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the secretary of the Board of Trade and Commerce, Portland, and the mayor of Portland, was that the Exclusion Act has not interfered with the trade of the United States with China.

5. Having regard to the evidence adduced before us and the experience of the United States in this regard we are of the opinion that further restriction or exclusion will not appreciably affect the trade of Canada with China.

## CHAPTER XXIV.—ANTI-CHINESE LEGISLATION ELSEWHERE.

It is a fact worthy of consideration in dealing with this question that in other countries to which the Chinese have emigrated, their presence has given rise to dissatisfaction, resistance and agitation for their exclusion, and as far as possible a policy of restriction and exclusion has been adopted.

The growth of this sentiment and consequent legislation in the United States, Australia, New England and Tasmania is outlined in this chapter.

## THE UNITED STATES.

In 1876 a joint committee of the Senate and House of Representatives was appointed to investigate the character, extent and effect of Chinese immigration. A very full investigation was made by this committee (full quotations from the evidence of which were given by the Canadian Chinese Commission of 1884).

The following quotations from the majority report will show the result arrived at: In the testimony will be found that of lawyers, doctors, merchants, divines, judges and others, that the apparent prosperity derived from the presence of Chinese is deceptive and unwholesome, ruinous to our labouring classes, promotive of caste and dangerous to free institutions. That the Chinese have reduced wages to what would be starvation prices for white men and women, and engrossed so much of the labour in the various callings, that there is a lack of employment for whites, the young men are growing up in idleness, while young women, willing to work, are compelled to resort to doubtful means of support. The hardships resulting from these causes bear with a special weight upon women. It is also shown that this distinctive competition in some branches of labour operates as a continual menace and inspires fears that the establishment of these ruinously low wages will extend to all employments and degrade all working people to the abject condition of a servile class. From this cause, amongst others, has sprung up a bitterly hostile feeling toward the Chinese.

As the safety of Republican institutions requires that the exercise of the franchise shall be only by those who have a love and appreciation for our institutions, and this rule excludes the great mass of the Chinese from the ballot as a necessary means to public safety, yet the application of the rule deprives them of the only adequate protection which can exist in a republic for the security of any distinctive large class or persons. An indigestible mass in the community, distinctive in language, pagan in religion, inferior in mental and moral qualities, and all peculiarities, is an undesirable element in a republic, but it becomes especially so if political power is placed in its hands.

They can subsist where the American would starve. They can work for wages which will not furnish the barest necessities of life for an American. They make their way in California as they have in the Islands of the Sea, not by superior force of virtue or even industry, although they are as a rule industrious, but by revolting characteristics and by dispensing with what have become necessities in modern civilization. To compete with them and expel them, the American must come down to their level or below them, must work so cheaply that the Chinese cannot compete with him, for in the contest for subsistence he that can subsist upon the least lasts the longest.

The presence of the Chinese discourages and retards white immigration to the Pacific States. This clearly appeared in evidence and probably arises from their

monopoly of farm and mechanical work through the low price of their labour, making subsistence difficult to procure by the poorer classes of immigrants.

From all the facts that they have gathered bearing upon the matter, stating fairly the testimony for and against the Chinese, the committee believe that free institutions founded upon free schools and intelligence can only be maintained where based on intelligent and adequately paid labour. Adequate wages are needed to give self respect to the labourer and the means of education to his children. Family life is a great safeguard to our political institutions. Chinese immigration involves sordid wages, no public schools, and the absence of the family. We speak of the Chinese as they have exhibited themselves on the Pacific Coast for twenty-five years past, and as they are there at the present time. They show few of the characteristics of a desirable population and many to be deprecated by any patriot. This problem is too important to be treated with indifference. Congress should solve it, having due regard to any rights already accrued under existing treaties and to humanity; but it must be solved in the judgment of the committee, unless our Pacific possessions are to be ultimately given over to a race alien in all its tendencies, which will make of it practically provinces of China rather than States of the Union. The committee recommend that measures be taken by the Executive, looking toward a modification of the existing treaty with China, conforming it to strictly commercial purposes, and that Congress legislate to restrain the great influx of Asiatics to this country. It is not believed that either of these measures would be looked upon with dissatisfaction by the Chinese Government. Whether this is so or not, a duty is owing to the Pacific States and territories which are suffering under a terrible scourge, but are patiently waiting for relief from Congress.

Senator Oliver P. Morton, the chairman of the committee, made a minority report in which he quotes Articles 5, 6 and 7 of the United States treaty of China concluded in 1868, commonly known as the Burlingame Treaty, and reached the conclusion that labour must needs be free, and have complete protection, and be left open to competition. He says: Labour does not require that its price should be fixed by a law or that men who live cheaply, and can work for lower wages shall for that reason be kept out of the country.

In 1878 the committee of the senate of California issued an address to the people of the United States upon the social, moral and political effect of Chinese immigration. (This lengthy document will be found in State Papers, 15 Congress, 1st Session, Misc. Doc., No. 9.)

After setting forth their view of the then conditions, conclude their address as follows:

In view of these facts thousands of our people are beginning to feel a settled exasperation, a profound sense of dissatisfaction with the situation. Hitherto this feeling has been restrained, and the Chinese have had the full protection of our laws. It is the part of wisdom to anticipate the day when patience may cease and by wise legislation avert its evils. Impending difficulties of this character should not in this advanced age be left to the chance arbitrament of force. These are questions which ought to be solved by the statesman and philanthropist and not by the soldier.

In 1878 a committee of congress on education and labour made a report on education and labour (see No. 3 United States Documents, relating to immigration), in which they find:

1. That the presence of the Chinese has had a tendency to degrade and dishonour labour.

2. Their personal habits, peculiar institutions and lax morals render them undesirable members of society.

3. They cannot and will not assimilate with our people, but remain unalterably aliens in habits, morals, politics and aspirations.

The principal facts upon which these three propositions rest will be briefly considered:

I. The Chinese labourer, in some respects, is desirable. He is frugal, thrifty, patient, cheerful and obedient. He readily learns his trade and expertly performs any

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species of light work. Chinese cheap labour has worked great national benefit to California in its early history, digging its canals, delving in its mines, reclaiming its tule-lands, building its railroads, and in various other ways contributing to the rapid development of its wonderful natural resources. If, therefore, moneymaking were the only question involved in this contest between the American and Chinese races, it would in its industrial or labour phase be promptly decided in favour of the latter. The material advantages of this kind of labour, however, sink into insignificance when compared with the personal considerations at stake—the comfort, the self respect and decent, honourable living of the labourer himself.

The Chinese labourer does not come up to the American standard of industry. The central idea of our system is, that the labourer shall possess courage, self-respect and independence. To do this he must have a home. Home is the mould in which society is cast. There the habits are formed which give character. There the zest and wakeful interest of living centre. There the fires of patriotism are kindled. There free institutions find their source and inspiration.

The Chinese who come to this country have no homes. They have neither home feelings nor home interests in any true acceptance of the words. With the conditions of their mode of life they never can have homes. They are willing to work for less wages than will secure homes or comfortably support white labour. In their own country they work patiently and obediently during twelve or thirteen hours for less than one-tenth of what the poorest class of American workingmen receive. In the Pacific States they are willing to work for about one-half the price paid to American operatives. They are able to live upon rice, tea and dried fish, costing upon an average from 20 to 30 cents per day. Underclothing is a luxury almost unknown to them. What clothing they wear is of the cheapest, simplest and coarsest character. They bring with them neither wives, families nor children. One hundred Chinese will occupy a room which, if subdivided, would not accommodate five American workingmen with their families. In such a small space they are packed like sardines in a box, and here they both sleep, eat and cook. Such a place does not deserve the name of home. No tender and loving interests cluster around it and dull habit alone endears it to them. An enlightened statesmanship would suggest that no material advantages, however great, arising from Chinese frugality and industry, can compensate for the loss of the homes, the comforts and the appliances of personal civilization; which have always been enjoyed by the labouring classes of America, and from which springs that spirit of self-respect and manly independence which is the highest result and best security of our political system.

II. Another and more serious objection urged against the Chinese is that their personal and moral habits make them undesirable members of society. The crowded condition in which they live renders the observance of hygienic laws and sanitary regulations almost an impossibility. Neatness and cleanliness is the exception. The air of their apartments is filled with noisome smells and pestilential vapours, threatening disease and death. Property occupied by them is consequently lessened in value and the locality itself is avoided by the white population.

Not only their personal habit but their moral ideas, methods and institutions directly antagonize our own. What we love they hate, what we admire they despise, what we regard as vices they practice as virtues or tolerate as necessities.

The religious ideas even of the higher and titled classes in China are pre-eminently wretched, their superstitions numerous and ludicrous, their educational system exceedingly defective, and their civilization effete and decaying. Among the labouring or 'coolie' classes the grade of morals is very low. One illustration of this is seen in their treatment of woman. Her birth is commonly regarded as a calamity. If not destroyed, which is not unusual, she is regarded as a slave and suffers privation, contempt and degradation from the cradle to the tomb. Instances are frequent of the sale for debt by parents of their daughters and by husbands of their wives, and that too for the worst purposes. Infanticide of girls is practised to some degree in all parts of the empire, and in some sections to an alarming extent. Concubinage is a recognized institution. The sanctity and obligation of an oath are disregarded, and the torture is often employed to extort the truth.

Such are some of the characteristics of the class from which nine-tenths of our immigrants come. Respectable persons are deterred both by law and prejudice, and as a rule, only the most indigent and desperate consent to leave their native country. The female immigrants are bought and sold like chattels and practice the most revolting vices and immorality. Born and brought up under these heathenish influences, with these low ideas of law and virtue, coming to our country for the sole purpose of making money, without homes and families, without domestic affections or interests; with no high incitements to duty or strong dissuasives from wrong doing; with no adequate sense of special obligation; with no property to pay a fine, and with no fear of imprisonment, since it brings no greater discomfort or confinement than his usual mode of life; with blunted or erroneous perceptions, groveling thoughts, gross passions, parsimonious and degrading habits, the Chinaman in America cannot be considered a desirable member of society either from a physical or moral standpoint.

III.—The third and principal objection, however, to the Chinese is the fact that they do not assimilate with our people, but remain a distinct and alien element. In this respect they differ from all other voluntary immigrants. The German, the Irishman, the Frenchman, have sought our country as a permanent home for themselves and their posterity. Promptly and cheerfully adopting our habits, customs and political institutions, devoted to our people, to our government and the laws, they speedily become our worthiest and thriftiest citizens, vindicating in the council chambers of the nation their knowledge of our political principles, and illustrating upon every battlefield where liberty has been attacked the patriotism which such knowledge inspires.

It is not so with the Chinese. They have been in this country over a quarter of a century. Their employment as house servants and labourers has brought them into close and immediate contact with our people, but no change in them has been produced. What they were when they came here they are to-day—the same in dress, the same in disposition, the same in language, the same in religion, the same in political feeling. They indicate no desire, either by word or action, to become identified with us. They came to us not because they were dissatisfied with the social or political institutions of their own country, but because they believed they could better their condition in life. To make money was their sole object. Even when they have accomplished this they do not invest their earnings in land or homesteads, but return with them to their native China. They come with no desire or purpose to make this their permanent home. So strong is their feeling in this respect that the poorest labourers stipulate, as a part of the contract by which they sell their services, that their dead bodies shall be carried back to China, and thousands have been thus exported. They have no conception of our judicial or legislative system. They cannot be relied upon to perform military duty. They are incompetent as jurymen. Indeed, the only purpose in society for which they are available is to perform manual labour. They bring with them neither wives nor families, nor do they intermarry with the resident population. They have an inferior intelligence and a different civilization from our own. Mentally, morally, physically, socially and politically they have remained a distinct and antagonistic race.

Nor, in view of their strong national prejudices, is there any hope that the future will be different. Instances are numerous where an inferior race has been absorbed and improved by a superior one, but the condition precedent to such a result is the acknowledgment on the part of the lower race of such inferiority. Nations, as well as individuals, must conclude that they need help, before they are willing to ask or receive it. The Chinese have not and never will, come to such a conclusion. Their inordinate vanity leads them to believe their country to be the center of the terrestrial system, and they therefore call it the 'midland or central nation.' They boast a civilization which antedates the birth of Christ; they point with pride to a philosopher, Confucius, whose maxims, as the perfection of wisdom, have become their code of laws. They obey a government which, in their faith, is heaven-descended—an absolute despotism, vast, awful, and impressive, whose tremendous and mysterious power regulates their lives or decrees their death, and under which liberty is an unknown idea.

Thus intrenched behind national prejudices, they are impregnable against all influences, and remain a great, united class, distinct from us in colour, in size, in features, in

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dress, in language, in customs, in habits, and in social peculiarities. A nation to be strong should be homogeneous. All the elements that attach themselves to its society should be assimilated rapidly into one harmonious and congruous whole. It is neither possible nor desirable for two distinct races to live harmoniously in the same society and under the same government. If this single proposition be true, the conclusion is sound, that Chinese immigration should be restricted or prohibited. This conclusion, however, is strengthened by the facts already stated, showing its evil effects upon the industrial and social interests of our people.

But admitting this, the mode of securing it demands careful consideration. The great majority of the immigrants embark from the port of Hong Kong, a British colony. A change or abrogation of our present treaty with China will not, therefore, check the evil. The joint action of both China and Great Britain will alone be effective. In view of the fact that the well-known policy of the Chinese Government is adverse to the emigration of its citizens, and that Great Britain has already, without offence to China, absolutely prohibited immigration to several of her colonies, it is believed that similar action on our part will not destroy or disturb the friendly commercial relations now existing. But were it otherwise, the harmony and perpetuity of our social and political institutions cannot be weighed in the same balance with mere material or commercial advantages.

Your committee, therefore, unanimously recommend that immediate correspondence be opened upon this subject by our government with the Governments of China and Great Britain, and present, accompanying this report, a joint resolution to that effect.

