off. The dealer takes from a bag a couple of buttons, and then inverts the cup in the center of the square. Betting now begins, and after everybody has laid his wager the cup is withdrawn, and with great deftness the dealer begins to count the buttons. He removes them from the table with a closed fan, four at a time. As he draws near the end of the pile the excitement increases in intensity. The result is determined by the number of buttons remaining in the last count. If there are four, those who bet on that number win; if there are one, two, or three, then the supporters of these numbers are the winners in the game. A percentage of all the bets goes to the keeper of the gambling house, while the rest is divided proportionately among the lucky players.

There is an ordinance against gambling in San Francisco, and the police frequently raid the gambling houses; but from past experience John has become very wary, and the authorities are obliged to adopt many ruses in order to make a successful raid on the joints. Sometimes a policeman will disguise himself as a Chinaman and thus gain admission into the forbidden game. But this device has been resorted to so often that it is not likely to prove successful at the present time.

GAMBLING HOUSES.

There is scarcely a gambling house in the Chinese quarter that has not innumerable secret panels, sliding and trap doors, and all kinds of odd receptacles into which all tell-tale evidence can be secreted upon the first signal from the lookout. The outer doors of these establishments are generally shielded with half-inch steel plates, and it requires the energy of three or four sturdy policemen, armed with sledge hammers, to batter them down. One of the most successful raids ever made was from the roof of one of the buildings. A policeman lowered himself by a rope to the window of the gambling den and caught some thirty-five of the occupants diagonally beneath. The Chinese gamblers are afraid of the officers and readily submit when caught committing an offense. But the gambling instinct is so strong that I doubt whether any law will entirely eradicate the evil.

In order to obtain the means to gratify their taste in this direction many Chinese pawn anything of value they have. Pawn shops in Chinatown are numerous, and one sees upon their shelves everything from the murderous double knives of the highlanders to the padded winter blouse that is almost a necessity in the San Francisco climate at all seasons of the year. Just before the Chinese new year, however, every Chinaman manages to get his belongings out of pawn. He may start in again the day afterwards, but he is scrupulously careful to settle up his accounts before the last day of the old year.

OPIUM SMOKING.

Opium smoking is the recreation of the entire race. Whether you visit the rooms of the wealthy or the hovel of the pauper you find the inevitable opium outfit. I have seen men who can smoke twenty-five or thirty pills before the drug begins to have any effect upon them. Every Chinese home also has a clock and a cat and I have frequently seen one of these felines perched upon the shoulder of the owner inhaling the smoke of the opium after it leaves his nostrils. A Chinaman told me that his pet cat took as much enjoyment in his smoking as he did himself. I regret to say that the pernicious habit has grown among white boys and girls, and many an aspiring youth has broken down as the result of opium smoking contracted in the Chinese quarter.

The opium outfit is unique. It consists of a long pipe of bamboo or reed, about an inch in diameter. Near the lower end is inserted a hollow bowl about 3 inches in diameter, with the top entirely covered over and a hole in the center about the size of a pin head. The drug itself looks like sand and has the consistency of molasses. A lamp, in which burns nut oil and dried saw-wood, completes the outfit. The smoker inserts a long pin into a little jar of opium and withdraws an amount about the size of a pea. He cooks this in the flame of the lamp, rolling it on the bowl of the pipe until it has acquired the necessary consistency. During the cooking process the opium smells like roasting peanuts. After the smoker has haled it sufficiently he thrusts the pin through the little hole in the bowl and fastens the opium securely thereto. He then places the bowl alongside the flame and begins to draw on his pipe. Two or three puffs serve to exhaust the little pill of opium, and then the process is renewed. It requires only a few operations to send a novice into the realm of dreams, but the veteran can smoke twenty-five or thirty of these pellets before the effect is felt.

JOSS HOUSES.

There are some four or five joss houses in Chinatown, maintained by the various tongs, or societies. During the year the members of the organizations make whatever offerings they can afford to the joss, and forthwith a little piece of red paper is posted on the walls of the temple announcing that Ah Sam or whatever his name may be, has contributed for the benefit of the joss house. The walls of many of the temples are practically papered with these little slips. At the end of the year they are all removed, and the process begins again, and every member of the tong can see just what his neighbor is giving in the cause of religion.

The josses or idols are never beautiful to look upon. They are at once grotesque and hideous. They are supposed to exercise a great influence over a man's daily avocation. They are appealed to on all occasions and for all purposes. For example, when a Chinese is sick, he goes to the god of medicine, carrying a little bamboo vase filled with slips upon which strange characters are printed. These characters designate the various commodities of the Chinese pharmacopoeia. After having told the joss his ailment, he begins to smoke this vase vigorously until one of the slips rises from the vase and falls to the ground. He reads it up and notes what medicine the god has told him to get for his ailment. If a cure is not effected, he concludes he has not propitiated the joss sufficiently, and contributes a little more money to the temple. He tries it over again until he finally gets some kind of drug that gives him some measure of relief.

THE CHINESE DEVIL.

The Chinaman's principal fight, however, is with the devil, and if he has been unfortunate during the day he buys a bundle of firecrackers, repairs to the joss house, and begins to explode the crackers in order to drive off his satanic majesty. It is a part of his creed to endeavor to fool the devil. The latter is particularly watched at all funerals. On these occasions a friend of the deceased, seated on the hearth, usually scatters pieces of paper, which are supposed to represent money, as the funeral cortège drives to the cemetery. The Chinese devil is known for his cupidity, and by stopping to pick up all the money which the friend of the deceased scatters along the roadside he loses so much time that the corpse gets a good start on his satanic majesty. When the body is duly interred roast pigs, bowls of rice, condiments of various kinds, and pots of tea are placed upon the grave in order that the spirit may not go hungry as it wanders its way to the Celestial's heaven. The Chinese color of mourning is white. Professional mourners are frequently hired to lament the demise of the departed, and for a trifling fee the surviving relations manage to purchase a sufficient display of grief to gratify the vanity of the most exacting corpse.

The queue, which is a distinguishing characteristic of the Chinese, was really thrust upon them by their Tartar conquerors. It is erroneously believed that the queue is a part of the Chinese religion. I am told that this is not so, but that it is the custom for rebels in China to cut their queues. By so doing they show their contempt for the Tartar dynasty, which at present occupies the throne of the Chinese Empire. There is little foot binding in Chinatown. There are only three or four girls in the Chinese quarter, so far as my knowledge goes, who are being brought up as small-footed women. The Chinese are exceedingly susceptible of the customs and ceremonies of their people. They do not adopt any of the clothing of America, except, perhaps, in the matter of hats. The Chinese skullcap, with its little red button in the center, is worn only on state occasions. The soft, low-crowned hat of American makes has supplanted the oriental headgear among the men, but they cling to the blouse and felt shoes and the big linen trousers, even though they may have been in this country for an entire generation.

YELLOW & WHITE.

It is generally believed that the so-called Chinese laborer works in fields that no white man would enter; in other words, that he simply performs manual toil. This is not the fact. There are few races that have the faculty more strongly developed than the Chinese. They may come to this country without the knowledge of any trade, but they are quick to learn, and very soon they enter the ranks of skilled labor. They will work from sunrise to sunset without complaint, and having no high ideals or high aspirations, they are like so many machines. Indeed, I have been told by men familiar with their method of working that a Chinaman can and does toil sixteen hours a day seven days a week and requires only a little rice and a piece of fish to nourish his body. He is absolutely without nerves. He does not seem to be possessed of ambition or desire to better his condition in life. The idea of a home, which is such a characteristic of the American mechanic, never enters the Chinese laborer's mind.

There are few women in Chinatown, but as woman is much lower than man in the social scale, she does not exert any real influence upon the male population. It would be impossible for white men to live as these people do. They can exist on 10 cents a day, including room rent and incidental expenses. I think I may safely say that scarcely a single laborer in Chinatown is married. True, some of the merchant class have their wives, but the laborers have only themselves to support.

THE EVIL OF IT ALL.

The average number of months an American mechanic feeds from the result of his toil is five. How can a man who does not bring up the family decently, honestly, and respectably compete with a being who knows nothing of home life, and who, machine-like, day after day, toils from twelve to sixteen hours for wages which probably do not exceed \$1 a day? This is the practical aspect of the Chinese-exclusion question, and after a trip through Chinatown I think no one will doubt the wisdom of making the barriers so strong and so high against Chinese laborers and the vicious and depraved of the race in general that the end will be in sight of Chinese quarters on this side of the Pacific.

Mr. NAPHEM. Mr. Chairman, we are charged with disloyalty to our grand traditions, and our high ideals of hospitality, by legislating against the Chinese. A serious study of the question shows that we are justified in restricting the immigration of this race, and that there is nothing unnatural in what we have done, and are doing. The natives of all lands have made this Republic, and are to-day numbered in the elements of its population. Not a people, even to the remote Icelanders, but has its representatives among us now, at the opening of this twentieth century.

They differ from one another in language and in tradition. As the fusion of the metals, in the temples of Corinth, produced a metal more precious than gold, the blending of all races here promises to produce a race that will excel any other individual race. Nevertheless, a fear exists in many quarters, that the limits of our capacity to absorb the surplus population of other nations are in sight. I do not join in this alarm. No such danger exists. I admit that we are not exempt from the ordinary laws of nature. Self-preservation is a duty, in the fulfillment of which, humanity will be the gainer as well as ourselves. Prudence has prompted us to serve notice on the other nations of the world, that we are in danger of becoming industrially congested.

This may seem strange in so young a land, with so sparse a population in proportion to its area. With one exception, the tests imposed or suggested against those seeking the hospitality of our shores, have been standards of character, education, and property, not racial. We have drawn the race line only against one nationality. In other cases we admit the people and exclude the individuals. In the Chinese case we admit the individuals and exclude the people. Obviously, there must exist special reasons for the exception made in this particular class. The characteristics of this race justify our action with overwhelming force. They are the most completely alien of all who knock at our doors for admission. The others who come, are for the most part members of one family—Europeans—the family of the earlier settlers, the family of the men who freed it from the yoke of oppression; but the subjects of this law, are separated from us by a wide gulf of distinction.

Everywhere the white race has recognized this distinction, and acting on a deep and trustworthy feeling, has imposed checks on the encroachment of this people. We are not singular in our policy of Chinese exclusion.

Our British neighbors in the north impose a capitation tax of \$50 upon Chinese immigrants, and they propose to increase this tax to \$500.

British Australasia began legislating against them in 1855. Regulations of ever-increasing severity were enacted, the capitation tax in New Zealand was raised to \$100, and the number of immigrants restricted, to one to every 200 tons of shipping; but all these measures failed to effect the desired result, and Tasmania, South Australia, and the other colonies of the new federation have adopted the policy of exclusion.