Legislative action was taken by Congress in 1879 by an Act to restrict the immigration of Chinese into the United States, the effect of which was to limit the number to fifteen for each vessel entering any port of the United States, with further provisions for effecting the object of the Act. This Act was, however, on March 1, 1879, vetoed by the President. (*See* No. 7 U.S. Documents relating to immigration above referred to).

By treaty concluded November 17, 1880, and duly ratified and proclaimed October 5, 1881, between the United States and China, it is provided by Article 1, that whenever in the opinion of the Government of the United States the coming of Chinese labourers to the United States, or their residence therein affects or threatens to affect the interests of that country, or to endanger the good order of the said country, or of any locality within the territory thereof, the Government of China agrees that the Government of the United States may regulate, limit or suspend such coming or residence, but may not absolutely prohibit it. The limitation or suspension shall be reasonable and shall apply only to Chinese who may go to the United States as labourers, other classes not being included in the limitations. Legislation taken in regard to Chinese labourers will be of such a character only as is necessary to enforce the regulation, limitation or suspension of immigration and emigrants shall not be subject to 'personal mal-treatment or abuse.'

Article 2 expressly excludes teachers, students and merchants, together with their body and household servants, and Chinese labourers who were then in the United States from the effect of the treaty.

Article 3 provides protection for Chinese permanently or temporarily residing in the United States. (*See* U. S. compilation of treaties in force, page 118.)

In 1882 an Act of Congress was passed giving effect to the above treaty. This Act was amended in 1884, which provides, Section 1, that from and after the expiration of ninety days next after the passage of this Act, and until the expiration of ten years next after the passage of this Act, the coming of Chinese labourers to the United States shall be, and the same is hereby suspended, and during such suspension it shall not be lawful for any Chinese labourer to come, or having so come after the expiration of the said ninety days, to remain within the United States.

Section 2 imposes a penalty of \$500 upon the master of any vessel who shall knowingly bring within the United States on such vessel any Chinese labourer, and further provides that such master of a vessel may be also imprisoned for a term not exceeding one year.

Section 3 exempts labourers then in the United States, and the Act makes further provision for giving full effect to this law. (See United States laws, Exclusion of Chinese, page 8, 22nd Stat., page 58, 23rd Stat., page 115.)

In 1888 an Act was passed prohibiting the immigration of Chinese labourers 'from and after the date of the exchange of ratifications of the pending treaty between the United States and the Emperor of China.' (25th Stat., page 476.)

It will be observed that this Act declared it unlawful for any Chinese person, whether a subject of China or any other power, to enter the United States except as therein provided.

In the same year (1888) a further act was passed prohibiting the return of any Chinese labourer who at any time theretofore had been or then, or thereafter might be a resident within the United States, and who had not returned before the passage of the Act. (25th Stat., page 504.)

In 1892 a further Act was passed continuing all laws then in force, regulating the coming into the United States of Chinese persons for a period of ten years from the passage of the Act, and making provisions for deportation for breach of the law. (27th Stat., page 25.)

In 1892 a further Act was passed declaring that resident labourers must register and making further provisions therefor. (28th Stat., page 7.)

In 1894 the Act was further amended by declaring that in every case where an alien is excluded from admission into the United States under any law or treaty now existing or hereafter made, the decision of the appropriate immigration or customs officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of the Treasury. (28th Stat., page 390.)

#### UNITED STATES EXCLUSION TREATY AND LAWS AFFECTING CHINESE IMMIGRATION.

By treaty between the Government of the United States and the Government of China, dated March 17, A. D. 1894, and ratified December 7, 1894, it is declared as follows:—

Article 1. The high contracting parties agree that for a period of ten years, beginning with the date of the exchange of the ratification of this convention, the coming, except under the conditions hereinafter specified, of Chinese labourers to the United States shall be absolutely prohibited.

Article 2 provides for the return of registered Chinese labourers under certain conditions and limitations.

Article 3 declares: That the provisions of this Convention shall not affect the right at present enjoyed of Chinese subjects being officials, teachers, students, merchants or travellers, for curiosity or pleasure, but not labourers, coming to the United States and residing therein. To entitle such Chinese subjects as above described to admission into the United States they may produce a certificate from their Government, or the Government where they last resided vised by the diplomatic or consular representative of the United States in the country or port whence they depart. And provision is also made for transit of labourers across the territory of the United States in the course of their journey to or from other countries, subject to such regulations as may be necessary to prevent said privilege of transit from being abused.

Article 4 provides that Chinese labourers or Chinese of any other class either permanently or temporarily residing in the United States shall have for the protection of their persons and property, all rights that are given by the laws of the United States to citizens of the most favoured nation, *excepting the right to become naturalized citizens.*

Provision is also made by Article 5, for the registration of resident labourers, reports to be furnished to the Chinese Government.

Article 6 of the Convention declares that the treaty shall remain in force for ten years from the date of ratification, and if six months before the expiration of the said period of ten years, neither Government shall have formally given notice of its final termination to the other; it shall remain in full force for another period of ten years.

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The above treaty was the result of nearly twenty years' agitation, legislation and negotiation, a short account of which will be found instructive.

By a joint resolution of July 7, 1898, it was declared that there shall be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now, or may hereafter be allowed by the law 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. (See U. S. Stat. 1897-98, page 751.)

The above Acts and Treaties with the regulations to enforce the same, constitute the present law of the United States with respect to Chinese Immigration.

In the Report of the Philippine Commission, 1900, Volume 2, page 432, there is a memorandum on the Chinese in the Philippines, and coming from a source so eminent and trustworthy deserves special mention. (For full report see Appendix.)

We quote: The principle of political economy is well known, which lays down the rule that in order for a country to obtain advantages from immigration the immigrants should bring in capital, new industries, or superior knowledge to perfect industries already in existence, or at least that such immigrants should apply their energies to pursuits productive of gain, not only to the immigrants themselves, but to society in general in the country in which they have established themselves, or that they finally become assimilated with the people of the country, thus giving, although indirectly, stimulus to certain professions and industries whose progress is a consequence of the increase of the number of the inhabitants of the town. Chinese in coming to the Philippines do not comply with any of the conditions of this well-known condition of political economy, which are desirable points to be looked for in immigrants. Why then should they be allowed to immigrate in such great numbers when their presence in the Philippines is not a guarantee of prosperity and progress for the rest of the inhabitants of the Archipelago? And again, 'the Chinese are one of the principal causes of the commercial and industrial backwardness of the Archipelago. It is impossible here, on account of the competition which they make, to attain a position in the middle class of society. This class is a protector and promoter of great enterprises which do not promise immediate dividends and which must be perfected by means of shares which represent a great capital, that is to say, by the collection of the funds of many contributors.' And further, 'It is the custom of the Chinese to consume as far as the necessities of life are concerned, the food, clothing and other articles which they import from their own country for this purpose.'

## AUSTRALIA.

The Australian colonies prior to the formation of their present commonwealth had passed restrictive legislation against the Chinese.

Victoria, as early as 1855, passed a law imposing a tax of £10 for all Chinese arriving by ship, and limiting the number to one to every ten tons of the ships burthen, and imposing a penalty upon the master of the vessel of £10 for each passenger so carried in excess.

In 1857 a residence license of £1 was imposed, which was increased to £4 in 1859.

In 1862 provisions relating to residence fees were repealed.

In 1881 Victoria passed a new Act, limiting the number of Chinese to one to every one hundred tons of the ship's burthen, and imposing a penalty of £100 for breach of the law, and imposing a tax of £10 for each immigrant arriving by vessel.

Similar legislation was passed by Queensland, South Australia, New South Wales, New Zealand, Western Australia and Tasmania.

At a meeting of representatives from the different Australian governments, held at Sydney in the month of June, 1888, it was, amongst other things, resolved that it was desirable that the laws of the various Australian colonies for the restriction of Chinese immigration should be assimilated upon a basis at such meeting approved. The resolutions arrived at by the conference, and which have been embodied in a draft Bill, are as follows:

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1. That in the opinion of this conference, the further restriction of Chinese immigration is essential to the welfare of the people of Australasia.

2. That this conference is of opinion that the desired restriction can best be secured through the diplomatic action of the Imperial Government and by uniform Australasian legislation.

3. That this conference resolves to consider joint representation to the Imperial Government for the purpose of obtaining the desired diplomatic action.

4. That this conference is of opinion that the desired Australasian legislation should contain the following provisions :

(1.) That it shall apply to all Chinese, with specified exceptions.

(2.) That the restriction should be by limitation of the number of Chinese which any vessel may bring into any Australian port to one passenger to every 500 tons of the ship's burthen.

(3.) That the passage of Chinese from one colony to another, without consent of the colony which they enter, be made a misdemeanour.

The first and fourth resolutions were endorsed by all the colonies except Tasmania, who dissented, and Western Australia, who did not vote, while the second and third were carried unanimously. As a whole, therefore, they faithfully represented the opinion of the parliaments and peoples of Australia.

In conclusion the conference would call attention to the fact that the treatment of Chinese in the Australian colonies has been invariably humane and considerate; and that, in spite of the intensity of popular feeling during the recent sudden influx, good order has been everywhere maintained.

In so serious a crisis the Colonial governments have felt called upon to take strong and decisive action to protect their people; but in so doing they have been studious of Imperial interests, of international obligations, and of their reputation as law-abiding communities. They now confidently rely upon the support and assistance of Her Majesty's Government in their endeavour to prevent their country from being overrun by an alien race, who are incapable of assimilation in the body politic, strangers to our civilization, out of sympathy with our aspirations, and unfitted for our free institutions, to which their presence in any number would be a source of constant danger.

#### VICTORIA, AUSTRALIA.

In pursuance of these resolutions an Act was passed by the Parliament of Victoria, Australia, on December 22, 1888, whereby it is declared :

Sec. 6. No vessel shall enter any port or place in Victoria having on board a greater number of Chinese than one for every 500 tons of the tonnage of such vessel.

If any vessel enters any port or place in Victoria, having on board any Chinese in excess of such number, the owners, master or charterer of such vessel shall on conviction be liable to a penalty of £500 for each Chinese in excess of such number.

The Act contains fourteen clauses.

The Governments of South Australia, Queensland, and Western Australia, passed a similar Act in 1888 and 1889.

#### NEW SOUTH WALES.

On August 3, 1898, an Act was passed by the Parliament of New South Wales on the lines of the Natal Act, the 3rd clause of which provides :

The immigration into New South Wales by land or sea of any person of the class defined in the following sub-section hereinafter called 'prohibited emigrant' is prohibited, namely, any person who when asked to do so by an officer appointed to do so under this Act, shall fail to write out in his own handwriting in some European language and sign an application to the Colonial Secretary in the form set out in schedule 'B' of this Act or in the form of a similar purport proclaimed from time to time by the Governor in substitution of the form set out in such schedule.



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By section 8: The master and owners of any vessel from which any prohibited emigrant may be landed before such emigrant is passed by an officer appointed for that purpose by the government, shall be jointly and severally liable to a penalty of £100 in respect of the landing as aforesaid from his vessel of any prohibited emigrant, and to a further penalty of £20 for each such emigrant so landed in excess of the number of five—the total penalties not to exceed £5,000—the vessel to be liable for such penalty.

The Act contains other provisions to make it effective.

## NEW ZEALAND.

In August, 1888, an Act was passed by the Parliament of New Zealand amending the Act of 1881 and limiting the immigration of Chinese in the proportion of one to every 100 tons of the tonnage of such vessel, and in 1896 was further amended by increasing the poll tax of £10 to £100, and in 1899 the Immigration Restriction Act was passed on the lines of the Natal Act, and assented to on July 20, 1900.

## TASMANIA.

An Act was passed by the parliament of Tasmania on October 29, 1898, reserved, and royal assent proclaimed on February 27, 1899. This also was on the lines of the Natal Act, and declares:

Section 4.—The immigration into Tasmania is prohibited of any person described in the following paragraphs of this section.

1. Any person who on being asked to do so by any collector of customs shall fail to write out in his own handwriting in the presence of such officer in some European language and sign an application to the chief secretary of the colony in the form set out in schedule 2 of this Act, or in a form of a similar purport prescribed from time to time by the governor in substitution of the form set out in the said schedule.

2. Any person being a pauper or likely to become a public charge.

3. Any idiot or insane person.

4. Any person suffering from an infectious or contagious disease, or of a loathsome or dangerous character.

5. Any person who not having received a free pardon has within two years previously to the time of his arriving in Tasmania been convicted of a felony or infamous crime or a misdemeanour involving moral turpitude, and not being a mere political offence.

Fines and imprisonment are imposed for contravention of the Act, and other provisions made for giving it full effect.

As early as 1888 the Australian Colonies urged upon the Home Government that diplomatic action should be taken to obtain from China a treaty similar to that concluded November 17, 1880, between China and the United States. The following correspondence was had in reference to the matter, but it does not appear that any progress was made in the effort to obtain the desired treaty.

In a memorandum dated April 24, 1888, by the Attorney General and submitted by the Premier of Tasmania in answer to the Secretary of State's circular on the subject of Colonial Legislation action representing Chinese immigration occurs the following:—

4. The reference made by His Excellency the Chinese Minister to Her Majesty's international engagements induces me to observe that the exceptional legislation that has been adopted by the majority of the Australasian Colonies on the subject of Chinese immigration does not violate any recognized rule of international comity; on the contrary, it is a fundamental maxim of international law that every State has the right to regulate immigration to its territories as is most convenient to the safety and prosperity of the country, without regard to the municipal law of the country whence the foreign immigration proceeds. (See Ferguson's Manual International Law, vol I, page 130, and Calvo's Droit Intern., vol. I, liv., viii.)