Peru, where 80,000 coolies were landed between 1850 and 1894; Venezuela, and Ecuador, and Uruguay have also adopted this policy. The Spaniards in the Philippines three times expelled the Celestials at intervals of a century—in 1605, in 1700, and in 1804. In Cochin China the foreigners of this race are registered and taxed, and the same is true of Dutch Java. Be the motive what it may—fear, antipathy, or contempt—there is a striking unanimity on this yellow peril among the peoples to whom it has been presented.

Industrially considered, the Chinese are a menace to the wage earner. They are unique in the combination of small wages and great labor. He who in Canton earns \$5 a month and lives on 6 cents a day, easily underbids the white laborer and reduces wages to the lowest possible plane. Persevering, imitative, tireless; needing no holidays or recreation—a mere human machine—he supplants his rivals in trade after trade.

We find him the cigar maker, the shoemaker, the garment maker of San Francisco; the orchard and vineyard worker and the fruit canner of California, and the laundryman of Eastern cities and will drive the bone of our population from every occupation if permitted. He adapts himself to the work of women and becomes the house servant, and will, if necessary, perform the work heretofore done by children. With the white wage-earner skill and competence mean a higher standard of living, and the distribution of his earnings through the community, but the Oriental seems to obey another law. That which is parsimony to us, is prodigality to him. The copper coinage of his native land subdivides itself into fractions, which we have not yet learned to reckon.

The instinct of self-preservation compels the white laborer to oppose this immigration. You can no more condemn him for it, than you could condemn the father who divides the bread he earns among his own children, instead of sending it to starving little ones, perhaps equally deserving, on the banks of the Ganges or the Hoangho. It is no answer to the protest of white wage-earners against throwing open the door closed against Chinese labor, to say that the cheap labor of the Chinaman will develop the land and that he will give full return for what he receives.

Economically, there is no advantage to the country from a body of laborers who remain as strangers, consume few of our products, in fact, barely sufficient to maintain life, and export a large proportion of their earnings. True, there may be a financial benefit to certain landed properties and manufacturers who profit by cheap labor; but the consideration which shapes our governmental policy can not regard individuals alone, or be wholly material. We aim to develop men as well as to exploit lands, and increase our industries. Of what avail is it to us, to multiply production, so as to undersell all the nations of the world, if this will depress the wage-earning classes and lead to the destruction of the peace and purity of the home—which is beyond anything that money can secure? I am not overstating it, when I say that if Chinese labor be permitted to compete with white labor, it will destroy domestic life.

The Chinese do not assimilate with us, perhaps owing to the fact that they realize that they are not bone of our bone or flesh of our flesh.

They live apart in quarters which have no parallel for secrecy. They maintain their foreign dress and speech. They administer justice among themselves, according to laws which are not ours. They persistently violate the sanitary laws. Chinatown in our cities is a plague spot, not a land of romance, to be seen by proxy through the eyes of entertaining magazine writers.

Their language is separated from ours by thousands of years of structural development. Their social system is one which suppresses individuality, and inclines the whole race to a conventional type. If they have an emotional life akin to a European, it is screened behind a mask of passiveness. No part of their industry is dedicated to the common weal. They are indifferent to our welfare, seeking only to secure our money, and dream of the day when they shall leave us. Even their lifeless bodies spurn the embrace of our soil. Of no other race in this country can these statements or any parallel statements be made.

In a letter to Mr. G. T. Seward, dated August 31, 1870, Mr. Fish, Secretary of State, said:

The application of the settled principles of international law to the Chinese in the United States, is to be modified by the fact that the Chinese decline to accept these principles, leading an isolated life in the communities in which they are settled, always expecting to return to China, and never, therefore, becoming domiciled among us, and that they maintain the same system of isolation toward Americans in China, regarding them always as strangers more or less outside the protection of law.

In June, 1896, many merchants and manufacturers in the Philippines sent an anti-Chinese report to the government of Spain in which they said:

There is no room to doubt that the Chinese merchant corrodes and sterilizes the most valuable germs of the national wealth everywhere, being the personification of the ignorant man in the fable who killed the goose that laid the golden egg. * * * a race which corrupts and drives up every place through which it passes, whose enumeration has always been a fraud to the Administration, for by fraud only about 24 or 25 per cent of their 800,000 called a race which is excessively stubborn in persisting in maintaining their own peculiar customs and manner of life, which is stubborn in resisting everything pertaining to good government, public hygiene, and the police, * * * which altogether is a permanent menace to all the principles of the economic vitality of the country. (Report of the Philippine Commission, p. 182.)

The Philippine Commission, in their report to the President, say: There was testimony before us to the point that the Chinese take out of the country everything they can; that they spend little in the country

because they live on little; that they intermarry with the Filipino women, and that they produce a race which does not furnish good citizens; that many of the great problems on the islands are caused by Chinese and their descendants.

Some years ago nearly all the artisans such as carpenters, stonemasons, builders, and bricklayers were natives; now they are nearly all Chinese; you can hardly find a native carpenter or bricklayer.

The idea of the Chinese immigrating to a foreign country is simply to gain a livelihood. They only seek their own advantage, and do not consider that they should even indirectly advance the commerce and the industries of the country which is their second home. They have a great love for their native land, where they hope to live when they obtain a fortune, that they may not be separated from the remains of their ancestors. All of the Chinese who have obtained importance in the Philippines have been Christians. Their baptism was their initiation into power. It can not be said, however, that they have really abandoned their own religion, but they tolerate Christianity in their families.

Mr. E. Mayo Smith, in his work on Emigration and Immigration, in speaking of this race, says:

They come here with the single object of making money and then returning to China. They have no intention of becoming permanent residents and no desire to adopt our customs and habits of life. The most earnest defenders of the Chinese could not prove that during thirty years of contact our civilization had made any impression upon them.

Our efforts to Christianize them has, with few exceptions, been an entire failure. They have shown no desire to become acquainted with our political institutions or to take part in our political life. It may be contended that we refuse to admit them to political life and that the treatment they receive at our hands has not been such as to excite the admiration of civilization. But the very tenacity with which, notwithstanding all this persecution, they have clung to peculiarities of costume and living, causing them to be singled out for abuse, shows that they are singularly conservative in their ideas.

The whole history of intercourse between China and the western powers has exemplified the fact that with their four thousand years of civilization behind them they are imbued with a thorough contempt for the mushroom growth of European life. The question of receiving them, therefore, assumes an entirely different aspect from that of receiving immigrants from Europe. The latter blend with the native stock, and all become one people.

Mr. Bayard, Secretary of State, in his letter to Mr. Cheng Tsao Ju, on February 18, 1880, says:

Causes growing out of the peculiar characteristics and habits of the Chinese immigrants have induced them to segregate themselves from the rest of the residents and citizens of the United States and to refuse to mingle with the masses of population, as do the members of other nationalities. As a consequence, a just prejudice has been more excited against them.

It can not be said with any semblance of truth that those statements and conclusions are concessions to practical politics. They come from men who have made the Chinese subject a special study. Secretary Seward, the "zealous" defender of this race, admitted that it would be well to protect ourselves if there were danger of their coming here in great numbers.

Do we desire immigrants of this character? Are these bland Orientals, stealing in and out, fireless as automata, seemingly impervious to impressions, the material for American citizenship? Mr. Chairman, a Chinese can no more become an American citizen, than an American, proud of his ancestors and proud of the institutions and traditions of his country, can become a citizen of China. Can it be wondered, then, that this race should act as an irritant upon the populations amidst which it intrudes, and be made the object of special legislation?

Other considerations strengthen the position we have taken on this question. The presence of Chinese has given rise to serious disorder on many occasions. It is the part of justice, I admit, to punish the perpetrators of such wrongs, but it is the part of prudence to remove the inciting cause. We are dealing with human nature as it is, and must take account of its weakness. These people are a large portion of the human race. They are estimated at 400,000,000 by some; 750,000,000 by others.

Without sensible limitation of their numbers they could displace the entire population of America, and set in motion such a tide that no obstruction could be reared which would save us. Already, in spite of prohibition acts, through loopholes in the law and crevices in its execution, they have insinuated themselves among us. If less than 100,000 disturb industrial conditions, what would be the effect if the barriers were thrown down? It would be fatal to the interest of the wage-earner and would intensify the social problem, which is already acute. It is the duty of the wise legislators, acting upon this problem, to make laws for the future even more than for the present.

The forces which favor the admission of the Chinese are easily defined. The most formidable advocates are the Six Companies, the Canadian and Pacific Railroad, and the steamship lines which carry these immigrants as passengers. All our Chinese immigration is regulated at San Francisco and at Hongkong; a British island seized from China during the infamous opium war. We have the testimony of Sir John Pope Honnessay, five years governor-general at Hongkong, that the loudest protests in his time against Chinese exclusion came from the managers of steamship lines. Five lines, according to Mr. Scharf, late Chinese inspector at the port of New York, connect Hongkong with our Pacific slope, two running to San Francisco and one each to Vancouver, Tacoma, and Seattle. The Canadian and Pacific Railroad transports hundreds of Chinese each year along our northern frontier, giving a bond to the Canadian government to carry them out of that country, which means into ours.

The keenest opponents of this bill urge the reenactment of the

present law. They do not seem to be aware that the validity of a large part of the laws and regulations governing Chinese exclusion is assailed in cases now pending in the Supreme Court of the United States. The question involved goes to the vital part of the existing law. An examination of the various Chinese-exclusion laws disclose the fact that section 8 of the acts of September, 1888, is the law upon which the Secretary of the Treasury bases his right to make regulations governing the transit of Chinese laborers across our territory to another country. The act was passed to secure governmental regulations, to prevent the abuse of the transit right referred to in article 3 of the treaty between the United States and the Emperor of China than under consideration, and as the treaty was not ratified, it is claimed that section 8 of the act did not take effect.

Article III of said treaty was the same as Article III of the present treaty, which is as follows:

[Article III of the treaty of December 8, 1894.]

The provisions of this convention shall not affect the right at present enjoyed of Chinese subjects, being scholars, teachers, students, merchants, or travelers for commerce or pleasure, but not laborers, of coming to the United States and residing therein. To entitle such Chinese subjects as are above described to admission into the United States, they may produce certificates from their Government or the Government where they last resided, issued by the diplomatic or consular representative of the United States in this country or port whence they depart.

It is also agreed that Chinese laborers shall continue to enjoy the privilege of transit across the territory of the United States in the course of their journey to or from other countries, subject to such regulations by the Government of the United States as may be necessary to prevent said privilege of transit from being abused.