7. Both the virtues and the vices of the Chinese are bred in them by a civilization stretching back in an unparalleled fixedness of character and detail to an age more remote than any to which the beginnings of any European nation can be traced, and the experience of both America and Australasia prove, that no length of residence amidst a population of European descent will cause the Chinese immigrants who remain unnaturalized, to change the mode of life or relinquish the practices that they bring with them from their native country. It is consequently certain that if the unnaturalized Chinese should at any time become as numerous, or nearly as numerous, in any colony as the residents of European origin, the result would be either an attempt on the part of the Chinese to establish separate institutions of a character that would trench on the supremacy of the present legislative and administrative authorities or a tacit acceptance by them of an inferior social and political position which, associated with the avocations that the majority of them would probably follow, would create a combined political and industrial division of society upon the basis of a racial distinction. This would inevitably produce in the majority of the remainder of the population a degraded estimate of manual labour similar to that which has always existed in those communities where African slavery has been permitted, and thereby call into existence a class similar in habit and character to the 'mean whites' of the Southern States of the American Union before the civil war. Societies so divided produce particular vices in exaggerated proportions, and are doomed to certain deterioration.

8. The alternative supposition that the Chinese immigrants would apply for and obtain letters of naturalization and so acquire political equality with the remainder of the population, suggests a result equally menacing to the permanence of the civilization and structure of society now existing in these colonies, inasmuch as the indurated and renitent character of the habits and conceptions of the Chinese immigrants make their amalgamation with populations of European origin, so as to become constituent portions of a homogeneous community, retaining the European type of civilization, an impossibility.

9. The foregoing considerations invest the restrictive and prohibitory measures of the Australasian Colonies against Chinese immigration with a sanction that Her Majesty's Government cannot fail to recognize as sufficient to promote its intervention to obtain from the Court of Peking a co-operation in the prevention of the immigration of its subjects to the Australasian Colonies similar to that which it is stated has been obtained by the government of the United States in regard to the immigration of Chinese into America. (See Blue-book, Australasia Correspondence re Chinese Immigration, July 1888.)

In the same blue pamphlet, No. 78, we find a telegraphic despatch from Lord Carrington (New South Wales), to Lord Knutsford, June 14, 1888, in which he says:—

'June 14.—At the Australasian Conference held in Sydney on the 12th, 13th and 14th instant, at which the colonies of New South Wales, Victoria, South Australia, Queensland, Tasmania and Western Australia were represented, the question of Chinese immigration, and your cablegram to the Governor of South Australia in connection therewith, were fully considered. The members of the conference are sensible of the wish of Her Majesty's Government to meet the views of the colonies, and have specially deliberated upon the possibility of securing legislation which, while effective, should be of a character so far as possible in accordance with the feeling and views of the Chinese Government. They have not overlooked the political and commercial interests of the Empire, nor the commercial interests of the colonies. The suggestion that any restrictions which are to be imposed should be of a general nature, so as to give power to exclude European or American immigrants, has been very carefully deliberated upon, but no scheme for giving effect to it has been found practicable. As the length of time to be occupied in negotiations between the Imperial Government and the Government of China is uncertain, and as the colonies in the meantime have reason to dread a large influx from China, the several governments feel impelled to legislate immediately to protect their citizens against an invasion which is dreaded because of its results, not only upon the labour market, but upon the social and moral condition of the people. At the same time, the Conference is most anxious that Her Majesty's Government should enter into communication with the Government of China with a view to obtain-

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ing, as soon as possible, a treaty under which all Chinese, except officials, travellers, merchants, students, and similar classes should be entirely excluded from the Australasian Colonies.'

In a despatch by the Marquis of Salisbury to Sir J. Walsham the resolutions of the Conference were inclosed, and in which he says amongst other things:—

'The recent conclusion of a treaty between China and the United States of America, for the exclusion of labourers from China, seems to have increased the feeling in Australia in favour of more stringent regulations in the colonies of that continent, and the working classes are represented to be strongly opposed to any further introduction of labourers on a large scale. Chinese immigrants are, it appears, objected to not only on account of their vast numbers and their competition as wage-earners, but on the ground that they do not become assimilated with the British population, and that they rarely, if ever, settle permanently as colonists; but, on the contrary, remain essentially aliens in manners, customs, and religion, and generally return to China when they have saved sufficient money in the colonies for their wants in their native country.'

At a public meeting held at Sydney on March 27, it was unanimously resolved, that the almost unrestricted influx of the Chinese into Australia will, if continued, threaten the political and social welfare of the colony, and that the time has arrived for the imposition of substantial and effective restrictions on their further introduction.

The meeting further declared its strong objection to any action of the government of China in the assistance or encouragement of Chinese immigration into Australia, and it called upon Her Majesty's government to maintain the right of the Australian colonies to frame such laws as they may consider necessary to ensure in Australia the preponderance and supremacy of the British race.

I inclose copies of the resolutions of the Conference which have been embodied in a draft bill, and I have to instruct you to place yourself, without delay, in communication with the Tsung li Yamén, and urge upon them, with the explanations and arguments which, in your judgment, are most likely to further the object in view, that, in pursuance of the considerations which I have described in this despatch, and which are more particularly set forth in the printed correspondence which I transmit herewith, the Chinese government should adopt a course similar to that which they followed in the case of the United States, and enter into a convention with Her Majesty's government to the effect indicated in the inclosed resolutions of the Conference held at Sydney.

## SUMMARY.

Agitation against the Chinese commenced in California in the early sixties, but no definite action was taken by Congress until 1876, when a joint committee of the senate and house of representatives was appointed, and after making an exhaustive examination of the question, the committee recommended that measures be taken by the executive looking towards a modification of the existing treaty with China, conforming it to strictly commercial purposes, and that Congress legislate to restrain the great influx of Asiatics in this country.

Legislation by Congress followed in 1879, but was vetoed by the President.

By treaty concluded November 17, 1880, and ratified and proclaimed October 5, 1881, between the United States and China, the government of China agreed that the government of the United States might regulate, limit and suspend the coming of Chinese labourers to the United States, whenever in the opinion of the Government of the United States the coming of Chinese labourers to the United States or their residence therein affects or threatens to affect the interest of that country or to endanger the good order of the said country, or of any locality within the territory thereof.

In 1882 an Act of Congress was passed giving effect to the above treaty, and suspending the coming of Chinese labourers to the United States until 10 years next after the passing of the Act.

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In 1888 an Act was passed prohibiting the immigration of Chinese labourers 'from and after the date of the exchange of ratifications of the pending treaty between the United States and the Emperor of China.'

In 1892 an Act was passed, continuing all laws then in force regarding the coming into the United States of Chinese persons for a period of 10 years from the passage of the Act, &c.

By treaty between the Government of the United States and the Government of China, dated March 17, 1894, and ratified November 7, 1894, it is declared by the high contracting parties that for a period of 10 years the coming of Chinese labourers to the United States shall be absolutely prohibited.

By a joint resolution of the Senate and House of Representatives of July 7, 1898, it was declared that there should be no further immigration of Chinese into the Hawaiian Islands, except upon such conditions as are now or may thereafter be allowed by the laws of the United States, and no Chinese by reason of anything therein contained shall be allowed to enter the United States from the Hawaiian Islands.

In the report of the Philippine Commission, 1900, it is declared that the Chinese are one of the principal causes of the commercial and industrial backwardness of the Archipelago.

In Australia legislation against the Chinese commenced as early as 1855, which increased in stringency until 1888, when a meeting of the representatives from the different Australasian governments was held in June of that year, resulting in the following resolutions:—

1. That in the opinion of this conference the further restriction of Chinese immigration is essential to the welfare of the people of Australia.

2. That this conference is of opinion that the desired restriction can best be secured through the diplomatic action of the Imperial Government and by uniform Australasian legislation.

3. That this conference resolves to consider a joint representation to the Imperial Government for the purpose of obtaining the desired diplomatic action.

4. That this conference is of opinion that the desired Australasian legislation should contain the following provisions:—

(1.) That it shall apply to all Chinese with specified exceptions.

(2.) That the restriction should be by limitation of the number of Chinese which any vessel may bring into any Australian port to one passenger to every five hundred tons of the ship's burthen.

(3.) That the passage of Chinese from one colony to another, without the consent of the colony which they enter, be made a misdemeanor.

The first and fourth resolutions were endorsed by all the colonies except Tasmania, which dissented, and Western Australia, who did not vote; while the second and third were carried unanimously.

This conference was followed by legislation by Victoria, South Australia, Western Australia and Queensland, giving effect to the resolutions arrived at. In New Zealand amendments were made from time to time until in 1896 the law stood limiting one emigrant to every one hundred tons of tonnage, and increasing the poll tax from £10 to £100; and a further Act on the lines of the Natal Act was introduced in 1899.

In 1898 New South Wales and Tasmania each passed an Act on the lines of the Natal Act.

On December 6, 1901, the Alien Immigration Restriction Bill was passed by the parliament and senate of the Australian commonwealth.

## CHAPTER XXV.—EFFECT OF EXCLUSION IN THE UNITED STATES.

By the United States census of 1900 there were enumerated 25,767 Chinese in Hawaii, 3,116 in Alaska, and 304 at military and naval stations abroad; and 89,863 in the United States proper, and of the latter number 67,729 were found in the Western States and Territories.

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The following table shows the distribution in those States and also in British Columbia for the years 1900, 1890 and 1880 :—

	1900.	1890.	1880.
Arizona.....	1,419	1,170	1,630
California.....	45,763	72,472	75,132
Colorado.....	599	1,398	612
Idaho.....	1,467	2,007	3,379
Montana.....	1,739	2,532	1,765
Nevada.....	1,352	2,833	5,416
New Mexico.....	341	361	57
Oregon.....	10,397	9,540	9,510
Utah.....	572	806	501
Washington.....	3,629	3,260	3,186
Wyoming.....	461	465	914
British Columbia, exclusive of Cassiar and Cariboo.....	14,532	8,910	4,350

It will be seen that in twenty years the Chinese population of California\* has decreased from 75,000 in 1880 to 45,000 in 1900, while in Oregon it has slightly increased, from 9,000 to 10,000; and in Washington it has also slightly increased in twenty years, namely, from 3,186 in 1880 to 3,629 in 1900; and in British Columbia it has increased from 4,350 to 14,532, exclusive of Cassiar and Cariboo, which would, at a fair estimate, bring the total number up to 16,000.

A comparison of the population of the States of Washington, Oregon and California and British Columbia, at the last three censuses taken :—

	1900.	1890.	1880.
Washington—			
Total population.....	518,103	349,390	75,116
Number of Chinese.....	3,629	3,260	3,186
Oregon—			
Total population.....	413,536	313,767	174,768
Number of Chinese.....	10,397	9,510	9,510
California—			
Total population.....	1,485,033	1,208,130	864,964
Number of Chinese.....	45,763	72,472	75,132
British Columbia—			
Total population.....	177,272	98,173	49,459
Number of Chinese.....	16,000	8,910	4,350

Mr. Stetson, of the firm of Stetson & Post Milling Company, Seattle, said :

Q. What would you say is the prevailing feeling in the city as to the exclusion law; is it in favour of the law being continued in force as it is, or would the general feeling favour the abrogation of the exclusion law?—A. It never comes up. The question is settled. No industry has ceased because of it that I know of. The law has been enforced and its action has passed out of recollection.

This company employs 125 men, none of whom are either Chinese or Japanese.

W. H. Perry, assistant general manager of Moran Brothers Lumber Company, who employ 100 men, but no Chinese or Japanese, states that there are no Chinese or Japanese employed in the lumber mills in the city of Seattle or its neighbourhood.

Q. Is there any desire among what might be called the capitalistic interests to abrogate the Exclusion Law or are they satisfied with it?—A. I think they are satisfied with it and desire it to continue. I think they are in favour of Chinese exclusion as a rule, although there are some small sections where they might favour the Chinese, where they think they require low priced labour, but I think the number is very small.

Q. What is the feeling in the city and in the State in regard to exclusion?—A. I think it is overwhelmingly in favour of the exclusion of Chinese. They are not considered a desirable element in the community for the reason that they do not and will not assimilate with us, and I do not think it would be desirable if they would assimilate. They do not take any interest whatever in our laws or institutions. They contribute very little to the general good of the community. They pay a very small proportion of taxes for the business that they do.

J. W. Clise, president of the chamber of commerce, Seattle, when asked whether there was any feeling in favour of the abrogation of the Exclusion Act said: It is something that in recent years I have not had to give any serious consideration to. The Exclusion Act is in force and the question is one which is regarded by most of the people as settled and done with. There are some of the large institutions I think would have liked to have had the law a little modified at the time of its passing, but I think it has given general satisfaction. Our people are opposed to the Chinese and Japanese. In Tacoma they expelled them. Here there was a great agitation and the military had to be called out, and the city put under marshal law. That was the result in 1886 of the non-enforcement of the Exclusion Law. The white people found it difficult to get a living; they found they were being interfered with everywhere, and that they would have to leave the country if the Chinese were allowed to come in here, and they demanded that the Chinese should be expelled. In Seattle they sent out two hundred out of six hundred, and we have never come up again to the original number. We have got now about three hundred in Seattle. Since the city has grown so rapidly they do not constitute a serious menace.

A. H. Grout, labour commissioner, Seattle, who had lived fourteen years on the coast and seemed to have a thorough knowledge of the question, said:

Q. Did the introduction of those laws (Restrictive and Exclusion Acts) cause any serious inconvenience to the different industries?—A. None that I am aware of.

Q. Did the change cause any injury to trade or did it interfere with the prosperity of the different industries?—A. No.

Q. Was it complained of by employers?—A. Not that I am aware of. I have been in this position five years, but did not make it a study before that time. I was engaged in the lumber industry before that time.

I think a large majority of our citizens would be in favour of continuing the law as it is in force at present. I think the majority of employers are in favour of continuing the law as at present. I do not think there is any industry in our State or in this city that suffered by reason of the Exclusion Act.

Theodore Ludgate, lumber merchant at Seattle, formerly of Peterborough, Ontario, employs 150 men; no Chinese or Japanese employed.

Q. Do any of the mills with whom you come in competition employ Chinese or Japanese labour?—A. Not in the city or its neighbourhood. The only mill employing Japanese is the Port Blakeley Mill, nine or ten miles across the Sound from here.

When asked as to the prevailing opinion as to the Chinese and Japanese.

A. They are not desired here at all.

(For fuller quotations from this witness see the chapter on the lumber business.)

William H. Middleton, secretary of the Central Labour Union, Seattle, said: The people generally, are in favour of the continuance of the enforcement of the Exclusion Act. We had Chinese riots in 1886, and they came near driving all the Chinese out of the city. The Government had to call out the military, and the Government kept them (the Chinese) in town, but usually they kept in a part of the town called 'Chinatown'.

A. S. Martin, secretary of the Puget Sound sawmill and Shingle Company, Fair Haven, Washington; the company employs 265 hands and never employ either Chinese or Japanese, he said: The sentiment here is opposed to both Chinese and Japanese. They were not permitted here at all until the canneries started. If the question were put to a popular vote not a Chinaman or Japanese would be allowed in town. Chinese have never been employed in these mills. There are no Japanese here. There are not fifty Chinese in the country outside the canneries. The Chinese in the canneries all come from Portland for the season, and return at its close. This labour is furnished under contract by Chinese contractors of Portland.

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W. T. Harris, of the Whatcom Falls Mill Company, that employs 75 men, but no Chinese or Japanese; they manufacture lumber and shingles,—said: Chin are not employed at Whatcom at all. We don't see them here at all. The population of Whatcom is about ten thousand. We experienced no difficulty in getting common or skilled labour. The principal industry at Whatcom is lumbering. The coal mines are several miles from town. They employ all white labour.

W. Sherman, Manager of the Bellingham Bay Lumber Company, said: We employ about 350 men; no Chinese or Japanese. We export lumber to South America, Australia, Hong Kong and Japan, also to San Francisco and east of the Rockies. There is no difficulty in getting labour. We buy our logs.

Henry F. Portman, president of the Alaska Packers' Association, said:

Q. As far as your observation goes do Chinese become Americanized? Do they become citizens in the proper sense of the term,—taking an interest in your laws and institutions?—A. Well, they cannot become citizens unless they are born here. They take great interest in the country.

Q. Are they looked upon by the people generally as a class out of which to make good citizens?—A. Well, no. The average Caucasian does not care about them, and white people do not associate with them in any way. It was owing to the general feeling of the American people that the Exclusion Act was passed and brought into force.

(See further extracts from the evidence of this witness in the chapter on canneries.)

S. E. Masten, of Portland, secretary of the Board of Trade and Commerce, and Theodore Wilcox, stated that the number of Chinese had diminished very much in the last ten years. Mr. Masten then stated that his assistant, Mr. Wilcox, was much more familiar with the whole question than he was, and placed the Commissioners in communication with Mr. Wilcox who said that the present population of Portland was between ninety and a hundred thousand, and that there were not over 2,500 Chinamen in the city. Twenty years ago with a population of twenty-five thousand there were twice as many Chinamen in the city.

Q. I wish to ask you whether the introduction of the Exclusion Act had any effect on business?—A. I do not think so. I do not think that any action that has ever been taken against the Chinese here has ever affected our trade in any way. I am only speaking from my own personal observation. I know it has never interfered with our business.

Q. What is the general feeling of the community here; are the people in favour of the immigration of coolie labour or are they in favour of the continued enforcement of the Exclusion Act?—A. We would rather not have the coolie class here. We would rather not have Chinese or Japanese labourers coming in here at all. The railways in the past employed a good many Chinamen, but they do not employ as many now as they did a few years ago. I have been on the Northern Pacific Railway and they do not employ as many now as they did a few years ago. I have been on the Northern Pacific Railway several times lately and have not seen any Chinese.

A. A. Bailey, secretary of the Federated Trades, Portland, said: I do not know that the Chinese or Japanese do a great deal of good here. Whatever money they earn very little of it is spent in this country. The labouring men of America spend their money here and people in business here get the benefit of it. The Chinese come here working for low wages and the money they earn they send the most of it out of the country to China. Their cost of living is very small and all the money they have over the actual cost of living is sent to China.

The American working man earns all the money he can. Whatever money he earns he spends it here and the business community have the benefit of it. That is one reason why merchants and a great many of the business men are in favour of the Exclusion Act. The only people I have found in favour of letting down the bar are men requiring a large amount of unskilled labour, and they think they can get that cheap by the Chinese coming in here, and that they can do as well with the Chinese as with white labour. They do not care about what comes of the country if they have their work done cheaply, such as the building of railroads and other large works. They are in the business to make as much money out of it as possible. They do not give a

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cent for what becomes of the country. They are contractors who come in here to build railways and all they care for is to make large profits for themselves. They are the men who favour the immigration of the Chinese, whereas the people who live in the country, the merchants and the business men, and the citizens of the state generally, those who make their homes here, are all in favour of the Exclusion Act being continued in force.

Q. What proportion of the people are in favour of the law as it stands?—A. I should say eighty per cent is a very conservative estimate. At the time the Exclusion Law was brought into effect quite a number took the view that all men were entitled to come to the country and live here under whatever conditions they chose, but there was such an outcry from the whole of the people that they did not want the Chinese here that our representatives in Congress supported prohibition, and the Exclusion Act has been ever since regarded as a settlement for all time of the question. It was then the almost universal opinion that to open our doors and let large numbers of these people come in would be ruinous to the working people of the United States.

J. M. Lawrence, city editor of the *Oregonian*, Portland, stated that he had resided in Portland for thirteen years. In 1890 the State of Oregon had a population of 313,767, of whom only three or four thousand were Chinese, so that the number of Chinese here in proportion to the population was very small. Fourteen years ago there was an agitation against the Chinese all around the coast. There was an agitation to run them out of Oregon. At that time the Chinese were run out of Tacoma and other places on the coast, and they were collected chiefly in the towns, mostly in Portland, and I have no doubt a great many of the Chinese left the country then. At that time there were about 150 Chinamen in a woollen mill and they were driven out of that employment. It caused inconvenience for a little while. I believe it took a little time for them to get in white hands accustomed to the work. I think the people are in favour of the law as it stands.

Q. There were a large number of Chinese here up to the time of the Exclusion Act going into force?—A. Yes, but it is a little difficult to estimate the population at that time, for this reason,—that the contractor who was centered here might have a thousand men on hand today and in a week most of them would be sent to Puget Sound, to the fisheries, or to the hop fields, and the Chinese population might vary two or three hundred in the course of a week. Even to this day some Chinese are sent from here to Alaska in connection with the fisheries. I have known of three or four carloads being sent up to Alaska at one time. You might call these people still residents here. That would raise my estimate of the Chinese population, and the Chinese population might go up to seven thousand or eight thousand.

As to the industries, I do not think they were established by reason of the presence of the Chinese or the Japanese. I think the industries would have been established all the same, although their development may not have been so rapid. In the past the Chinese may have served Oregon very well, but they are not required here now. We can get on very well without them. We have no prejudice against the Chinese, except, as I say, they come in unfair competition with our own people. They are not desirable as citizens. They do not assimilate with our people, and it would not be desirable if they did assimilate.

H. S. Rowe, mayor of Portland, said: I was superintendent of the Oregon Navigation Company. The general feeling of the whole community is in favour of the law as it stands. The change was gradual; when the Exclusion Act was put in force there was nothing like a shock nor any inconvenience suffered; the change was gradual. I do not think any inconvenience was suffered by anyone. Our trans-continental lines were completed, and we were able to get in all the white labour we wanted from the east.

Walter Honeyman, merchant, cannery and fishing supplies, of Portland. This witness stated that only the working people and the trades unions were in favour of the Exclusion Law.

Q. How does it come that the people did not protest against the law if the feeling in the community is as you say it is?—A. That was all worked up by the trades' unions.



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Q. We have been told that the feeling is unanimous now, or almost unanimous in the community, against the Chinese coming in?—A. Not among the merchant people.

Q. Would the merchants prefer to see the Chinese coming in?—A. Yes.

Q. Without restriction?—A. They fill a want, I think, here as domestics, doing gardening work and cutting wood around the city.

Q. The mayor of the city gave us the opinion that the working of the law was satisfactory to the community in general?—A. Well, I do not mix so much among the tradespeople as he does.

Q. Is the mayor in business?—A. He used to be one of the superintendents of the railway.

Q. What is the line of your supplies?—A. Gill-nets, seines and traps.

Q. Do you regard the Chinese as a people who would make desirable citizens?—A. I have never known anything about the Chinese but that they are always peaceable and law-abiding and would make good citizens.

Q. To settle here?—A. I do not know.

Q. Would you give them a vote?—A. No, I do not believe in giving them votes unless they are educated.

Q. If they are good citizens why not give them votes?—A. They are a good deal better than some who have votes.

Q. Do they become Americanized?—A. Very few.

Q. Do they take an interest in your laws and institutions?—A. Very few.

I was born in Scotland and am an American citizen. I think the exclusion of these people has retarded the development of the country. I am not interested in the canneries, except in selling them supplies.

F. V. Meyers, commissioner of the Bureau of Labour Statistics, San Francisco, said: The Chinese have to a certain extent become Americanized, to the extent of having labour unions of their own and having fixed prices for certain work, as our unions have. The Chinese question has been considered a dead issue. It is a closed issue now under the Exclusion Act. I have expressed that on page 15 of my report as to alien labour in the State of California. The Exclusion Law will expire I believe in 1902, and public opinion in the state will certainly favour the Exclusion Act being continued in force. The general feeling is to make it still more exclusive, and to include the Japanese. Let me say here that in giving you that as the feeling of the community, in voicing a sentiment of that kind I am not speaking of that now from a partisan point of view. I am not indicating if I have opinions of my own what these opinions are. I am simply stating the fact, that the general feeling of the community is in favour of the continuance of the Exclusion Act in regard to the Chinese, and to have the same measure of exclusion extended to the Japanese as well. In so far as public feeling is concerned I think you will find that is the fact. Of course you will understand all such questions are agitated through the medium of the newspapers, but they are finally settled at the ballot box. The sentiment of the labouring classes is decidedly against the Chinese and the Japanese, and the organizations are very strong at the ballot box. It is said by some that a larger amount of that kind of labour, cheap labour, would be a benefit to the industries of the State and would induce more capital to come in to develop it; that a low class of labour is required to do the unskilled work necessary in carrying on the different industries; that the different industries would be developed, and therefore would afford more work for the higher class of labour. That idea is entertained by some, but the general feeling of the community is just as I have stated. I do not think the change in favour of the Chinese would be appreciable. The method adopted did not cause inconvenience or injury to any appreciable extent. If the Chinese had been bodily sent away—had been taken from the various avocations—some industries might have had to close up for a little time. The expulsion of the Chinese would have caused a considerable jar, because there would not have been sufficient white labour to take their places. Quite likely some of the industries would have been inconvenienced and hampered for a time; no question about that. I think the Exclusion Act is more thoroughly in force now than it was at first.

James D. Phelan, mayor of San Francisco, said: I do not believe there was any appreciable jar or that there was any loss appreciable by the introduction of the Exclusion Act. I believe the companies are in favour of the re-enactment of the law, or the enactment of a more exclusive law. They look upon it in this way—I am pretty familiar with the sentiment of the people on the subject; I have made a study of the subject, and have come to the conclusion that we will be far better without the Chinese or Japanese; and that without them we will still have a great development in our State, and the industrial conditions will be improved all along the line. The presence of the Chinese means the exclusion of white men; the Chinamen come here alone; families of Chinese are very rare here. They are no use at all to the community; they injure our civilization. If we were rid of the Chinese their places would be filled with white people and their families, and the State and the country would be benefitted largely. They have so encroached upon the different trades and callings, so far that it may be termed that there has been an industrial revolution, and if they go any further there is no limit to the injury they will do. If the barriers were let down, there would be such an expression of opinion that in a very short time there would be no doubt a re-enactment of the Exclusion Law; and the Exclusion Law would be rendered so as to apply to other nationalities from the east.

They are mostly of a servile class; and that is entirely antagonistic to the American idea of equality. The whole thing is fundamentally wrong; and they have demonstrated strongly that an Exclusion Act is necessary, if our country is to develop, and if our civilization is to keep pace with the civilization of Europe.

J. H. Barber, connected with the Immigration Office, San Francisco, said:

Q. Is there any sentiment now against the Exclusion Act, or do you regard the question as settled?—A. Yes. It has acted so satisfactorily that I do not think there can be said to be any great number in the city or in the State who would favour the abrogation of the Act.

Q. From your personal observation or from information within your knowledge can you say whether the Exclusion Act when it was put in force caused any shock to business?—A. No, I do not believe it did. The only thing is that there is a scarcity of domestic help. That is the only place I can think of where the Chinese are missed. Of course they were used on the gardens and on farms.

Q. To what extent were they used?—A. Not to a great extent. The Japanese are used now where they can be got. The demand is so great that they can use all the Chinese and all the Japanese available. The Japanese cannot supersede the Chinese. People prefer the Chinese when they can get them.

Q. Is the labour market well supplied; is there an abundance of labour in the city?—A. There is an abundance of labour here just now.

#### SUMMARY.

The effect of restrictive legislation and the Exclusion Act in the United States has been to gradually decrease the number of Chinese upon the coast, the greatest reduction having taken place in California, from 72,472 in 1890 to 45,753 in 1900.

The population of Washington State has increased from 75,116 in 1880 to 518,103 in 1900, while the number of Chinese has only increased from 3,186 in 1880 to 3,629 in 1900. While the population of British Columbia has increased from 49,459 in 1880 to 177,272 in 1900, the Chinese population has increased during the same period from 4,550 to 16,000.

Again, Seattle with a population of over 80,000, has less than 500 Chinese; while Victoria with a population of 20,000 has over 3,300 Chinese.

In the Coast States the overwhelming opinion, as far as we were able to gather it, is in favour of the present Exclusion Law, and this opinion is shared by employers as well as employees, and other citizens. The Exclusion Law caused no shock to the various industries; the change was so gradual as not to be noticed.

The Chinese are largely employed in the cannery business, but they are not employed in the other large industries such as lumbering, the shingle business and coal

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mines, nor are they to any considerable extent engaged in farming, except at certain seasons of the year, when they are employed in hop-picking and berry-picking, &c.