This contemplated the passage of a law by Congress, authorizing the Secretary of the Treasury to make regulations necessary to prevent the privilege of transit, referred to in said article, from being abused. Congress has not passed any law giving this authority to the Secretary of the Treasury. Regulations made by an official are not regulations made by the Government of the United States, as provided for in the treaty. The power to regulate transit does not include the power to prohibit it. It is therefore claimed that a Chinese laborer coming to any of our ports of entry, with a passport and a ticket for his passage across our territory, can not be refused admission, though his purpose be to go just across our border and return to us within a few hours.

It is said that if Congress extends the exclusion act beyond the expiration of our treaty with China it will seriously affect our commercial relations with that nation. Have no fear; this prediction is unfounded. This objection was urged at the time the Geary Act was before Congress. We were told the passage of the Geary Act would cause China to cease purchasing our goods. We have not suffered through our exclusion of these people, and China is more indebted to us now than she was at that time. The memorable circular note of Secretary Hay to the powers on July 8, 1890, as Mr. Dannel, in his article on the settlement with China, in the Forum of February, 1902, well says was "the chief cause that prevented a declaration of war against China, and it brought the other nations to quick agreement as to the steps to be taken."

This made possible the treaty between England and Japan; and recently, when Germany made a demand upon China for an additional indemnity of 10,000,000 taels, our Government again came to the aid of China, and in a circular note to the powers suggested that the demands of all be cut down, so as to allow the latest claim of Germany to come within the 450,000,000 taels originally agreed upon as the amount of indemnity to be paid by China. We have otherwise manifested our friendship for China on many occasions.

The fear of retaliation by China should not affect us. If the passage of this bill cost us the entire trade with China, and it were all profit, we must not hesitate. It is by far better to have a commercial war, if it must come in consequence of our exclusion law, than have a labor earthquake in the near future.

The following table is taken from the Summary of Commerce and Finance for June, 1901, by O. P. Austin, Chief of the Bureau of Statistics, Treasury Department:

Trade of the United States with China.

| Year ended June 30-- | Imports, free. | Imports, dutiable. | Total imports. | Exports (from United States to China). | Excess of imports. |
|----------------------|----------------|--------------------|----------------|--|--------------------|
| 1889 | \$11,563,511 | \$5,444,871 | \$17,008,382 | \$9,791,128 | \$14,297,254 |
| 1890 | 11,652,905 | 4,527,693 | 16,180,598 | 2,940,809 | 13,239,789 |
| 1891 | 14,571,987 | 4,743,833 | 19,315,820 | 8,701,032 | 10,614,788 |
| 1892 | 15,031,431 | 4,261,896 | 19,293,327 | 5,655,487 | 13,637,840 |
| 1893 | 15,402,945 | 5,161,090 | 20,564,035 | 3,930,437 | 16,633,598 |
| 1894 | 13,948,728 | 3,730,242 | 17,678,970 | 3,592,423 | 14,086,547 |
| 1895 | 10,950,423 | 3,667,471 | 14,617,894 | 3,600,540 | 11,017,354 |
| 1896 | 12,162,223 | 3,227,701 | 15,389,924 | 5,821,893 | 9,568,031 |
| 1897 | 17,228,204 | 3,115,458 | 20,343,662 | 11,224,403 | 9,119,259 |
| 1898 | 15,123,799 | 2,205,645 | 17,329,444 | 4,062,804 | 13,266,640 |
| 1899 | 14,220,760 | 10,288,508 | 24,509,268 | 14,408,440 | 10,100,828 |
| 1900 | 14,495,282 | 12,430,642 | 26,925,924 | 15,520,167 | 11,405,757 |

According to the above report, we have imported from China for ten years, beginning with 1890 and ending with 1900, almost \$104,000,000 worth of merchandise more than we have sent to that country. Almost two-thirds of our imports have been free of duty. Four articles comprise the principal part of our imports. In 1900 our imports amounted to \$20,896,926, \$30,000,000 of which were silk, tea, opium, and goatskins, and about \$14,000,000 of the entire imports were free of duty. In the consideration of this bill I do not deem any comments necessary on the above. [Applause.]

There is no evidence of bad faith on our part in the passage of this bill. The treaty of 1894 contemplates the continuation of an exclusion act and a change in the law from time to time. The treaty states that it is the desire of the Government of China to absolutely prohibit the emigration of laborers from China to the United States, and article 2 of the treaty recites that a Chinese laborer shall be furnished by the collector of the port from which he departs with such certificate as the laws of the United States may now or hereafter prescribe. Assuming that we pass a law to expire with the treaty, what guarantee have we that China will ratify a treaty to take effect on the death of the present one?

We had enough revealed to us of Chinese policy and Western diplomacy in our attempt to secure the ratification of the treaty submitted to China by the United States in May, 1888, which failed, and on the failure of which in based the attack on our present law to which I have referred. President Cleveland, in his message accompanying the approval of the act of October, 1888, which absolutely prohibited the coming of Chinese laborers to the United States, declared:

That the Chinese Government in delaying the ratification of the treaty had violated its pledges, and that its demands for further consideration meant an indefinite postponement of the objects we had in view.

The recent Russia-Chinese bank negotiations demonstrate Chinese duplicity. They were only devised to deceive the powers. The agreement granting Russia exclusive mining and other concessions in Manchuria were given with imperial consent and ratified long ago by Li Hung Chang.

Sir Frederick Bruce, one of the ablest ministers England ever had at Peking, wrote to his Government in 1863, declaring that—

In a country like China, where the principles of administration differ entirely from those practiced by us, the conclusion of a treaty is the commencement, not the termination of difficulties.

The passage of an exclusion law to expire with the treaty would mean much trouble. The Chinese Government would undoubtedly refuse to enter into a new treaty until first assured of a satisfactory exclusion law. But one of two courses would then be open to us—either concede to its wishes or enact a law to protect ourselves regardless of the protests of China, and thereby lead to strained relations, and if perchance a treaty were secured by compromise and a law passed subsequently, it might be open to China to claim that we disregarded the terms upon which the treaty was secured and be open to the charge of obtaining a treaty under false pretenses, which would place us in a very unenviable position before other nations.

Mr. PALMER. If the gentleman will allow me, was not the charge made against the United States in the passage of the act of 1888 that the United States violated the treaty obligations?

Mr. NAPHEN. Yes, it was contrary to the terms of the treaty of 1880. China had violated its pledges before the passage of the act of October, 1888. We assumed that China would ratify the treaty then under consideration. She was playing false. The first information we had that the treaty was to be rejected was by way of England. After waiting a long time Congress grew impatient. An answer was forced from China. She refused to ratify the treaty; then we passed the act. We felt that she had deceived us.

Mr. PALMER. Did not that violate the treaty regulations we had with China, including the treaty of 1880, which gave the Chinese the unrestricted right to come to this country and the rights of the most favored nation?

Mr. NAPHEN. The most-favored-nation clause is in all the treaties of China with other nations. It creates no peculiar rights. If you deem the passage of the act of October, 1888, a violation under the circumstances—there was a violation.

Mr. PALMER. Did not the Supreme Court decide, under the act of 1888, that the treaty had been violated and that the United States had a right to violate it?

Mr. NAPHEN. Yes; we had a right to ignore it.

Mr. PALMER. Then what is the use of finding fault with China, when we did the same thing?

Mr. NAPHEN. I find fault with her by her deception at the time she refused to ratify the treaty. We were acting in good faith with her at the time, and expected a ratification of the treaty.

Mr. PALMER. I do not think the United States is in a position to sling rocks at China about violating treaties. I am in favor

of this bill, but I do not think we are in a better position in that regard than China.

Much reference is made to the treaties with China. It is claimed that they are of great benefit to us.

Mr. Fish, Secretary of State, in his letter to Mr. Bancroft, dated August 31, 1869, said:

The treaty negotiated by Mr. Burlingame and his colleagues * * * came voluntarily from China and placed that power in theory on the same diplomatic footing with the nations of the Western World. It recognizes the Imperial Government as the power to withhold or grant further commercial privileges. Without contest the international jurisdiction conferred by former treaties upon European and American functionaries over the properties and persons of their countrymen, it recognizes as the same (from the territorial integrity of China and prevents such jurisdiction from being stretched beyond its original purpose.

Mr. Bayard, Secretary of State, placed a true estimate on them. In his letter to Mr. Cheng Tsao, February 18, 1886, he said:

To sum up, as the treaties stand, American citizens not of diplomatic or consular office may resort to China for trade, for mercantile, or as teachers, and then only to certain carefully limited localities, having due regard to the feelings of the people in the locality thereof. If the citizens or subjects of any other power should be granted other or greater privileges, then the citizens of the United States will have equal treatment.

Secretary Bayard placed a correct estimate on the then existing treaties.

No extra rights were granted to us by China under the treaty of 1894. Under Article V of that treaty China was given a right to enforce regulations for the registration of skilled and unskilled laborers who are citizens of the United States residing in China, and the United States was obliged to furnish the Government of China annual reports showing the full name, age, occupation, and residence of all other citizens of the United States, including missionaries residing within and without the treaty ports of China.

Article V reads as follows:

ARTICLE V.

The Government of the United States, laying by an act of the Congress approved May 5, 1862, as amended by an act approved November 4, 1883, required all Chinese laborers lawfully within the limits of the United States before the passage of the first-named act to be registered as in said acts provided, with a view of affording them better protection, the Chinese Government will not object to the enforcement of such act, and reciprocally the Government of the United States recognizes the right of the Government of China to enact and enforce similar laws or regulations for the registration, free of charge, of all laborers, skilled or unskilled (not merchants as defined by said acts of Congress), citizens of the United States in China, whether residing within or without the treaty ports.

And the Government of the United States agrees that within twelve months from the date of the exchange of the ratifications of this convention, and annually thereafter, it will furnish to the Government of China registers or reports showing the full name, age, occupation, and number or place of residence of all other citizens of the United States, including missionaries, residing both within and without the treaty ports of China, not including, however, diplomatic and other officers of the United States residing or traveling in China upon official business, together with their body and household servants.

Mr. PALMER. Since 1844, when the first treaty was negotiated with China, it has been altered four times, and every time at the request of the United States, and every time China has reluctantly granted consent. In 1888 China refused consent to ratify that treaty.

Mr. NAPHEN. China did not send answer of refusal. The answer was that the treaty needed further consideration.

Mr. PALMER. The point I want to make is this: That in the beginning of our treaty relations every time the treaty has been altered it has been at the request of the United States and the reluctant consent has been wrung from China. Under the treaty of 1890 we granted free and unlimited immigration to Chinese subjects, and agreed to respect the Chinese and not interfere with her internal affairs.