Their mode of living is and always has been similar to that which obtains in British Columbia. Each city in which they are found has its 'Chinatown.' The white people do not associate with them, nor do they assimilate in any way with the white people. They are not regarded as a desirable class. Fifty years has made very little change as to their habits of life.

The question is regarded as closed, and we could learn of no considerable class that were in favour of changing the Exclusion Law as it now exists.

## CHAPTER XXVI.—RESUMÉ.

The following resumé gives in outline the results of the foregoing chapters, to which reference must be had for a complete statement of the facts and evidence bearing upon the question of Chinese immigration and its relation to the great industries and its effect upon the Province and country at large.

## CHAPTER I.—REPRESENTATIONS BY BRITISH COLUMBIA.

For over ten years British Columbia has made persistent efforts to further restrict or exclude the immigration of Chinese into the provinces; by addresses of the Local Legislature to the Lieutenant Governor in Council transmitted to the Dominion Government; by numerous acts of the Local Legislature, endeavouring to limit immigration or discourage it by excluding Chinese from public works and the passing of the Natal Act; by over seventy petitions in 1891 to the Dominion Parliament, and from year to year repeated, the province of British Columbia has endeavoured to press upon the Dominion Parliament the necessity of saving this province to the Dominion and the Empire from the invasion of this alien race, claimed to be non-assimilative and a menace to the present and future well-being of the province.

## CHAPTER II.—THE CHINESE IMMIGRANT.

Except a slight falling off after the building of the Canadian Pacific Railway, the number of Chinese has steadily increased in the Province of British Columbia from 4,483 in 1880 to 8,910 in 1891, and 16,000 (estimated) in 1901.

These immigrants are mostly of the coolie class, or farm labourers, whose earnings in their own country would not average more than three to seven cents a day of our money, upon which commonly a family of from two to five people have to be supported. They are poor below our conception of poverty, always bordering on the line of want. This is the class of immigrants that come to British Columbia. They are chiefly adult males who come. Take Victoria as an instance most favourable to the Chinese, as being the oldest settlement: Of 3,272 less than 100 had their wives with them and of these 61 are of the merchant class, leaving about 3,000 labourers, of whom 28 had wives living with them. The others who are married have their wives in China.

In the whole province, with a population of 16,000 (estimated) Chinese, 122 Chinese children attend the public schools.

## CHAPTER III.—THEIR UNSANITARY CONDITION.

Medical men, health officers and sanitary inspectors with one accord regard them as a menace to health, because of their overcrowding and persistent disregard of sanitary conditions and regulations. It is not surprising, therefore, to find that consumption is especially prevalent among them.

## CHAPTER IV.—CRIME STATISTICS.

Crime statistics are not unfavourable to the Chinese. This may arise from the undoubted difficulty of securing conviction. There is strong evidence that they conspire to conceal crime.

## CHAPTER V.—THE MORAL AND RELIGIOUS ASPECT OF THE CASE.

The presence of Chinese, who have an entirely different standard of morality to that of the white population, without home life, schools, churches or religion, tends to lower the moral sense of the community, especially of the young. They are undoubtedly looked upon by the great mass of the people as a servile class.

The young despise the Chinaman and look upon the employment in which he is engaged as degrading, and as he is employed in nearly every avenue of unskilled labour, this evil is widespread, and its effect was everywhere observable.

A reference to the views of ministers and clergy shows that missionary work among the Chinese in British Columbia is surrounded with great difficulty, and the progress made, having regard to numbers only, exceedingly slow. The consensus of opinion seems to be that conditions for missionary work were not as favourable here as in China, 'possibly' (as one witness put it) 'because I doubt whether Christian practices and Christian theories would not baffle the Chinese intelligence.'

## CHAPTER VI.—THE PROPORTION OF TAXES PAID BY CHINESE.

The Chinese bear no fair proportion of the burden of taxation, either municipal, provincial or Dominion.

## CHAPTER VII.—LAND CLEARING AND AGRICULTURE.

While the Chinese have contributed as labourers to the clearing of land, their presence has been seriously detrimental to its settlement by a white population. The white settler who earns his living from the land by his own work is strongly opposed to further immigration. He is in many cases isolated and every incoming Chinaman adds to his isolation. To the extent of their numbers the Chinese discourage churches, schools and social intercourse. They prevent incoming settlers and drive out those who are there. They are a deterrent, sure and effectual to the settlement of the lands, encouraging land monopoly and discouraging small holdings.

## CHAPTER VIII.—MARKET GARDENING.

This very important branch of industry that ought to be a help to small holders and farmers is entirely in the hands of the Chinese. It is impossible to compete with them. Their control of this branch of industry retards settlement and severely cripples the small land holders and farmers who, while clearing the land might otherwise look to their market gardens to assist them in supporting their families.

## CHAPTER IX.—COAL MINES.

Chinese are not employed in coal mines except on the coast.

At the new Vancouver Coal Company, of a total of 1,336 men, 175 are Chinese. The rest are whites. The Chinese are employed only above ground at this mine.

At the Dunsmuir Union Mines 877 men are employed, of these 363 are Chinese, and they are employed above and below ground.

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At the Dunsmuir Extension Mine 1,000 men are employed, of whom 164 are Chinese and these mostly above ground.

The general superintendent of the New Vancouver Coal Company favours the total prohibition of further immigration, and thinks the remedy should be applied at once.

The general manager of the Wellington Colliery Company (the Dunsmuir Mines) thinks there should be no restriction whatever.

The Hon. James Dunsmuir, president of the above company, in an official communication to the Dominion Government, dated October 9, 1900, favours 'an increase of the per capita tax in such measure as to surely limit the number of immigrants, and by enactment of legislation similar to the Natal Act to regulate their employment while in the country.'

The present supply of Chinese labourers is sufficient to meet the demands of this industry for years to come. The evidence of those chiefly affected is in favour of the view, that no appreciable inconvenience or loss will be suffered by this industry by further restriction or even exclusion.

## CHAPTERS X AND XI.—PLACER AND LODE MINES.

The value of the mineral output of British Columbia, including coal and coke, for the year 1900 amounted to over sixteen millions, and for the year 1901 to over twenty millions, and of these amounts the Lode Mines (gold, silver, lead and copper) in 1900 yielded ten millions, and the Placer Mines, including hydraulic, over one and a quarter millions; and in 1901 the Lode Mines yielded fourteen millions and a quarter and the Placer Mines less than a million.

Chinese are not employed in the Lode Mines in the interior, and only in one or two instances on the coast. They are not employed in the Atlin district, nor are they employed in the Cariboo Consolidated. They are employed, however, in the other Placer Mines to the number probably of one thousand or over, about one-half of whom work for themselves, either on royalty or under lease, on old placer claims or new claims; and the other half work for companies who are engaged in placer mining, including open hydraulic.

Out of a total yield of \$11,347,000 from Lode and Placer Mines in 1900 they assisted in contributing approximately from \$300,000 to \$400,000.

The exclusion of further immigration of Chinese will not affect these industries.

## CHAPTER XII.—THE LUMBER INDUSTRY—EXPORT TRADE.

Three mills contributed 97 per cent of the eighty-four million feet of lumber exported last year.

The principal exporting mill is the only one that employs Chinese to any extent, except as cooks, and the manager of this mill is in favour of exclusion. It is clear, therefore, that so far as this branch of industry is concerned the exclusion of further Chinese immigration would not injuriously affect it.

## CHAPTER XIII.—LOCAL AND EASTERN TRADE.

The owners and managers of the non-exporting mills are largely in favour of further restriction or exclusion of Chinese. Chinese are not employed to any considerable extent in the woods.

If Chinese and Japanese both were deported, it would put the owners to serious inconvenience and loss, but if no more Chinese are permitted to come in the supply is ample, and the change will be so gradual as in no wise to impair the business. The Chinese are not employed in any lumber mills on the Sound.

## CHAPTER XIV.—THE SHINGLE AND BOLT BUSINESS.

This important industry employs over a thousand men, of whom more than half are Chinese and Japanese; the Chinese being employed in the shingle mills and the Japanese in getting out bolts.

There are sufficient Chinese to meet the demand in this trade for years to come. Neither Chinese nor Japanese are employed in this business on the American side, and they are not essential to its success here, but being available and conveniently employed by Chinese boss contractors, they have become a part of the machinery of production, which would for a time be thrown out of gear if they were discharged. They are at present more convenient, but not essential. They displace, however, boys who could well do this work, and by whom it is chiefly done in the east and on the Sound, the fact being that while there are plenty of boys who might be employed they are left in idleness, because the Chinese are preferred. In this regard this business affords a marked illustration of the permanent injury that is being done to the youth of the country. While the Chinese are here they will be employed.

## CHAPTER XV.—CANNING INDUSTRY.

The Chinese have become experts in salmon canning. They are employed as a rule by Chinese bosses, who contract with the canners at so much a case. They are used in all canneries. The number required has been greatly lessened in proportion to the pack by the introduction of machinery.

Formerly all the cans used were made by Chinese; now an automatic canning factory, run by white labour, at New Westminster, has a capacity to meet the entire demand of the province, but only about one-tenth are so supplied, the rest being made by Chinese at the various canneries. In the process, also, machinery has greatly reduced the numbers employed.

Chinese labour is preferred because it is always available, easily handled, efficient and cheap.

Cheap labour and large profits invited many to engage in the business. Canneries increased, the river became crowded with fishermen, competition appeared from Alaska and the Sound, and profits were reduced. Nearly all agree this industry is being overdone, both in the interest of the canneries and the fishermen, and that a depletion of the supply is threatened.

Opinion is divided among the cannerymen who testified as to the expediency of prohibiting further immigration or exclusion. Only two favoured the removal of all restriction; one declined to express an opinion; one thought the present restriction sufficient. All agreed that the Chinese labourer does not make a desirable citizen and ought not to have the franchise.

Without an exception the canners who testified stated that the industry, at the present time and under existing conditions, could not be carried on successfully without the aid of Chinese.

Having regard to the views generally expressed by witnesses as to a maximum development having been reached, and the possible depletion of supply and the number of Chinese now in the province, there are sufficient Chinese already in the province to meet the demand for years to come. The change will be so gradual as to be all but imperceptible, and may be met by the employment of whites and Indians.

On the Sound and in Alaska Chinese are also employed in the canneries, and this industry has there developed chiefly during the period since the Exclusion Act came into force. It has not only not retarded development, but expansion has taken place chiefly during this period. Many millions have been invested therein within the last three or four years.

There is nothing disclosed in the evidence as it affects this industry which renders it inexpedient, if otherwise desirable, to exclude the further immigration of Chinese into the Dominion.

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## CHAPTER XVI.—DOMESTIC SERVICE.

Chinese, and of late Japanese, supply the demand largely for domestic servants. There is no doubt that under present conditions it is exceedingly difficult to obtain white domestic servants in British Columbia, though there were many prominent citizens who declared that it was purely a question of wages and mistress, and that they had never had any difficulty in obtaining and keeping white girls as domestic servants. The cause of this exceptional scarcity is quite apparant. This kind of help is usually largely drawn from the families of unskilled labourers who in this way assist their income. If then the work of unskilled labourers is done by Chinese and Japanese, who take the places of fathers of families from which under normal conditions domestic servants would be drawn, the source of the supply is cut off, and every Chinaman who comes into the country, displacing a white labourer, increases the difficulty.

The Chinese first create and then fill the want. With six thousand white labourers, or even half that number with families in the four coast cities, (having regard to the number of Chinese that are actually employed as domestics, being less than a thousand all told) it is altogether probable that the supply would meet the demand, at least to the extent that it is generally met with in the east. So long as unskilled white labour is displaced so long will it be difficult, if not impossible, to get white girls for help.

It was found in Seattle that very few Chinese were employed as servants. None are employed in the city of Tacoma, very few in Portland. As white labour took the place of Chinese, white servants filled the place of Chinese servants.

The fact is established that with an Exclusion Law and Chinese excluded from mills and factories, Seattle with a Chinese population of about four hundred, is fairly supplied with servant girls, while in Victoria with three thousand Chinese employed in the mills, &c., servant girls are rarely employed. The lesson is plain: as long as you have Chinese for unskilled labour you cannot expect to have white girls for domestics.

## CHAPTER XVII.—THE LAUNDRY BUSINESS.

From eight hundred to a thousand Chinamen are engaged in this business in British Columbia, and in many places where steam laundries do not exist they are a great convenience. Over a quarter of a million is paid out to Chinese in this business, a small proportion of which goes in circulation or benefits the country at large.

## CHAPTER XVIII.—PARTS I AND 2—MERCHANT TAILORS AND THE WHOLESALE MANUFACTURE OF CLOTHING.

*Part 1.* In no case have the Chinese encroached upon skilled labour to the same extent as they have in the tailoring business in Victoria. In 1891, there were eighteen tailor shops in Victoria, employing 150 white men and women, with a yearly wage of \$109,000. No Chinese were engaged in the trade; a few made overalls. In March, 1901, there were employed in Victoria in the tailoring business 21 white men and 30 women and girls, with an average wage to the men of \$12 a week, and for the women \$6 per week, giving a yearly total of \$22,464, and fourteen firms of Chinese merchant tailors, employing 84 hands in the manufacture of clothes for white people, and two firms that manufacture only Chinese clothing. They do a large portion of what might be called high class work, and ladies' tailor-made dresses, which in some cases formed one-third of the business.

The result has been that many journeymen tailors with their families had to leave the country. It was quite clear from the evidence that it is impossible for the merchant tailors to compete without reducing wages below what a journeyman tailor can live upon and support his family and educate his children.

The Chinese tailors in a few years will practically control this trade unless conditions are changed. This trade affords evidence that it is only a question of time when skilled labour in the other employments must meet this competition.

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*Part 2.*—In the wholesale manufacture of clothing certain parts of the trade are entirely in the hands of the Chinese. One firm put in a plant costing \$2,000, with the latest machinery; employed 40 hands, girls and women, and got work from wholesale merchants at prices that would pay, and that had been paid to the Chinese. The firm was given the preference over the Chinese. The Chinese cut the price. The firm again competed at this price. The Chinese again cut the price. The firm tried to meet this by allowing their hands all they could earn at this price, but hands that were paid \$1 a day could only make 40 cents on piece work at the last reduction. The firm had to go out of the business. The Chinese fix the wage and practically control this part of the industry.