Mr. NAPHEN. We had no right to absolutely prohibit, but if the coming to the United States or residence of Chinese laborers here affected, or threatened to affect, the interests of our country or endanger the good order of any locality, we had a right to limit or suspend such coming or residence in a reasonable manner.

Mr. PALMER. And every time the treaty has been changed it has been changed at the request of the United States against the wish of China. Is not that true?

Mr. NAPHEN. We were justified. Self-protection demanded it each time. And self-protection calls for the passage of the bill now before us.

Mr. PALMER. I agree with the gentleman as to that.

Mr. NAPHEN. I desire to call the attention of those who oppose this bill on the ground that they anticipate much from our trade with China to a communication of Consul-General Fern- ing, from Shanghai, to the State Department on the question of Asiatic competition in the great manufacturing industries of the world. He informs us that—

Goods manufactured in India, Japan, and China are now in the Asiatic markets. * * * China and Japan can now manufacture goods that will seriously compete in foreign markets with our manufactured goods. The energy and skill of the American laborer fear no rival in the home markets, but a new civilization is lighting up China and competition in Chinese markets for our manufactures will be one of the consequences. I have not filled

to consider that civilization will increase the wants of the Chinese, but their progress may enable them to supply their wants. It is, therefore, Chinese competition in Chinese markets that is first to be feared, and not so much in our home markets. The success which has attended cotton mills at Shanghai within a few years past has stimulated the formation of companies for similar enterprises elsewhere in China. * * *

The American laborer is very properly protected against competition with Chinese labor on American soil, and such protection in no sense credits the industry of the former, but when the products of Chinese labor will seriously compete in American markets with the products of American labor is more the question of the hour. In this report I have indicated the belief that competition is not to be much apprehended in our home markets as it is in the markets of China for home products, and the facts would seem to justify the belief. * * *

The quality of cotton goods at present imported from Great Britain and the United States can be manufactured in China from the products of her soil, and it is unanswerable to expect the importation from foreign countries to continue in such large quantities, and when the products can be produced in necessary quantity on the soil of China at a far cheaper price it is no longer a question that cotton made and manufactured in China will supply the demand of the Chinese for cotton goods.

It will, and it therefore follows that the competition will first begin in the markets of China. * * * The prices paid a Chinese laborer are starvation prices to the American laborer, but the price of Chinese food is in proportion to the price of Chinese labor, and the money is received and the food eaten with contentment.

It is certain that there can be produced in China a much superior grade of cotton to that now produced, and with improved machinery Chinese cotton mills will be able to supply the demand for a finer quality of cotton goods, as they are now supplying the demand for the more inferior quality.

In another report he informs us that "the poorest families will live on 50 cash pieces per diem, which at the present rate of exchange is about 3 cents."

In this report of the commerce of China we are informed "that the cotton industry and cotton demand in China are an especially important subject in considering that country from the standpoint of American commerce. Cotton and cotton goods form the largest item of our exports to China."

Much as I am in favor of an exclusion act, I desire to place on record my opposition to section 2 in its present form, which provides that the prohibition of Chinese immigration shall apply to those born in our insular possessions since their acquisition, and those who may be born there hereafter.

We have no right to prevent the free transit of any person born in the insular possessions whose parents have a permanent residence and domicile therein, be they *Mestizos* or Chinese. It should seem unnecessary for me to argue that our insular possessions are not foreign territory.

Mr. Chief Justice Marshall and Mr. Justice Story define a foreign territory to be one exclusively without the authority of the United States (see the cases of the *boat Eliza*, 2 Gall. 4; *Faber v. United States*, 1 Story, 1; the ship *Adventive*, 1 Brock, 225-241), and this decision is sustained by a long line of decisions and by numerous authorities on constitutional law.

In the recent case of *De Lima v. Bidwell* (182 United States, 1), Mr. Justice Brown, who delivered the opinion of the court, says:

From a résumé of the decisions of this court, the instructions of the Executive Departments, and the above acts of Congress, section 2 of the Foraker Act, it is evident from 1893, the date of Mr. Gallatin's letter, to the present time there is no shred of authority, except the dictum in *Fleming v. Page* (practically overruled in *Cross v. Haysen*), that a district ceded to and in the possession of the United States remains for any purpose a foreign country.

Mr. CLARK. Will my colleague on the committee answer one question?

Mr. NAPHEN. Certainly.

Mr. CLARK. If the Philippine Islands are a part of the United States, does it not necessarily follow that Congress has no power to restrict the free locomotion of citizens of the Philippine Islands, just as it has no right or power to restrict the free locomotion of any other citizens of the United States?

Mr. NAPHEN. May I ask my colleague a question? When he speaks of "citizens," does he mean those born there since or those who were subjects of Spain at the time of the acquisition? There is an important distinction to be drawn.

Mr. CLARK. I mean those who were subjects of Spain at the time of the acquisition and those who have been born in those islands since—the whole gang of them. [Laughter.]

Mr. NAPHEN. Those who were citizens of Spain at the time of the acquisition and did not preserve their allegiance to Spain must be protected in their natural rights under the Constitution. Those who were born there since we acquired the possessions, whose parents have a permanent residence therein, are citizens of the United States. Does that answer the gentleman's question?

Mr. CLARK. Yes, sir.

Mr. BARTLETT. If the proposition of the gentleman from Massachusetts be true, that they became citizens of the United States, then how do we get any authority from the Constitution of the United States to prohibit those people who by the terms of the essential business citizens of the United States from coming to this country—in other words, from going from one part of the United States to another?

Mr. NAPHEN. The rights I refer to are given to them by the Constitution. In the case of *De Lima v. Bidwell* (182 U. S., 1) the court said:

Whatever may be finally decided by the Americans as to the status of the islands and their inhabitants, it does not follow in the meantime, awaiting that decision, that people are in the matter of personal rights unprotected by the provisions of our Constitution and subject to merely arbitrary control of Congress.

Mr. BARTLETT. I want to keep them out, but I want to know how to do it.

Mr. NAPHEN. Permit me to call your attention to the latter part of Article IX of the Treaty of Paris, and perhaps you will see the distinction.

Mr. KLEBERG. Well, they could still come here under the Constitution if they are citizens of the United States.

Mr. NAPHEN. Under the latter part of article 9 the civil rights and political status of the native inhabitants of the territories hereby ceded to the United States shall be determined by Congress. A man has three rights. He has his natural right, he has his civil right, and he has his political right. This exclusion is contained within his natural rights, and I have not touched the civil or political rights yet, even should it be said under this section that we had a right to define what the civil rights and political status of the native inhabitants were. I say they can not apply to those that were born there since or who may be born there hereafter. That contemplated those who were then native residents of the insular possessions.

Mr. BARTLETT. May I ask the gentleman if he does not consider it a natural, inalienable right of every American citizen to go where he pleases and to have equal protection of law and Constitution of the United States?

Mr. NAPHEN. Certainly, sir; and I am coming to that, and that is just the reason I am not in favor of section 2 in its present form.

Mr. BARTLETT. Then I think you and I agree.

Mr. KLEBERG. That is all right.

Mr. NAPHEN. I do not agree with my colleague on part of section 2.

Mr. BARTLETT. I misunderstood your position. Of course the gentleman has read the decision of Justice Brown in the celebrated *Downes* and *Bidwell* case, which discusses somewhat the same propositions.

Mr. NAPHEN. It is discussed in all of the cases.

Mr. BARTLETT. In which he says, enumerating the natural right of people in these islands:

That the inhabitants of these territories are subject to an unrestrained power on the part of Congress to deal with them upon the theory that they have no rights which Congress is bound to respect.

Mr. NAPHEN. That is what I say. It is claimed by some that Congress brought the Constitution there. It went there of its own force.

These possessions are a part of the domain of the United States and our dominion extends over them. Our Constitution has been stretched under the implied-powers doctrine. Instead of a power confining and restricting the power of the Government, it has come to be regarded as a document in which the Government can find a warrant for the exercise of any power, but the most strenuous advocates of this doctrine will not claim that a person born in our insular possessions since our acquisition of same, he being subject to our jurisdiction, can be denied his personal rights except he forfeit them for a crime.

Those rights are life, liberty, and property. His right of liberty permits him to go to any part of our Republic and work there. This can not be denied him, and it rests on the same principle as his right to free speech and his right to worship God according to the dictates of his conscience. If we claim the right to arbitrarily deprive him of one of those, then we can deprive him of all. Judge Day, who was one of the peace commissioners, and who knows well the spirit as well as the letter of the treaty, in an address before the Michigan Bar Association, since the signing of the treaty, said:

Whatever the power of the American Government under the Constitution, the American people through their Executive and Representatives in Congress may be trusted to see that there goes with American sovereignty the underlying principles of freedom and liberty for which our fathers fought and for which they set up a government of and by and for the people. A party which should ignore or forget these principles would be relegated by the people from power to obscurity.

It may be urged that under the treaty Congress has a right to determine the civil rights and political status of the native inhabitants of the territory ceded. That referred to the native inhabitants then there, and not to those who have been born there since or may be born there hereafter. The Constitution takes care of their status.

Usually when territory comes by cession or annexation to a country the terms of the treaty determine the status of the people under their new master. But when we apply this proposition

to the United States the terms of the treaty must not run contrary to the Constitution, the fountain head of our Government. Mr. Justice Cooley, in his work on Constitutional Law, says:

The Constitution never yields to treaty or enactment. It neither changes with time nor does it in theory bend to the force of circumstances.

Therefore, we hold our insular possessions under authority from the Constitution and must be governed according to its terms. You can not violate or set aside a single sentence or clause under any circumstances. If we admit that Congress can do this, then the whole instrument falls to the ground and there would be no Constitution and no Congress. The Constitution creates Congress, and to say that Congress is greater than its creator and can act outside and beyond the power which the Constitution gave it is a proposition repugnant to law and to common sense. Mr. Justice Cooley says:

It is believed, however, that the securities for personal liberty which are incorporated in the Constitution were intended as limitations of its power over any and all persons who might be within its jurisdiction anywhere, and that citizens of the Territories, as well as citizens of the States, may claim the benefit of their protection.

The same Constitution which governs us here must, of course, govern the people in the insular possessions. Every prohibition which binds Congress here binds it there. Liberty can not mean one thing here and something else there. As I have shown, these possessions are as much a part of the domain of the United States as the Territory of Alaska. Congress may extend political privileges according as in its judgment the people shall be found to be capable of exercising them, but at all times the Constitution is there, every clause of it. By virtue of the first clause of the fourteenth amendment of the Constitution, a child born in the United States of the parents of Chinese descent, who have a permanent domicile and residence in the United States, becomes at the time of his birth a citizen of the United States.