## CHAPTER XIX.—OTHER TRADES AND CALLINGS.

1. *The Boot and Shoe Trade.*—There is one factory at Victoria, employing 16 Chinese. Some years ago 60 Chinese were employed in the factory, but the market being limited in the west, it was found difficult to compete with eastern manufactures, even with Chinese labour. The proprietor favoured exclusion and stated that it was his intention in the near future to manufacture with white labour or not at all, as customers complained of Chinese made work.

2. *Cigar-making.*—Victoria is the only city in British Columbia, we believe, where Chinese are engaged in cigar making. The cigars made there are said to be chiefly for consumption by Chinese.

3. *Brick-making.*—At one time white labour was exclusively employed in brick-making. Chinese are now employed on the coast, only foremen and teamsters are white. The Chinese live together in shacks in the brickyard, at a cost and under conditions that preclude competition. They have gradually driven out the white labourer, and the work is now practically done by them. One foreman put it,—‘hundreds’ (of white men) ‘apply and are turned away.’ The work is usually done through Chinese bosses by contract; only Chinamen are employed.

To hope that by and by the white men under these conditions will be able to replace the Chinese in the employments where they are so engaged is not justified by the facts. Where they have given place to others is where the Japanese have underbid them.

One of the most successful employers in this business is in favour of no restriction upon labour. He approves of the duty on brick. The foremen engaged in the business are all in favour of exclusion.

4. *Line-burning.*—This work is also largely done by Chinese, (except that of foremen) in the proportion of seven Chinese and two white men.

5. *Fruit-canning.*—In this industry no Chinese are employed, the work being done by women and girls. The owner is in favour of exclusion.

6. *Sugar-refining.*—From 70 to 100 men are employed in this industry. Of this number 97 per cent is unskilled labour. The company has an agreement with the city not to employ Chinese labour. The manager stated that the company had no difficulty in obtaining and keeping a full supply.

7. *Cordwood-cutting.*—This industry, which is of importance by reason of the large amount of wood required by the canneries, was monopolized by the Chinese; until recently the Japanese have largely superseded them. The supply of wood should be an important adjunct to the settler, the injury to whom, from its falling into the hands of Chinese and Japanese, is fully dealt with under Land Clearing.

8. *Railways.*—The Nanaimo and Esquimalt Railroad Company employ from 150 to 200 white men, and from 40 to 60 Chinese.

On the Pacific Division of the Canadian Pacific Railway 99 Chinese are employed out of a total of 4,693 in this division.

Having regard to the small number of Chinese employed, it cannot be said that the railway is to any considerable extent dependent upon that class of labour for its successful operation.



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9. *The Canadian Pacific Steamship Company.*—Five hundred and seventy Chinese are employed on the vessels of the Canadian Steamship Company, running between Vancouver and Hong Kong.

From 500 to 600 Chinese are employed to do repairs on these vessels through a company at Hong Kong, which, if done at Vancouver, would give employment to at least 100 mechanics: which with other expenditures would amount to \$10,000 or \$12,000 per month.

The repairs on Australian ships are done by white labour and done in their own ports.

10. *Railway Construction.*—The Chinese are not employed in railway construction at the present time, and have not been since the building of the Canadian Pacific Railway, with few unimportant exceptions. White labour is preferred.

11. *Electric Railway in Vancouver, Victoria and New Westminster.*—Nearly four hundred men are employed by this company; all are white men. The manager stated that there was no difficulty in getting all they required.

12. *Freighting.*—The Chinese engage in freighting from Ashcroft into the Cariboo mines, chiefly for Chinese merchants.

## CHAPTER XX—UNSKILLED LABOUR.

The employment of Chinese in all the avenues of unskilled labour presses unduly upon this class of white labour, forcing many to leave the province and deterring many who would otherwise come to the province as permanent settlers.

The injury to the youth of the country is equally apparent, causing deep concern to parents, which is well founded.

## CHAPTER XXI—GENERAL MERCHANTS AND TRADERS.

There are Chinese merchants in business in every city, town and village in the province, except Phoenix and Sandon. Their trade is chiefly with their own people.

In large centres the business of green grocers and garden vegetables is largely controlled by them.

White traders are almost unanimously opposed to further Chinese immigration, for obvious reasons. They not only control the trade of their own people, but their presence in large numbers, taking the place of men with families, affects injuriously every trade interest and to a very serious extent.

## CHAPTER XXII—IS FURTHER RESTRICTION OR EXCLUSION DESIRED?

Public opinion in British Columbia, with few exceptions, is in favour of the prohibition of further Chinese immigration. It is by no means confined to the labour class. They are unanimously in favour of exclusion, and this applies to both skilled and unskilled labour. Traders of all kinds in the cities, towns and villages are also largely in favour of exclusion. Farmers actually engaged in agriculture, fruit-growers, white and Indian fishermen, and a large majority of the employers who are engaged in the leading industries, are in favour of high restriction or total prohibition. The general feeling is further evidenced by the action of the Legislature which for many years has been practically unanimous in favour of exclusion, and has endeavoured to exclude them from public works and all works receiving public grants; municipal corporations also exclude them from corporation work; and lastly, ministers, missionaries and clergy, with few exceptions, favour either further restriction or prohibition of further immigration of this class. The suggestion that the feeling of antagonism is confined to the labouring classes, is wholly without foundation.

## CHAPTER XXIII.—TRADE WITH CHINA.

The evidence adduced and the experience of the United States in this regard indicate that further restriction or exclusion will not affect the trade of Canada with China.

## CHAPTER XXIV.—ANTI-CHINESE LEGISLATION ELSEWHERE.

## In the United States.

Wherever Chinese labour has come in competition with white labour, agitation has commenced and restrictive legislation followed. In 1850 Chinese were welcomed to California; now there is an Exclusion Act and treaty, which absolutely prohibits the coming of Chinese labour into the United States.

## Hawaiian Islands.

In 1898 the United States prohibited the immigration of Chinese into the Hawaiian Islands except upon such conditions as are now or may hereafter be allowed by the laws of the United States.

## The Philippine Islands.

The report of the Philippine Commission 1900, declares that the Chinese are one of the principal causes of the commercial and industrial backwardness of the Archipelago.

## Australia.

The Australian Colonies prior to the formation of their present commonwealth had passed restrictive legislation against the Chinese, and in the first session of the first parliament of the commonwealth, an Alien Immigration Restriction Act has been passed.

## New Zealand.

Since 1881 increased restriction has from time to time been imposed against the immigration of Chinese until in 1896 the immigration was limited to the proportion of one to every hundred tons tonnage of the vessel, with a poll tax of £100; and in 1899 an Immigration Restriction Act was passed on the lines of the Natal Act.

In 1888 the Australian Colonies, New Zealand and Tasmania urged upon the Imperial Government that diplomatic action should be taken to obtain from China a treaty similar to that then existing between China and the United States, under which practical exclusion was enforced, but that much desired result was not obtained.

## CHAPTER XXV.—EFFECT OF EXCLUSION IN COAST STATES.

Practical exclusion has been in force in the United States since 1894, without any injurious effect upon the industries or upon trade with China. It has had the further effect of steadily decreasing the number of Chinese in those States, who have given place to a rapidly increasing white population. The question is regarded as settled in the Coast States and the Exclusion Law satisfactory and beneficial.

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## THE CENSUS—A COMPARISON.

British Columbia, with a population of 177,272 has 16,000 Chinese (estimated) while Washington State with a population of 518,000, has 3,629.

Oregon with a population of 413,000 has 10,397 Chinese, and California with a population of 1,485,053, has 45,753 Chinese.

The conditions in Washington and the natural industries more nearly resemble those of British Columbia than do the other States.

The City of Victoria has nearly as many Chinese as the entire State of Washington, and nearly twenty times as many Chinese as Seattle in proportion to population.

New Westminster with a population of about 6,000 contains more Chinese than Seattle with a population of nearly 100,000, while Tacoma with a population of about 60,000 has no Chinese whatever.

Further comparisons might readily be made, but the above clearly indicates the large proportion of Chinese in British Columbia as compared with the Coast States.

In British Columbia they have increased during the last decade from 8,910 to 16,000 (estimated). In the three Coast States they have decreased from 85,272 to 59,779.

## CHINESE IMMIGRATION.

	British Columbia.	Other.	Total.	Capitation Tax at \$50.	Exempt.	Certificates of Leave.
				\$		
1885-6.....	211		211	10,550	1	827
1886-7.....	116	8	124	6,200		734
1887-8.....	296	3	299	14,950		923
1888-9.....	764	9	773	38,650	112	1,267
1889-1890.....	1,065	4	1,069	63,450	97	1,671
1890-1.....	2,108	6	2,114	105,700	12	1,617
1891-2.....	3,264	8	3,272	163,600	6	2,168
1892-3.....	2,199	45	2,244	112,200	14	106
Registrations for leave.....						1,171
1893-4.....	2,044	43	2,087	104,350	22	666
1894-5.....	1,382	58	1,440	72,000	22	473
1895-6.....	1,722	40	1,762	88,100	24	697
1896-7.....	2,417	30	2,447	122,350	24	768
1897-8.....	2,137	58	2,175	108,750	17	802
1898-9.....	4,279	106	4,385	219,250	17	858
1899-1900.....	3,880	351	4,231	211,550	26	1,102
1900-1.....	1,338	149	1,487			
	983	48	*1,031	177,450	26	1,204
To Oct. 31, 1901.....	617	31	*648	64,800	12	670
To Dec. 31.....	376	Not given.	*376	37,600	15	Not given.
	31,197	977	32,174	1,711,400 Less refunds, \$18,900.	447	

\* At \$100

Certificates of leave.....	9,313
Registrations for leave.....	8,412
Certificates of leave outstanding and lapsed from 1885 to present time.....	4,856
Registrations for leave, C. I. 9, valid at present time.....	1,056

NOTE—1,975 Chinese entered British Columbia in the year 1901 who paid the capitation tax of \$100.

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RETURN showing Chinese entered for the purpose of passing in transitu through Canada and those passed out who have arrived in transitu from other ports.

Year.	BRITISH COLUMBIA.		OTHER PROVINCES.	
	Entered.	Passed out.	Entered.	Passed out.
1887-88.....	1	1		
1888-89.....	3,309	3,576		
1889-90.....	362	1,108		
1890-91.....	233	1,676		
1891-92.....	720	983	11	11
1892-93.....	3,650	2,511	118	596
1893-94.....	2,316	1,863	226	834
1894-95.....	1,024	1,437	182	422
1895-96.....	2,048	1,456	208	744
1896-97.....	4,035	1,569	438	1,687
1897-98.....	2,455	1,349	349	1,118
1898-99.....	2,177	1,505	326	723
1899-1900.....	1,885	1,860	223	323
1900-01.....	1,694	1,907	441	236
1901-Oct. 31, 1902.....	729	690	230	260
	26,638	23,521	2,762	6,794

Total entered..... 29,390  
Total passed out..... 30,315

## CHAPTER XXVII.—CONCLUSION.

1. The advent of Chinese in large numbers into British Columbia dates back to the early sixties, and the discovery of the rich placer fields of Cariboo and Cassiar. Later when this industry waned numbers of the Chinese left the country, but some remained. During the construction of the Canadian Pacific Railway, however, large numbers again came in, so that as the great industries began to develop there was always a supply of cheap labour available, first the Indians, then the Chinese, and lately the Japanese. The Indians in the sawmills were gradually displaced by the Chinese, who in turn are now being superseded by Japanese. Some of the employers in effect said: we have always had cheap labour, and we require cheap labour to carry on our industries; it doesn't matter what kind it is, whether it be white, black or yellow, so long as it is cheap and in sufficient supply.

Will the prohibition of further immigration of Chinese labour injuriously affect the various industries of the country? To answer this question satisfactorily each industry must be examined separately, regard being had to its peculiar position and special requirements; and this has been done in every case with great care. The various chapters in which the several industries are dealt with give the evidence and findings relating to each. A few of the facts may, however, be here indicated.

In the important matter of land clearing, farming and settlement, the view of those who are especially interested (excepting only the large land owners, and those who rent their land to Chinese, and very few others, who cannot be said to look to farming exclusively for their livelihood) is voiced in the one word,—exclusion.

In the mining industries, which in 1901 produced twenty millions, the Chinese contributed to the production of the gold output a small fraction of the whole, confined almost exclusively to the placer mines. They are not employed in the collieries in the interior; on the coast they are employed for surface work, but not underground, except in the Union Mines. A point not to be lost sight of is the fact that the manager of

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the Company that is the largest exporter of coal, where they are employed, is in favour of total exclusion, and thinks the remedy ought to be applied at once. The president of the other collieries of the coast where they are employed, is in favour of higher restriction and the Natal Act, as indicated in his official utterance as Premier of the Province; on the other hand the general manager of this company favours unrestricted immigration. Chinese are not employed in the coal mines of the Pacific Coast States.

The lumber industry must be treated, for clearness, under two heads,—1. The export trade; 2. The local and eastern trade. The export trade is done by five mills, of which three represent 97 per cent, and of the three, the largest exporter (nearly one-half the total in 1900), is the only one that employs Chinese to any extent, and the manager of this large concern is in favour of total exclusion; the next largest employs only some nine or ten as cooks, and the third only employs some five or six, and these not directly in connection with the export trade; so that for this part of the industry it is perfectly plain that they are not essential. It may be here noticed that the exclusion of further immigration of the labouring class of Chinese is desired by the two principal exporters of lumber and coal.

The local and eastern lumber trade is in many hands, and the undoubted voice of most of the employers examined, representing this branch of the business, is in favour of exclusion or higher restriction.

In Washington State Chinese are not employed in the mills, and after nearly twenty years' experience of an Exclusion Law the mill owners favour its continuance.