In the case of *Cross v. Harrison* (16 Howard, 301) it is said California by ratification became a part of the United States, and if a part of the United States, then Congress did not need an enactment to bring it there, for in the very preamble it is declared to be a Constitution for the United States of America. If Congress could extend the Constitution to-day, it could take it away to-morrow, for the power to repeal is incident to the power to enact. In holding and governing our insular possessions no clause of the Constitution which has thrown its protecting mantle over them can be violated, ignored, or set aside, no matter what the emergency or what the motive which prompted the act. The same right which it guarantees us is theirs also. We can not by legislative action discriminate against persons born in our insular possessions, after the ratification of the treaty, so as to exclude them from their natural, civil, or political rights. [Loud applause].

Mr. HITT. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. PALMER).

Mr. PALMER. Mr. Chairman, the question for decision is, Shall the policy of excluding Chinese laborers from the United States be continued and made perpetual?

How and why this policy originated may be learned from a brief review of the relations of the United States and China.

Our first treaty with China was negotiated in 1844. In 1857 Great Britain and France invited the United States to join in an armed demonstration against China in order to compel that nation to grant additional commercial privileges. Following the long-established policy of avoiding all entanglements with foreign countries, which Washington recommended, the invitation was declined.

In 1858, by friendly negotiations, the United States secured from China all the advantages that Great Britain and France obtained by an armed occupation of Peking.

In 1868 additional articles were agreed upon, securing greater privileges to citizens of the United States in China, recognizing the autonomy of the Empire, disavowing any intention of interfering in its internal affairs, prohibiting the coolie contract system, guaranteeing the free and unlimited immigration of Chinese subjects into the United States, and extending to them the treatment accorded to the most-favored nations.

The opportunity to find work, accorded by the construction of the Pacific railroads, brought some hundreds of thousands of Chinese laborers to this country. They were brought under contracts made by Chinese companies, which included a provision for their return in a given number of years, if living, and a removal of their remains to China for burial, if dead.

Difficulties arose between native and Chinese laborers, riots occurred in which many of the Chinese immigrants were killed, and the Government felt obliged to pay China large sums of money as damages.

In 1880 a commission was dispatched to China for the purpose of negotiating a modification of the treaty of 1868 with respect to restricting the immigration of Chinese laborers, which was successful, China reluctantly consenting.

In 1888 another effort was made to obtain further concessions, which was unsuccessful, when Congress passed an act which violated the treaty of 1880. Nevertheless the Supreme Court held the act to be within the power of the Government.

In 1894, for the fourth time, the Chinese consented to negotiate a new treaty of immigration, which took the place of the treaty of 1880, modified the act of 1888, and allowed Chinese laborers lawfully in the United States to visit China and return, under certain restrictions. That treaty, which was limited by its terms to ten years, with the act of 1902, which expires by limitation in May of this year (which regulates the coming and going of resident Chinese), are the laws now in force upon the subject of Chinese immigration.

The policy of the Government from 1868 to 1894 has been modified from free immigration in 1868 to prohibition in 1894. From 1868 to 1880 there was free immigration; from 1880 to 1888, restriction; from 1888 to 1892, exclusion, and from 1892 to this time, prohibition.

The question is, "Shall this policy be definitely and finally adopted and laws passed declaring it free from any time limit?"

The reasons urged for the exclusion of the Chinese are that they are an undesirable class, not assimilative into the body of our people; that they can work and live under the most unfavorable conditions; subsist on an astonishingly small allowance of food; that they are not burdened with families to support, and are therefore able to underbid others who have wives and children; that they are immoral in character and fatalists in religion; that their only purpose is to earn as speedily as possible a sum of money with which to return to China; that they have no interest in building up society, supporting schools or churches, or in the success of free institutions; that no free-born and self-respecting laboring man can maintain himself and his family in competition with Chinese laborers. They are "aliens from the commonwealth of Israel and strangers from the covenants of promise."

The political economist urges that the laborer who can produce value to the extent of \$3 per diem and who can subsist on 20 cents is not as valuable to the community as one who consumes a dollar in living, especially if the first takes his earnings out of the country to be expended elsewhere.

The statesman contends that the perpetuity of the Republic depends upon the virtue and intelligence of the people, and that whatever impairs virtue or decreases intelligence must be forbidden; that the standard of American citizenship is high because the citizen is able not only to obtain the necessities but some of the comforts of life, and occasionally get within hailing distance of the luxuries. He is able to buy books and educate his children and support the church of his choice.

The mechanic who has a commodious six-room house, with modern improvements, and who can earn an average of \$3.50 a day the year round, lives better and more cleanly and has more of the comforts of life than did the English nobility in the days of Elizabeth. This condition results from his ability to buy and his disposition to consume. Whatever diminishes his ability to buy will decrease his opportunity to consume. The competition of Chinese labor will inevitably tend to lower the wages of labor, and therefore degrade the standard of citizenship.

The moralist points with horror and dread to the unblinking vice of the Chinese quarters in all cities where considerable numbers are congregated; to their contaminating influences on the youth of other races; to their utter disregard of all laws of health, cleanliness, or morality, and fears, not without reason, that all possible benefits to be derived from Chinese labor would be far overbalanced by the importation and dissemination among our youth of vice and disease.

The strength and glory of the Republic is in her matchless army of laboring men. Her true and only aristocracy is to be found among those who work with brain or hand. Merchant, miner, mechanic, unskilled laborer, lawyer, doctor, preacher, teacher—it matters nothing—all who honestly and earnestly toil belong in the ranks emobled by labor. The idle rich, who toil not, are only camp followers of the grand army of laborers.

Says Thomas Carlyle: "Labor is discovered to be the grand conqueror, erecting and building up nations more surely than the proudest battle."

Little by little, but more and more, the rights of labor are conceded. Little by little, but more and more, the share of the laborer in the fruits of his toil is increased. In fifty years the average of wages of the laborer in this country has increased 40 per cent, while the hours of daily toil have steadily decreased. Our laboring people are better clothed, housed, and fed than any other on the earth. Capital has not lost by labor's gain. The wealth of the country has increased by leaps and bounds. Perhaps the share of labor in the great enterprises in which capital and labor are jointly engaged is not yet fairly rendered. Neither can prosper without the other; therefore the division of profits should be fair and just.

Whatever tends to cheapen, degrade, or debase labor should be forbidden in the interest of capital, labor, and the state.

Across the sea, but within a few days' journey, lies a land in which 400,000,000 human beings, nearly a third of the population of the globe, struggle for the bare necessities of life. Forty centuries of toil, privation, and starvation have bred a race with a power to work with little food or rest, with a perseverance that no Caucasian men can equal; a race without morals or sensibility; calm, secretive, persistent, and servile; with quickened intellectual power enabling them to copy, imitate, and become proficient in any work; subsisting on a few handfuls of rice, taking no account of heat, cold, times, or seasons; having no recreations that are not vicious; stoics in practice and fatalists in belief. Of them millions die of starvation annually; being unable by the severest toil to earn even the few mouthfuls of food upon which they could subsist.

Shall the United States open her ports and let them in? Shall the workers of this land be put into hopeless competition with the swarming millions of China?

Shall the standards of citizenship be lowered, the wages of labor decreased, the opportunity for educating children diminished, our army of workers reduced to the necessity of adapting themselves to the starved condition of a servile oriental race, and the body politic be infected with the leprosy of Eastern vice?

To those who fly from the persecution of tyrants, if they are industrious, law-abiding, and God-fearing, and if they seek homes and citizenship in this fair land of opportunity and freedom; if they come to cast in their lot with us, renouncing all allegiance to foreign princes and potentates, to help in building up the great Republic, the gates should not be closed. For the anarchist, who would destroy all government; the pauper, who would become a burden to the industrious; for the criminal, fleeing from punishment for crimes committed, and for the Chinese, whose coming in large numbers would tend to lower the standard of citizenship, lessen intelligence and impair virtue, and therefore weaken the support upon which the perpetuity of the Republic depends, we have no room.

O Liberty, white goddess! Is it well
To leave the gate unguarded? On thy breast
Fold sorrow's children, soothe the hurts of fate,
Lift the downtrodden; but with hand of steel
Stay those who to thy sacred portals come
To waste the gifts of freedom: Have a care
Lest from thy brow the clustered stars be torn
And trampled in the dust. Foes of old
The thronging Goth and Vandal trampled Rome,
And where the temples of the Caesars stood
The lean wolf unmolested made her lair.

[Loud applause.]

Mr. CLARK. Mr. Chairman, I ask unanimous consent to extend my remarks somewhat by inserting certain matters that I just referred to.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HITT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. DALZELL, the Speaker pro tempore, having resumed the chair, Mr. MOODY of Massachusetts, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 13081 (the Chinese-exclusion bill), and had come to no resolution thereon.

CUSTODIANS OF DOCUMENTS.

Mr. BULL. Mr. Speaker, I am instructed by the Committee on Accounts to report the following privileged report.

The Clerk read as follows:

Resolved, That there shall be appointed by the Speaker of the House of Representatives two persons whose duty it shall be, under the direction and supervision of the Superintendent of the Capitol Buildings and Grounds, to properly arrange and temporarily be the custodians of the documents formerly stored in the gallery of Statuary Hall and now in the old library space, said persons to be paid out of the contingent fund of the House at the rate of \$100 per month.

The following amendment recommended by the committee was read:

At the end of the resolution insert the word "each."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question now is on agreeing to the resolution as amended.

The resolution was agreed to.

CLERK TO COMMITTEE ON ENROLLED BILLS.

Mr. BULL. Mr. Speaker, I am instructed by the Committee on Accounts to report the following resolution.

The Clerk read the resolution, as follows:

Resolved, That the chairman of the Committee on Enrolled Bills be, and he is hereby, authorized to appoint an additional clerk to said committee, who shall be paid out of the contingent fund of the House at the rate of \$8 per day during the remainder of the present session.

Mr. BARTLETT. Mr. Speaker, I desire to say that this is the usual resolution passed usually a month before this time by the Committee on Enrolled Bills. It is the same thing that has been done not only in this Congress, but in every preceding Congress of which I have been a member, and those before. It is nothing new; it is the usual thing, except that it comes a month later than before.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

CHARLES E. GLYNN.

Mr. BULL. Mr. Speaker, I also submit the following resolution from the Committee on Accounts.

The Clerk read as follows:

Resolved, That there be paid out of the contingent fund of the House to Charles E. Glynn, for services for ten days as secretary to Albert D. Shaw, late member of Congress from the Twenty-fourth district New York, the sum of \$35.70, said service being rendered from February 1 to February 10, 1901, inclusive.

Mr. BULL. There is a substitute for that.

The Clerk read the substitute, as follows:

Resolved, That the Clerk of the House be, and he is hereby, authorized and directed to pay out of the contingent fund of the House, miscellaneous items, 1901, to Charles E. Glynn the sum of \$35.70, being the amount due said Glynn for services rendered as clerk to the Hon. Albert D. Shaw, Representative to the Fifty-seventh Congress, who died while a member of the Fifty-sixth Congress, said services having been performed from February 1 to February 10, 1901, inclusive.

The SPEAKER pro tempore. The question is on agreeing to the substitute in lieu of the original resolution.

The substitute was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the following resolution:

House concurrent resolution 40.

Resolved by the House of Representatives (the Senate concurring). That there be appointed a committee by the President pro tempore of the Senate and the Speaker of the House to attend the ceremonies incident in transfer of the remains of Gen. William S. Rescans from California to the cemetery at Arlington, Va., said committee to be a joint committee of the two Houses.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

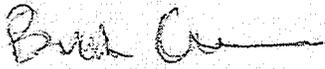
Mr. WACHTER from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bills of the following titles:

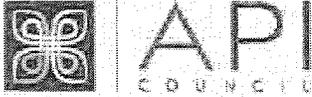
- H. R. 1503. An act granting an increase of pension to Michael Farrell;
- H. R. 1278. An act granting an increase of pension to La Myra V. Kendig;
- H. R. 5010. An act granting an increase of pension to William J. Overman;
- H. R. 3218. An act granting an increase of pension to Thomas Biss;
- H. R. 2267. An act granting an increase of pension to George McDaniel;
- H. R. 2545. An act granting an increase of pension to Isaac H. Criss;
- H. R. 6438. An act granting an increase of pension to Matthew C. Medbury;
- H. R. 9648. An act granting an increase of pension to Joseph Cowgill;
- H. R. 5327. An act granting an increase of pension to William H. Mackey;
- H. R. 1275. An act granting an increase of pension to Charles W. Thomas;
- H. R. 7250. An act granting an increase of pension to Margaret Hendry;
- H. R. 6667. An act granting an increase of pension to Lorenzo Blackman;
- H. R. 3276. An act granting an increase of pension to William G. Johnson;
- H. R. 1190. An act granting an increase of pension to Albert S. Whittier;
- H. R. 1928. An act granting an increase of pension to Helen V. Rorer;
- H. R. 725. An act granting an increase of pension to Joseph B. Arbaugh;
- H. R. 509. An act granting an increase of pension to James P. Burchfield;
- H. R. 1714. An act granting an increase of pension to Levi H. Winslow;
- H. R. 10141. An act granting an increase of pension to William R. Armstrong;

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Angel Island Immigration Station Foundation agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Angel Island Immigration Station Foundation

By: 
Its: BOARD PRESIDENT



Proudly consists of:

APA Family Support Services
API Legal Outreach
Asian & Pacific Islander
Wellness Center
Asian Law Caucus, Inc.
Asian Neighborhood Design,
Inc.
Asian Pacific American
Community Center
Brightline Defense Project
Center for Asian American
Media
Charity Cultural Services
Center
Chinatown Community
Development Center
Chinese Cultural Center of San
Francisco
Chinese for Affirmative Action
Chinese Historical Society of
America
Chinese Newcomers Service
Center
Chinese Progressive Association
Community Youth Center
Donaldina Cameron House
Filipino Community Center
Filipino-American Development
Foundation
First Voice
Gum Moon/Asian Women
Resources Center
Japanese Community Youth
Council
Japantown Task Force
Kai Ming Head Start
Kimochi, Inc.
NICOS Chinese Health Coalition
Nihonmachi Street Fair
Northeast Community Credit
Union
Northern California Cherry
Blossom Festival
OCA SF-Asian Pacific American
Advocates
Richmond Area Multi-Services
Samoan Community
Development Center
Self-Help for the Elderly
South of Market Community
Action Network
Southeast Asian Community
Center
The YMCA of San Francisco-
Chinatown
Veterans Equity Center
Vietnamese Youth Development
Center
Visitacion Valley Asian Alliance
West Bay Filipino Multi-Service,
Inc.
Wu Yee Children's Services

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

API Council agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

API Council is a 45-member citywide coalition that advocates for the equitable policies and resources on behalf of the API communities. Our 45-member coalition serves over 350,000 API residents alone in San Francisco.

API Council

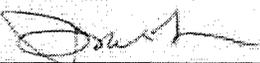
By: Cally Wong _____

Its: Director _____

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Asian American Bar Association agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Asian American Bar Association

By: 

Its: David Tsai, President 04/11/2018

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Asian Law Caucus agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Asian Law Caucus

By: *Anto Kahn*
Its: *Advancing Justice - Asian Law Caucus*

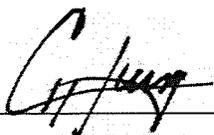
5/10/18

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

The California Asian Pacific American Bar Association (Cal-APABA) agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

CALIFORNIA ASIAN PACIFIC
AMERICAN BAR ASSOCIATION

By:



Its: President



Chinatown Community
Development Center

華協中心

1525 Grant Avenue
San Francisco, CA 94133
TEL 415.984.1450
FAX 415.362.7992
TTY 415.984.9910
www.chinatowncdc.org

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Chinatown Community Development Center agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Chinatown Community Development Center

By: _____

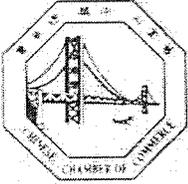
Name: Norman Fong

Its: Executive Director _____



Properties professionally managed by Chinatown Community Development Center do not discriminate based on race, color, creed, religion, sex, national origin, age, familial status, handicap, ancestry, medical condition, physical handicap, veteran status, sexual orientation, AIDS, AIDS related condition (ARC), mental disability, marital status, source of income, or any other arbitrary status.





CHINESE CHAMBER OF COMMERCE

730 Sacramento Street, San Francisco, CA 94108

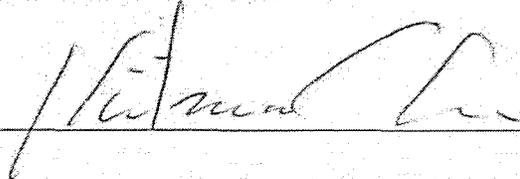
(415) 982-3000

Fax: (415) 982-4720

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Chinese Chamber of Commerce agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Chinese Chamber of Commerce

By: 

Its: KITMAN CHAN, PRESIDENT



CHINESE CONSOLIDATED BENEVOLENT ASSOCIATION

"Chinese Six Companies"

The Official Representative Association of Chinese in America

843 STOCKTON STREET • SAN FRANCISCO, CALIFORNIA 94108

TEL: (415) 982-6000 • FAX: (415) 982-6010

April 25, 2018

Supervisors:

Sandra Lee Fewer, Catherine Stefini and Norman Yee
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Supervisors,

The Chinese Consolidated Benevolent Association strongly supports a resolution of the Board of Supervisors to direct the San Francisco's Recreation and Park Commission to eradicate the name, Julius Kahn's from the Julius Kahn Playground.

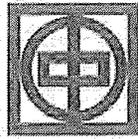
Due to former Congressman Kahn's advocacy in the permanent extension of the Chinese Exclusion Act and his introduction of H.R. 13031 which gained quick passage through the House of Representatives prior to moving on to the Senate for approval.

As San Franciscans, we should be able to enjoy our public parks and have equal access to facilities provided by this great City by the Bay regardless of the color of our skins or ethnicities, without the stigma of a racist name.

Sincerely,

CHINESE CONSOLIDATED BENOVOLENT ASSOCIATION

Stephen Leung
Presiding President



舊金山中華文化基金會
Chinese Culture Foundation of San Francisco

Dedicated to elevating underserved communities
and giving voice to equality through education and contemporary art.

April 12, 2018

Chairperson
Minna Tao

Vice Chairs
Wai-ling Eng
Sherman Tang
Alfred Tom

Secretary
Shannon Yip

Treasurer
George Mak

Board of Directors
Daniel Cheng
Ben Choi
Helen Y. H. Hui, Esq.
Thomas Klitgaard, Esq.
Ryan Lee
Laurene McClain, Esq.
Mark T. Ng
Warren Seeto
Cecilia Sze
Garry K. Wong

Executive Director
Mabel S. Teng

Global Art Council
Hou Hanru
Mami Kataoka
Pi Li

Art Advisory Board
Terese Tse Bartholomew
Tatwina Chinn Lee
Manni Liu
Gang Situ

Supervisor Sandra Lee Fewer
Supervisor Catherine Stefani
Supervisor Norman Yee
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Supervisors Fewer, Stefani, and Yee,

On behalf of Chinese Culture Center, we are writing to support a resolution of the Board of Supervisors directing the Recreation and Park Commission to remove Julius Kahn's name from Julius Kahn Playground.

Chinese Culture Center (CCC), under the aegis of the Chinese Culture Foundation of San Francisco is one of the leading and most prominent cultural and social centers in the city of San Francisco. Our mission is dedicated to elevating underserved communities and giving voice to equality through education and contemporary art. Our work is based in Chinatown and San Francisco's open and public spaces, and other art institutions.

Creating welcoming and safe spaces is important to all San Franciscans. During his time, Congressman Julius Kahn promoted and institutionalized racist and exclusionary policies in our country. To continue referring to the park named after him means that we continue to promote exclusion and racism. Since this is not the kind of community we are promoting, his name should be removed and replaced with a new name that is the result of a community process.

We join the Chinese Historical Society of America and others in respectfully requesting that you introduce a resolution directing the Recreation and Park Commission to remove his name from the playground.

Sincerely,

Chinese Culture Center

By Mabel Teng, Executive Director

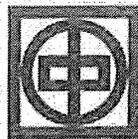
By May Leong, Deputy Director

cc: Phil Ginsburg
General Manager
Recreation and Park Department

President Mark Buell
Secretary Margaret McArthur
Recreation and Park Commission

750 KEARNY ST., 3RD FLOOR, SAN FRANCISCO, CA 94108

T (415)986-1822 | F (415)986-2835 | W www.cccsf.us | E info@ccsf.us



舊金山中華文化基金會
Chinese Culture Foundation of San Francisco

Dedicated to elevating underserved communities
and giving voice to equality through education and contemporary art.