The shingle business in British Columbia has developed to large proportions, and Chinese are employed in considerable numbers and are regarded as at present necessary for the trade. The difference in cost, if white labour were employed, was estimated at three cents per thousand. Shingles are now produced at a shade less on the American side. It should also be noted here that this industry, which has assumed enormous proportions in Washington State and Oregon, is carried on exclusively by white labour.

In the province there are 74 salmon canneries, which are owned and operated by between forty and fifty companies and individuals. In no other industry are the Chinese as largely employed. Their numbers have steadily increased as the industry developed, although by the introduction of machinery the number in proportion to the pack has largely decreased. It is said they are peculiarly suited to the work.

The fluctuating character of this industry in respect of the supply of fish and the market for the product, and the large number of hands required during the busy season, deserves special mention. In no other industry is there so much uncertainty as to when and to what extent labour may be employed, owing to the lack of knowledge of the conditions of the supply. From the passing runs of salmon they must be caught and put into tins without delay, and the hands must be there ready to do the work. In an emergency occasioned by an unexpectedly heavy run difficulty is sometimes found in getting an immediate supply of labour. It was stated that in some cases the bulk of the season's pack is obtained in several days. Apart from the men who are engaged in making the tins the Chinese labour is drawn from other occupations, to which they return as soon as the canning season is over. The Chinese being available and easily conveyed to the canneries, this industry was established and carried forward more with regard to advantageous location for obtaining fish than to obtaining a supply of white labour.

In the adjoining State of Washington the industry was first established in the year 1892. Chinese are also there employed, but not to the same extent as in British Columbia. In the last few years the development of this industry in Washington State has been very great, many millions being expended in plant, and the pack now exceeds that of British Columbia. This development has taken place during the years of the Chinese Exclusion Act in the United States. In most cases their canneries are located with a view to convenience in securing available labour of girls and youths from the adjacent towns and villages, who take the place of the Chinese for inside work to a certain extent.

British Columbia, with a white population of 129,000, has about 16,000 Chinese; while Washington State, with a white population of 518,000, has 3,600 Chinese, where

about 2,500 are employed in the canneries; some are brought up from Portland, while some of the Chinese in Washington State go to the Alaska canneries.

The white fishermen who are numerically a great factor in the industry, and deeply interested in the success of the canneries that afford the only market for their fish, are practically unanimous in their opposition to any further immigration of the Chinese, notwithstanding the fact that if the canneries had to pay a higher price for inside labour, the price of fish would be most likely to be affected by it.

We repeat the closing statement contained in the summary of the chapter where this matter is fully dealt with:—

Had there been no Chinese in the country, it is probable that the whites and Indians would have been trained to the business, and would have furnished sufficient supply, but the almost exclusive employment of Chinese through their boss contractor, who naturally employs his own countrymen, where available, has practically shut the door against whites and Indians and prevented them from learning the business.

The exclusion of further Chinese is not likely to seriously affect this industry, for (a.) There are sufficient Chinese already in the province to meet the demand for years to come, having regard to the views generally expressed by witnesses as to a maximum development having been reached, and the possible depletion of supply and the number of Chinese now in the province.

(b.) The change will be so gradual as to be all but imperceptible, and may be met by the employment of whites and Indians.

(c.) On the Sound where the Exclusion Act has been in force for many years and the number of Chinese has decreased in the last decade, it has not retarded the development of this industry, but on the contrary this industry has received its chief expansion during this period: many millions having been invested therein within the last three or four years, and this, although Chinese are employed both on the Sound and in Alaska, as they are in British Columbia.

There is nothing disclosed in the evidence as it affects this industry which renders it inexpedient, if otherwise desirable, to exclude the further immigration of Chinese into the Dominion.

As cooks and domestics the Chinese are distributed throughout the whole province.

As cooks and assistants in hotels and restaurants, on steamboats, in camps, &c., it may be safely said that they outnumber all others.

The wages they receive are equal at least to what is paid usually for the same class of labour in eastern Canada. They are regarded favourably by their employers, principally because of their sobriety, machine-like regularity, economy, and their disposition to remain with one employer. Complaints were frequently made of the instability and uncertainty of white men as cooks, and it was stated that the employment of Chinese was a necessary result. There can be little doubt, however, that relief would be found in a great measure by a withdrawal of the Chinese from this occupation, in consequence of which a better class of men would become available for positions where men only could be employed.

In domestic service they are found valuable, useful and convenient. The wages paid to them are as high at least as are paid to white women and girls in British Columbia, and higher than is usually paid for similar services in eastern Canada. In addition to the ordinary work performed by servant girls, they do many small chores and services which the former cannot do. They are punctual, obedient, and desirous of pleasing their employer. They generally accept the discipline of a strict mistress, and do not readily take offence at the petty annoyances of housework. There are no questions of social rank and privileges. The Chinaman does his work well for his employer for so much money, and there their interest in each other may be said to cease.

Servant girls are difficult to obtain in British Columbia; they are not there in large numbers. Even family nurse girls are hard to secure. The problem of securing domestic servants is not, however, confined to British Columbia, though the extreme scarcity there can undoubtedly be largely accounted for by the presence of the Chinese. The source from which a supply would be expected is shut off. It is not usually the

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family of the skilled mechanic or of those who earn high wages that provide this class of labour; it is obtained from the families of those who for one reason or another do not enter the higher paid callings, and who are forced to look for employment in the avenues of labour which are occupied by the Chinese. It would not require a great number of families of the labouring class to provide servants to the number of Chinese now employed in domestic work, and from these again in any new country is the hope of a steadily increasing population and permanent settlement of the country to be looked for.

A report of the Seattle Bureau of Labour furnishes an interesting example of how this class of servants may find employment, and at the same time supply the demand of those requiring this class of labour.

With reference to the other industries, trades and callings, reference may be had to the chapters where they are treated. In the great majority of cases and with the great mass of people, the Chinese are not desired and not required, and are regarded as a great injury to the country.

The supply of this class of labour already in the country is sufficient to meet the demand for all the industries, not only for the present, but for years to come.

There is one consideration as it affects the various industries that ought not to be lost sight of. Exact data from the census is not before us, but in a total estimated population of 177,000, of whom 129,000 only are whites, the presence of about 16,000 adult unmarried males, trading with their own people and importing largely their own food, and finally taking the greater part of their earnings with them to China, is a vital matter. Under normal conditions this number of adult males ought to represent a population of from 50,000 to 75,000 at the least, of men, women and children, requiring homes, and creating a demand which would affect favourably every industry, trade and calling in the province. This great advantage which ought to flow from the development of the country's natural resources is thus largely curtailed by the employment of this class of labour.

Some employers call attention to the fact that certain industries create a larger demand for unskilled labour during the summer season, *e.g.* placer mining and prospecting; timber logging on the coast and land clearing is carried forward more vigorously in summer, owing to climatic conditions; the canning season is almost wholly confined to six or eight weeks in summer, and at the same time the demand for farm help is at its height.

Your Commissioners are of the opinion that the interests of the country are not promoted to the best advantage by any undue stimulus to one or more particular industry in the way of cheap labour in unlimited supply; rather is it better that any industry should not quickly reach its maximum point of development, but that the industries of the country as a whole should be encouraged and built up, all interdependent, each supporting the other as far as possible in the elements of production; and that those who find employment therein should be permanent settlers with homes, and recognizing the responsibilities and discharging the duties of citizenship.

The great industries should be able to adjust themselves by a gradual change from the employment of Chinese to those of our own race who come in to take their places. There is a surplus in the country now, excepting for a very short time in the summer season, and hundreds in winter are unemployed, ready to enter any avenue of unskilled labour that may open.

In order that the situation in British Columbia may be fairly understood it should be mentioned here that relatively speaking, there is at present a small fraction of the population engaged in agricultural pursuits or in industries kindred thereto. Employment is chiefly given by the mines, fisheries and lumbering industry from which spring auxiliary enterprises, trade, and the employments attendant and necessary to those engaged directly as primary producers. The character of these resources, generally speaking, requires a large amount of capital for their successful prosecution. There are few in the province who may be termed capitalists; the money invested is largely from without the province. From this it will be observed that the employers as a class are numerically few in number. From amongst this class are the only avowed opponents of

further restriction or exclusion, and the evidence does not disclose any great number of them: their objection was solely on economic grounds. They were opposed to granting the Chinese the rights of citizenship or to encouraging the assimilation of the races.

The repeated expression of opinion by the provincial legislature may be regarded as a fair reflex of public opinion as a whole on this question. Frequently it was asserted that one of the chief objections to the Chinese was that they would work for too low a wage, that the question was one largely between capital and labour. The mere appearance of this class of labour, standing as a wedge between the employer and the labourer, is sufficient in itself to arouse the antipathy of the latter. Whatever may have been their relations in the past in this respect, it cannot now be denied that industrial progress and peace can only be assured by bringing the employer and white labourer closer together, and by their understanding each other better. By the gradual removal of the Chinese—one of the chief estranging elements—the industries should not suffer, and a further approach to a better understanding between the employer and the employed be the result.

2. In the older provinces the disturbing element introduced by Chinese coolie labour has not yet been felt to any serious extent. Immigrants who come to other parts of Canada come to make it their home and meet on an equal footing. In British Columbia this normal condition of equal opportunity is disturbed by an immigration so different in kind, in civilization, in manner and cost of living, that it puts the unskilled working man at a disadvantage in every avocation in life where he meets this class of labour, and he meets it everywhere. He insists that he does not seek to disturb normal conditions but to restore them, and to be placed on a common footing and given an equal chance to obtain a living for himself and his family.

A great need of British Columbia at the present time is actual settlers, and especially upon the land. A settler with small means can only afford to clear his land by utilizing the wood and timber upon it and by getting outside work. Under present conditions he is cut off from this assistance from either source. Will he realize from his wood and timber or find work in the lumber mills, shingle mills, or as surface worker at the mines? In all these and other occupations where unskilled labour is employed he finds the Chinese, working at a wage that bars him out. It is not correct to say that there is plenty of work for unskilled labour, unless you add 'at the wage for which the Chinamen work,' and even then it is not true, because in most cases Chinamen work in gangs under a Chinese boss, where white men are not wanted; and for a part of the year numbers of Chinese are also out of employment.

Another feature of this class of labour is that it creates a dislike, amounting to contempt, for the work itself in whatever calling it is employed. The majority of working men will not, if they can avoid it, work with Chinamen; they feel that they would be degraded in the eyes of their associates by so doing. Nor is the dislike of those pursuits in which Chinese are engaged confined to the adult labourer, it is shared by the youth of the country as well, and labour is degraded where it ought to be honoured.

The constant presence of this class, with hundreds being added to their number every year, is a real danger to the very existence of the white working man. He becomes dissatisfied and in many cases leaves the province, or if he remains, advises his friends not to come. The satisfied settler is the best immigration agent, but it was evident that this important influence is directed against immigration of that class of settlers of which the country is most in need, and solely because of the presence of this class of labour.

That they are employed in many industries is readily understood. They are noted for faithful observance of contracts, they are docile, plodding and obedient to servility, easily obtained through boss contractors, accept accommodation unfit and intolerable to a white man, working in gangs under a Chinese boss who has the contract, and who makes his profits chiefly in furnishing them supplies at a high price.

A glance at the conditions under which the white workingman and the Chinese compete will show how unfair this competition is. The one is expected to discharge the ordinary duties of citizenship to himself, his family and his country; rent must be paid, food provided, and the family decently clothed; yet he is put in competition with one



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who does not assume any of these duties, and who lives under conditions insufferable to a white man. Fifty cents a month or less pays the rent, a few cents a day supplies the food, he has no home, wife or family in this country; he shows no desire to change, he is well content as he is until such time as he can return to China and take his savings with him. Fifty years or more on this continent has made little or no change in him or his manner of living.

The fact is established beyond all doubt, that under present conditions the white labouring man cannot compete with the Chinese and decently support his family. It is wholly illusory to say that wages are fair for the ordinary working man. He may get work at odd jobs which a Chinaman cannot do, but the real avenues for unskilled labour that are afforded by the natural industries of the province are practically closed against him, while the cost of living is very much higher than in the east.

The workingman is further embittered by the fact that not only is he compelled to compete under these unfair conditions, but he also finds the places which he has a right to expect his sons and daughters to fill, occupied by Chinese, and his children growing up in idleness and despising honest labour. Many parents and others expressed concern for what they regard as the dark future for the youth of the province. We found an intense feeling, taking the form of indignant protest, against the wrong thus done to the rising generation. In eastern Canada it is not so; there the youths are employed in the lighter work connected with the leading industries; they thus become familiar with the business, acquire the knowledge necessary, and gradually work up to positions requiring more skill, thus providing for the transition from boyhood to manhood, giving thoroughness to the man and affording a constant supply of trained hands ready to meet the demand for this class of labour, and promoting the stability of the industry.

The above applies with greater or less force in the case of women and girls who have to seek a livelihood by their own work.

It was urged upon us by some that the effect of this cheap class of labour is to increase the number of skilled labourers employed and to increase their wages. The skilled mechanic did not admit this contention to be true, and declared if it were true he did not want the advantage. There ought to be no distinction in opportunity between different classes of labour, and besides, the fate of the unskilled labourer to-day may in time be the fate of those engaged in the more skilled employments. In many lines the encroachment has commenced. From the position of the labouring man the admission of this class of labour is unfair, unjust and deadly in its effect; unfair because it does not affect all alike; unjust because it robs the poorest of half his income from his only capital, and deadly because it strikes at home life and the wage-earning class.

Labour in effect says: You guard this country against being made a slaughter market for cheap goods, where the manufacturer is able to limit supply and fix prices; yet you ask me to accept conditions where the supply is unlimited and the prices not fixed. You admit this competitor is not my equal; is not now and never will become a citizen; you debar him from municipal work and deprive him of the franchise. You admit that I cannot live decently upon what he lives upon, nor work for the wages he works for, yet you ask me to submit to this unequal and degrading competition and at the same time expect me to assume, and discharge all the duties of good citizenship. There ought to be some comity in this matter. I ask that normal conditions be restored by preventing any further immigration of this class of labour.