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Chairperson
Minna Tao

Vice Chairs
Wai-ling Eng
Sherman Tang
Alfred Tom

Secretary
Shannon Yip

Treasurer
George Mak

Board of Directors
Daniel Cheng
Ben Choi
Helen Y. H. Hui, Esq.
Thomas Klitgaard, Esq.
Ryan Lee
Laurene McClain, Esq.
Mark T. Ng
Warren Seeto
Cecilia Sze
Garry K. Wong

Executive Director
Mabel S. Teng

Global Art Council
Hou Hanru
Mami Kataoka
Pi Li

Art Advisory Board
Terese Tse Bartholomew
Tatwina Chinn Lee
Manni Liu
Gang Situ

Chinese Culture Foundation of San Francisco agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Chinese Culture Foundation of San Francisco

By: Mabel S. Teng Date: April 12, 2018

Mabel Teng, Executive Director

By: May Leong Date: 4/12/18

May Leong, Deputy Director

750 KEARNY ST., 3RD FLOOR, SAN FRANCISCO, CA 94108

T (415)986-1822 | F (415)986-2835 | W www.cccsf.us | E info@cccsf.us

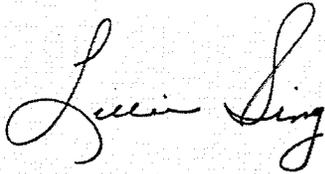
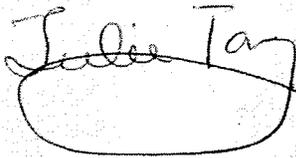
JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

COMFORT WOMEN MEMORIAL FOUNDATION agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

COMFORT WOMEN JUSTICE COALITION

Judge Lillian Sing, ret

Judge Julie Tang, ret.

A handwritten signature in cursive script that reads "Lillian Sing".A handwritten signature in cursive script that reads "Julie Tang".

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

The Community Youth Center of San Francisco agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Community Youth Center of San Francisco (CYC)

By: 
Its: EXECUTIVE DIRECTOR



EDWIN M. LEE
Asian Pacific Democratic Club

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Edwin M. Lee Asian Pacific Democratic Club agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Edwin M. Lee Asian Pacific Democratic Club

By:
Its:

139332080.1

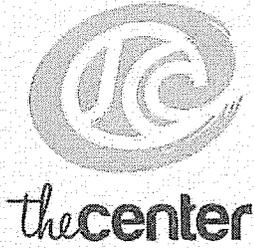
JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Japanese Community Youth Council agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Japanese Community Youth Council

By: 

Its: Executive Director



JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Japanese Cultural and Community Center of Northern California agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Japanese Cultural and Community Center of
Northern California

By: _____

Its: _____

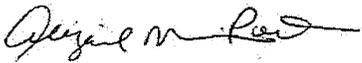
Executive Director



JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Jewish Community Relations Council agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

JEWISH COMMUNITY RELATIONS
COUNCIL

By: 
Its: AMP _____

JEWISH COMMUNITY RELATIONS COUNCIL
of San Francisco, the Peninsula, Marin, Sonoma, Alameda and Contra Costa Counties
121 Steuart Street, Ste. 301, San Francisco, CA 94105 | Ph: (415) 957-1551 | info@jcrc.org | www.jcrc.org

Pursuing a Just Society and a Secure Jewish Future

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Kimochi, Inc., agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Kimochi, Inc.

By: 
Its: EXECUTIVE DIRECTOR

From: Vince Courtney
To: [Low, Allan E. \(SFO\)](#); [Theresa Foglio](#)
Cc: [Zhang, Linda \(SFO\)](#); [Quock, Lindsey \(SFO\)](#); [Chang, Kathy \(SFO\)](#)
Subject: Re: LIUNA Local 261 Joinder in Support
Date: Wednesday, May 2, 2018 12:46:03 PM

Commissioner Low:

JOINDER IN SUPPORT OF RENAMING LIUNA LABORERS' LOCAL 261

LIUNA Laborers' Local 261 agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

LIUNA Laborers' Local 261

By: /s/ Vince Courtney



Monica Padilla
Interim President, Board of Directors

Joseph F. Martinez
Executive Director

May 10, 2018

Perkins Coie LLC
Allan Low, Partner
505 Howard Street, Suite 1000
San Francisco, CA 94105

Dear Allan,

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

MISSION CHILD CARE CONSORTIUM, INC. agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

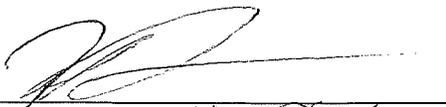
Sincerely,

Joseph F. Martinez
Executive Director

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

National Japanese American Historical Society agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

National Japanese American Historical Society

By: 
Its: Executive Director

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Nihonmachi Street Fair agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Nihonmachi Street Fair

Michael Jue, Board Chair

By:
Its:

139527212.1

Charles Ferguson, Esq.

3398 Washington Street, San Francisco, CA 94118 * 415.500-1477 * cferguson@energysolution.us.com

April 30, 2018

Supervisor Sandra Lee Fewer
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Supervisor Catherine Stefani
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Supervisor Norman Yee
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Renaming JK Playground

Dear Supervisors Fewer, Stefani and Yee:

I am writing in my capacity as President of the Presidio Heights Association of Neighbors.

As you know, the northern boundary of the Presidio Heights neighborhood is the Presidio Wall between the Presidio Gate and Arguello Gate. The Julius Kahn Playground is situated directly on the other side of the Presidio Wall from Presidio Heights midway between the two gates.

For as long as anyone can remember, JK Playground has been used extensively by countless children who have grown up in Presidio Heights. The main building at the playground was built because of the generosity of Richard and Rhoda Goldman, two of the most-revered philanthropists in San Francisco, and residents of Presidio Heights for most their long lives. As a parent of two children myself, I think it is fair to say that JK Playground is a vital and necessary part of the character of the Presidio Heights neighborhood. As a 30-year resident of Presidio Heights, a neighborhood consisting of over 800 residences and over 2500 residents (all of whom are automatically members of PHAN by their residency), I can attest to the fact that it is a beloved playground in our community and we hope that it will continue to be a vibrant space for generations to come.

Nevertheless, after careful consideration and discussion, the Board of Directors of the Presidio Heights Association of Neighbors (PHAN) does not oppose the removal of Julius Kahn's name

PHAN/Renaming JK Playground
April 30, 2018
Page 2

from Julius Kahn Playground. Furthermore, PHAN recognizes and supports the efforts of the Chinese Historical Society of America and Chinese for Affirmative Action to remove Julius Kahn's name from the playground, and PHAN's board of directors has met with their representative to discuss the matter. Again, we do not oppose the removal of Julius Kahn's name from the playground, and we look forward to being part of the City's conversation to give the playground a new name.

Sincerely,

PRESIDIO HEIGHTS ASSOCIATION OF NEIGHBORS

By



Charles Ferguson, President

cc: Vincent Pan, Executive Director
Chinese for Affirmative Action

Jane Chin, Interim Executive Director
Hoyt Zia, President
Chinese Historical Society of America

Phil Ginsburg, General Manager
Recreation and Park Department

President Mark Buell
Secretary Margaret McArthur
Recreation and Park Commission

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Rose Pak Democratic Club agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Rose Pak Democratic Club

By:  _____
Its: President

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

The Rotary Club of San Francisco Chinatown agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Rotary Club of San Francisco Chinatown

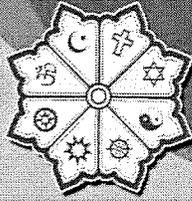
A handwritten signature in black ink, appearing to read "Richard Swart", written over a horizontal line.

By: Richard Swart

President 2017-18

Additionally, we would like to comment that this decision was unanimous among our membership.

Thank you for considering the renaming of Julius Kahn Park.



San Francisco Interfaith Council

*Celebrating our diverse faiths & spiritual traditions
Bringing people together to build understanding
Serving our community*

P.O. Box 29055
San Francisco, CA 94129
Phone: 415.474.1321

mgpappas@sinterfaithcouncil.org
www.sfinterfaithcouncil.org

Michael G. Pappas, M.Div.
Executive Director

Board of Directors:

Kaushik Roy, Chair
The Shanti Project

Betsy Dodd, Vice Chair
Calvary Presbyterian Church

Rabbi Larry Raphael, Treasurer
Congregation Sherith Israel

Nancy Nielsen, Secretary
Lutheran Social Services

Fr. Arturo Albano
St. Mary's Cathedral

Fatih Ates
Pacifica Institute

P.J. Cherrin
Mission Minyan

The Rev. Ellen Clark-King
Grace Cathedral

Sensei Elaine Donlin
Buddhist Church of SF

Richard H. Harris, Jr.
Church of Jesus Christ LDS

Hala K. Hijazi, Commissioner
SF Human Rights Commission

John McKnight
The Salvation Army

Rev. Monique Ortiz
*Saint Mary and Saint Martha
Lutheran Church*

Mario Paz
*Good Samaritan Family Resource
Center*

Robert T. Phillips
The Baha'i Faith in San Francisco

Rita R. Semel, Past Chair
Congregation Emanu-El

Rev. Floyd Trammell
*First Friendship Institutional Baptist
Church*

Swami Vedananda
Vedanta Society

Dr. Mary Wardell
University of San Francisco

Dr. Sally Wei
Buddhist Tzu Chi Foundation

Fr. Kenneth Westray
St. Vincent de Paul Catholic Church

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

SAN FRANCISCO INTERFAITH COUNCIL agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

SAN FRANCISCO INTERFAITH COUNCIL

By: Michael G. Pappas

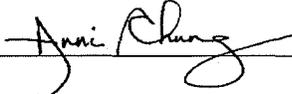
Its: Executive Director

May 10, 2018

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Self-Help for the Elderly agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Self-Help for the Elderly

By: 

Its: President & CEO



JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

The South Asian Bar Association of Northern California agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

South Asian Bar Association of Northern California

By: Asit Panwala _____

Its:  _____



**SOUTHERN CALIFORNIA
CHINESE LAWYERS ASSOCIATION**

199 WEST GARVEY AVENUE, SUITE 201
MONTEREY PARK, CA 91754
WWW.SCCLA.ORG

PRESIDENT
DIANA M. KWOK

PRESIDENT ELECT
SHIRLEY WEI

**EXECUTIVE
VICE PRESIDENT**
STEPHANIE W. TANG

VICE PRESIDENT
JASON LIANG

TREASURER
ELIZABETH YANG

SECRETARY
CELENE CHAN ANDREWS

BOARD OF GOVERNORS
ERIC D. CHAN
TING HE
NINA HONG
ALICIA HOU
RAY HSU
SHARLENE LEE
CALEB LIANG
LISA LIU
JOHN LY
WILLIAM K. PAO
RALPH TSONG
AMY WAN
WENDY T. WU
JANE YANG

**STUDENT
REPRESENTATIVES**
SIQI CHEN
YOLANDA LIU

BOARD OF ADVISORS
EDUARDO A. ANGELES
JASON LO
ADAM RITTER
KIM TUNG
HENRY C. WANG
JACK S. YEH

**HONORARY BOARD
OF ADVISORS**
HON. JOHN CHIANG
HON. JUDY CHU
HON. MIKE ENG
HON. JANICE FUKAI
HON. TED LIEU

JUDICIAL LIAISON
HON. CYNTHIA LOO

**ORANGE COUNTY
LIAISON**
BENJAMIN S. LIN

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

The Southern California Chinese Lawyers Association agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

Signed:
Name: Shirley Wei
Title: SCCLA President-Elect
Date: April 24, 2018

PAST PRESIDENTS
ALBERT C. LUM
NOWLAND C. HONG*
GEORGE S. LEE (1924-1985)
HON. RONALD S.W. LEW*
HON. HARRY MOCK JR. (1932-1986)
WILLIAM L. TAN
DAVID B. WOO (1939-2016)
EDWARD Y. KU
H.G. ROBERT FONG

HON. GEORGE H. KING*
BRIAN A. SUN*
SANDRA J. CHAN
STEWART C. KWOH*
HON. RONALD LOW*
CAROLYN M. YEE (1949-2011)
HON. ROBERT N. KWAN*
HON. DOLLY M. GEE*
DAVID C. TSENG

PAMELA G. CHIN*
HON. JOHN K.C. MAH
CURTIS C. JUNG*
CHRISTOPHER K.D. LEONG*
HON. ROBERTA M. YANG*
MARY H. CHU*
KENNETH T. FONG*
FRANK W. CHEN*
A. JUSTIN LUM*

WENDY W. CHANG*
PHILIP H. LAM*
HON. BETTY B. CHIM*
HON. ELAINE LU*
WILLIAM L. NIU*
BETI T. BERGMAN
PAUL S. CHAN*
CAMILLA M. ENG
ARTHUR M. TSAI

WESLEY L. HSU*
KENNETH CHIU
CYNDIE M. CHANG
STACEY H. WANG
FELIX T. WOO

* BOARD OF ADVISORS MEMBER

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

UNITED PLAYAZ agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

UNITED PLAYAZ

By:

Rudy Corpin Jr.

CALIFORNIA LEGISLATURE

STATE CAPITOL
SACRAMENTO, CALIFORNIA
95814

May 9, 2018

Supervisor Catherine Stefani
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Dear Supervisor Stefani:

We write to support the removal of Julius Kahn's name from Julius Kahn Playground.

As San Francisco representatives, we know that Julius Kahn Playground is a beloved park in the community, and we believe that its name should reflect the community's values. San Francisco welcomes immigrants from all over the world and celebrates their contributions to the community. Our public parks, which are open to people of all ethnicities and backgrounds, should not continue to honor a man who spearheaded the enactment of racist and exclusionary policies against people in our diverse community.

We join the Chinese Historical Society of America, Chinese for Affirmative Action, and the broad coalition of community organizations throughout the City of San Francisco and beyond in calling for the adoption of a resolution directing the Recreation & Park Commission to remove Julius Kahn's name from the playground.

Sincerely,



Scott Wiener,
California Senator, 11th District



David Chiu
California Assemblymember, 17th District

From: gchinboss@gmail.com
To: Low, Allan E. (SFO)
Cc: Quock, Lindsey (SFO); Zhang, Linda (SFO); Chang, Kathy (SFO)
Subject: Re: Julius Kahn Playground
Date: Friday, May 4, 2018 8:30:27 AM

" I, Gordon Chin, agree with the letter of the Chinese Historical Society of America dated April 3, 2018 and the Chinese for Affirmative Action dated April 3, 2018, and join them in full support of the renaming of Julius Kahn Park "

Gordon Chin
May 4, 2018

Sent from my iPad



JOINDER IN SUPPORT OF RENAMING THE JULIUS KAHN PARK

This letter serves as support for the Chinese Historical Society of America and the Chinese for Affirmative Action to remove Julius Kahn's name from the Julius Kahn Playground.

Julius Kahn was known for his relentless efforts to exclude Asians from the United States and his most significant contribution was his leadership in making the Chinese Exclusion Act permanent. This Act had a dehumanizing effect on Chinese in America and tore Chinese families apart.

Our parks are a space for everyone in our diverse community and should not honor or bear the name of a man who promoted hatred and exclusion.

I join the San Francisco Chinese Community in full support of the renaming of the Julius Kahn Park.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rodney Fong', with a stylized flourish at the end.

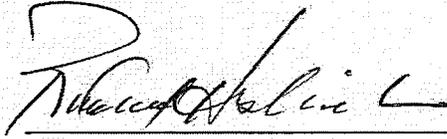
Rodney Fong
President
Fong Real Estate Company, LLC
145 Jefferson Street, Suite 700
San Francisco, CA 94133
Telephone: (415) 307-6106
Email: Rodney@WaxMuseum.com

FONG REAL ESTATE COMPANY, LLC

145 JEFFERSON STREET, SUITE 700 SAN FRANCISCO, CALIFORNIA 94133
FONGREALESTATESF.COM P: 415-345-0619 F: 415-345-0610

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

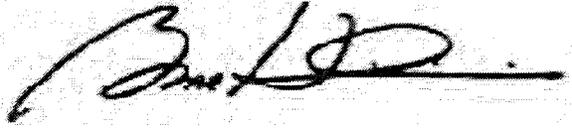
Richard Hashimoto agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

A handwritten signature in black ink, appearing to read "Richard Hashimoto", written over a horizontal line.

Richard Hashimoto

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Grace Horikiri agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

A handwritten signature in black ink, appearing to read 'Grace Horikiri', written over a horizontal line.

Grace Horikiri



May 15, 2018

Dale Minami
Direct Line: 415.788-2713
Fax: 415.398-3887
Email:

Supervisor Sandra Lee Fewer
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Supervisor Catherine Stefani
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Supervisor Norman Yee
City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Julius Kahn Playground

Dear Supervisor Fewer, Supervisor Stefani, and Supervisor Yee:

By way of introduction, I am an attorney who has practiced for 46 years in the Bay Area, currently with the firm of Minami Tamaki LLP in San Francisco. As an active member of the Asian Pacific American ("APA") and legal communities, I have helped found the Asian Law Caucus, Inc., a community-interest law firm, the Asian American Bar Association of the Greater Bay Area and the Asian Pacific Bar of California. In the public arena, I served as an evaluator of judges on the State Commission on Judicial Nominees Evaluation ("CJNE"), as a member of Senator Barbara Boxer's Judicial Appointments Review Committee, as a Commissioner on the Fair Employment and Housing Commission and as the Chair of the Civil Liberties Public Education Fund, appointed by President Clinton. I only cite this background to offer some credibility to my opinions expressed below.

In 1972, I began teaching Asian American Studies at U.C. Berkeley as a Lecturer. One of our first subjects we taught was history including the first discriminatory immigration laws aimed at APA's which, of course, was the Chinese Exclusion Act ("Act"), the first ban on immigration of an ethnic group in the United States. This Act was the genesis of almost a century of discriminatory immigration laws aimed at APA's, including the Japanese and Asian ban in 1924.

When President Trump ordered the immigration ban on predominantly Muslim countries, it was an echo of history and the legal justification for these bans were based on the Chinese Exclusion Acts. Discriminatory laws begat additional discriminatory laws and the victims were all persons of color who were considered "foreign" or "unassimilable" by the powers that be. So the Act reverberated throughout history and bedevils us today, not just as a law which demonizes the "other" but as part of a culture which demeans and degrades people of color and those with other religious values. It is a painful reminder of a shameful past and represents a name which should not be honored with playground name.

I therefore join others in respectfully requesting that the name of the Julius Kahn Playground be changed to remove the disgraceful vestige of history which affected not just San Francisco, or California, or the United States but people who have been and are currently, victims of such discriminatory laws. Thank you for your consideration.

Very truly yours,

MINAMI TAMAKI LLP

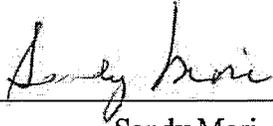
A handwritten signature in black ink that reads "Dale Minami". The signature is written in a cursive style with a horizontal line extending to the right.

Dale Minami

DM/dm

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

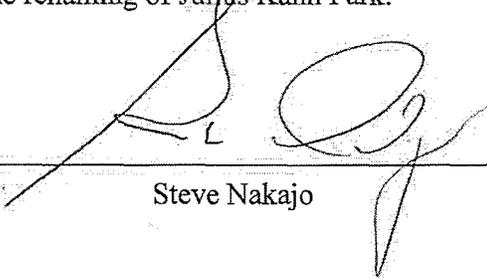
Sandy Mori agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.

A handwritten signature in cursive script, appearing to read "Sandy Mori", is written above a horizontal line.

Sandy Mori

JOINDER IN SUPPORT OF RENAMING JULIUS KAHN PARK

Steve Nakajo agrees with the letter of the Chinese Historical Society of America dated April 3, 2018, and the Chinese for Affirmative Action dated April 3, 2018, and joins them in full support of the renaming of Julius Kahn Park.



Steve Nakajo

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Phil Ginsburg, General Manager, Recreation and Parks Department
Margaret McArthur, Recreation and Parks Commission Liaison

FROM: John Carroll, Assistant Clerk,
Public Safety and Neighborhood Services Committee,
Board of Supervisors

DATE: April 25, 2018

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Public Safety and Neighborhood Services Committee has received the following proposed legislation, introduced by Supervisor Yee on April 17, 2018:

File No. 180394

Resolution urging the Recreation and Park Commission to remove the name of Julius Kahn from the playground located at West Pacific Avenue and Spruce Street; and to rename the playground to recognize the value of immigrants and multicultural diversity to the City of San Francisco.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

c: Sarah Madland, Recreation and Parks Department

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
 BOARD OF SUPERVISORS
 SAN FRANCISCO
 2018 APR 17 PM 2:01
 Time stamp
 or meeting date AK

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Yee, Fewer

Subject:

Urging the Recreation and Park Commission to Remove the Name of Julius Kahn from the Playground at West Pacific Avenue and Spruce Street

The text is listed:

[]

Signature of Sponsoring Supervisor:

For Clerk's Use Only