3. British Columbia is especially favoured by nature in the versatility and richness of her natural resources, which it is believed Canadians are able to develop, and which if properly applied are capable of supporting a vast and permanent population. This nation building should be based upon a sound foundation of good citizenship, in which every useful employment is honourable, and where the dignity of labour is recognized and preserved.

If the end to be sought is the building up of the nation, and not the exploitation of these resources, the one vital interest to be secured above all others is an immigration of settlers of whom we may hope to make Canadians, in the highest and best sense of that word. That this object ought to be the one in view is supported by the recent public utterance of a very distinguished personage, when he said:—

"No one who has the privilege which we have had during our tour could fail to be struck with one all-prevailing and pressing demand—the want of population. Even in the oldest of our colonies were abundant signs of this need,—boundless tracts of country yet unexplored, hidden mineral wealth calling for development, vast expanses of virgin soil ready to yield profitable crops to the settler; and these can be enjoyed under conditions of healthy living, liberal laws, free institutions, in exchange for the overcrowded cities and the almost hopeless struggle for existence which, alas, too often is the lot of many in the old country. But one condition, and one only, is made by our colonial governments, and that is—send us suitable immigrants. I would go further and appeal to my fellow countrymen at home to prove the strength of the attachment of the motherland to her children, by sending them only of her best. By this means we may still further strengthen, or at all events pass on unimpaired, that pride of race, that unity of sentiment and purpose, that feeling of common loyalty and obligation which, knit together, alone can maintain the integrity of our Empire."

How far do the Chinese of the labour or coolie class approach to this standard? They come from southern China, drawn from the poorer classes reared in poverty where a few cents a day represent the earnings which must suffice for a family; accustomed to crowd together in small tenements or huts, close, unhealthy and filthy; with customs, habits and modes of life fixed and unalterable, resulting from an ancient and effective civilization, with no desire to conform to western ideas. They form, on their arrival, a community within a community, separate and apart, a foreign substance within, but not of our body politic, with no love for our laws and institutions; a people that will not assimilate or become an integral part of our race and nation. With their habits of overcrowding, and an utter disregard of all sanitary laws, they are a continual menace to health. From a moral and social point of view, living as they do without home life, schools or churches, and so nearly approaching a servile class, their effect upon the rest of the community is bad. They pay no fair proportion of the taxes of the country. They keep out immigrants who would become permanent citizens, and create conditions inimical to labour and dangerous to the industrial peace of the community where they come. They spend little of their earnings in the country and trade chiefly with their own people. They fill the places that ought to be occupied by permanent citizens, many of whom leave the country on their account. They are unfit for full citizenship, and are permitted to take no part in municipal or provincial government. Upon this point there was entire unanimity. They are not and will not become citizens in any sense of the term as we understand it. They are so nearly allied to a servile class that they are obnoxious to a free community and dangerous to the state.

Situated as this province is, upon the seaboard, it should possess a stalwart, homogeneous and united population, capable and willing to defend the country in case of attack. In this regard the Chinese are a real source of weakness.

It is incredible that British Columbia, admittedly one of the richest countries in the world in natural resources,—with its vast forests, unsurpassed fisheries, minerals of all kinds, and large tracts of delta and other lands suitable for agriculture,—cannot be developed without the assistance of Chinese labour. Your Commissioners believe that it is impossible for the province of British Columbia to take its place and part in the Dominion as it ought to do, unless its population is free from any taint of servile labour and is imbued with a sense of the duties and responsibilities appertaining to citizenship.

This class of immigration falls far short of that standard so essential to the well-being of the country. From a Canadian standpoint it is injurious, and in the interest of the nation any further immigration ought to be prohibited. The great industries will not suffer. There is a surplus of this class of labour at the present time ready to enter any avenue of unskilled labour that may open. If no more were admitted the supply is equal to the demand for years to come, and the change will be so gradual as to be almost imperceptible. There are more Chinese today in Victoria and adjacent thereto, than in the whole State of Washington. The Chinese labourers who are already in the country will be benefitted by the change. Trade with China will rather be promoted than otherwise, by removing a cause of friction, as has been found to be the case in the United States in their trade with China since the Exclusion Act. The

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interests of the Empire can best be served by building up a strong and united Canada, able not only to defend herself, but afford help if need be to the Mother Country. Whatever permanently weakens British Columbia weakens the Dominion and the Empire, and no material gain to individual interests ought to weigh for one moment against this injury to the nation.

The right to discriminate against foreigners has been recognized in our tariff and immigration laws, and it has recently been held by the highest Court of Appeal for the British Empire, that an alien has no right which can be enforced by action, to enter British territory. (*See Musgrove vs. Chun Teeong Toy*, Appeal Cases, 1891, p. 272.) In this connection it may not be out of place to call attention to the recent promise made by the British government to appoint a commission to inquire into the whole question of immigration into Great Britain, with a view of excluding undesirable immigrants.

If it could be said with truth that the effect upon the labour class of Chinese coming to British Columbia was to raise them up and to make of them good citizens, and more rapidly bring them under the influence of Christian teaching, it might be urged, from a humanitarian standpoint, that a duty devolved upon this nation to receive them; but a reference to the evidence, and especially to that of the many Christian teachers who were called, clearly shows that such is not the fact. From a moral and Christian standpoint the Chinese labourers in British Columbia as a class are not improved. Those who are here, however, are entitled to receive all the protection which our law can give.

4. In reference to the representations made by the people and Legislature of British Columbia, wherein it is alleged:

"That the province is flooded with an undesirable class of people, non-assimilative and most detrimental to the wage-earning classes of the people of the province, and that this extensive immigration of orientals is also a menace to the health of the community;

"That there is probability of a great disturbance to the economic conditions in the province and of grave injury being caused to the working classes by the large influx of labourers from China, as the standard of living of the masses of the people in that country differs so widely from the standard prevailing in the province, thus enabling them to work for a much less wage;

"That it is in the interests of the Empire that the Pacific province of the Dominion should be occupied by a large and thoroughly British population rather than by one in which the number of aliens would form a large proportion;"

We find that these representations are substantially true and urgently call for a remedy.

We also find that the increase of the capitation tax from \$50 to \$100 is ineffective and inadequate.

Your Commissioners are of opinion that the further immigration of Chinese labourers into Canada ought to be prohibited:

That the most desirable and effective means of attaining this end is by treaty supported by suitable legislation;

That in the meantime and until this can be obtained the capitation tax should be raised to \$500.

The only point upon which your Commissioners could not agree is the date when the capitation tax of \$500 ought to come into effect. The Chairman and Commissioner Foley are of opinion that the capitation tax should be raised to \$500 at once, while Commissioner Munn is of opinion that \$300 should be imposed for two years, and if a prohibitive treaty be not obtained within that period, that it be then raised to \$500.

R. C. CLUTE, Chairman,

D. J. MUNN,

C. FOLEY.

## APPENDIX.

Addresses of Counsel, Mr. C. Wilson, K.C., for the Province of British Columbia, and Mr. A. D. Taylor for the Chinese Board of Trade.

Extracts from the Report of the Philippine Commission.

Hon. Oliver P. Morton's Minority Report, U. S. Commission, 1876.

## ADDRESS TO THE ROYAL COMMISSION OF C. WILSON, K.C.

MR. CHAIRMAN AND GENTLEMEN OF THE COMMISSION :

At the close of the labours of the Commission in this province, may I be permitted to express my keen appreciation of the unvarying courtesy, urbanity and patience (sometimes under trying circumstances) of every member of the Commission. From the distinguished lawyer who presides, one not unnaturally expected the exercise of high judicial qualities, and certainly there has been no disappointment. But it was a pleasure to find that those members of the Commission, whose lives have been passed in other pursuits, were also capable of exercising judicial duties in such a highly acceptable manner. So exhaustive, in fact, has the examination of the Commission been, so sincere a desire to ascertain the whole truth been manifested, that the duties of counsel have been greatly lessened. For myself, I have carefully followed the direction given at the outset of our labours not to put a question to a witness unless it would elicit a new fact.

The question of Chinese and Japanese immigration naturally divides itself into five classes: (1) The economic or industrial, (2) the social, (3) the moral, (4) the religious, (5) the national or political. I only propose to deal with the first and the last, and, to clear the ground may say that I have no idea of advocating expulsion, but do propose to advocate a policy of restriction which will amount to absolute exclusion, and to show by the evidence that further admission is not expedient in the interest of any industry, and is absolutely dangerous from the national or political standpoint. I exclude the social, moral and religious aspects, not because they are unimportant, but, important as they are, and necessary for the well being of the state, they are dwarfed by the grave and serious character of the other two aspects of the question, and are not properly subject to legislative control.

It will be obvious from what has been said that it will not be necessary to discuss the fact of their personal cleanliness, coupled with an utter disregard of the laws of sanitation, at any length. Neither will it be necessary to argue that as servants they are not faithful, sober, fairly honest and industrious. I propose to found my position upon the proposition that no industry has been called into existence by their presence, but that being here they have been made use of. That they will gradually encroach upon and exclude the white worker from fields of labour now exclusively occupied, and rightly occupied by him, and that living as they do under conditions and in a manner intolerable to our own people, the nature of the competition is an exceedingly unfair one. That the strength of a people depends on the good condition and the intelligence of the masses.

The foundation of all social order is based upon a vigorous and intelligent people, and the State cannot long endure whose foundation rests not upon those of its own race and kind, but upon a race not only alien in so far as their birth is concerned, but of a different type of humanity and civilization, who care nothing for our institutions, nothing for our laws, except in so far as they affect their own temporary welfare; a people alien in manners and customs, who are not homogeneous, who do not assimilate with us, who would not if they could, and who could not if they would, who are absolutely indifferent to the well-being of the state, who expect to return to their own land either dead or alive, and whatever virtues they possess have also characteristics which render it very undesirable that they should ever become members of our body politic.

In the time allotted to me to sum up the evidence on behalf of the province of British Columbia, I may mention that there are two ways of dealing with that question. One would be to wait until the shorthand writer's notes had been transcribed, and then to make a careful and exhaustive analysis of the evidence, which would carry conviction to the mind of any one who chose to verify the references and take the trouble to study the subject. The other, and that is the method which I propose to adopt, it being the only one that I can adopt within the time, will be to state the effect that the evidence has had upon my mind, and to endeavour as well as I possibly can to impress the minds of the Commissioners with the view which, in consequence of the evidence, I entertain, and which I may say, to put it briefly, is: That the immensely preponderating mass of the evidence is in favour of such a measure of restriction as to amount to absolute exclusion. I may state at the outset that I have not the slightest desire to address the Commission in such a way as to give rise to the inference that the evidence, while pointing to total exclusion, is calculated in any way to disturb our political or commercial relations with either Japan or China. We simply object to a common interchange of labourers, using that word in its wider sense.

Before entering upon the general question, I desire to say a few words with respect to the position assumed by my learned friend, Mr. Cassidy, who represented the Japanese. If I have grasped his idea rightly, then he primarily put it on the ground that it would be a highly improper thing, having regard to the position assumed in the family of nations by the empire of Japan, to pass any measures calculated in the slightest degree to interfere with the commercial relations existing between that empire and ourselves, or placing any barrier on freedom of intercourse between the subjects of that empire and the subjects of King Edward. China certainly is not one of the nations entitled to invoke international law in favour of the unrestricted right of all classes of its people to enter the territory of another nation. The events of the past year show clearly that that empire is not even able to enforce within its own borders the simplest rules of international obligation. I am unable to advance any opinion whether or no Japan is one of the modern civilized states that regard the certain rules of conduct, called international law, as being binding on it. I refer to the following passage from Mr. Hall's book on the subject as casting some doubt upon it. At page 42 he says: 'It is scarcely necessary to point out that as international law is a product of the special civilization of modern Europe, and forms a highly artificial system, of which the principles cannot be supposed to be understood or recognized by countries differently civilized, such states only can be presumed to be subject to it as are inheritors of that civilization. They have lived and are living under law, and a positive act of withdrawal would be required to free them from its restraints. But states outside European civilization must formally enter into the circle of law-governed countries. They must do something with the acquiescence of the latter, or of some of them, which amounts to an acceptance of the law in its entirety beyond all possibility of misconstruction. It is not enough, consequently, that they shall enter into arrangements by treaty identical with arrangements made by law-governed powers, nor that they shall do acts, like sending and receiving permanent embassies, which are compatible with ignorance or rejection of law. On the other hand, an express act of accession can hardly be looked upon as requisite. When a new state comes into existence its position is regulated by like considerations. If by its origin it inherits European civilization, the presumption is so high that it intends to conform to law, that the first act purporting to be a state act which is done by it,

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unaccompanied by warning of intention not to conform, must be taken as indicating an intention to conform, and brings it consequently within the sphere of law. If, on the other hand, it falls by its origin into the class of states outside European civilization, it can, of course, only leave them by a formal act of the kind already mentioned. A tendency has shown itself of late to conduct relations with states, which are outside the sphere of international law, to a certain extent in accordance with its rules, and a tendency has also shown itself on the part of such states to expect that European countries shall behave in conformity with the standard which they have themselves set up.

Mr. Cassidy also put it upon another ground. That is, that our refusal of intercourse with them, and our suggestions that they do not assimilate with us, and that we would not assimilate with them, was not calculated to promote that good feeling which should exist between the two nations. Now, I disavow any intention of casting any reflection whatsoever upon a people who have shown the readiness that the Japanese have shown, to adopt western civilization, and who are certainly celebrated for the politeness and courtesy with which their intercourse with Europeans is carried on. There are notable instances of intermarriage between the two nations, so that I do not put it upon that ground. My objection is that (while there are exceptions to the rule) the average Japanese remains what he always was, a Japanese, and notwithstanding the fact that he may take out a certificate of naturalization in this country, he never becomes, in truth and in fact, a Canadian, but always remains a Japanese. I think further, that susceptible as these people are, means may readily be found by those in authority, for so arranging matters, as that the immigration of Japanese labourers into this country may be restricted without wounding their *amour propre*, and without creating any friction between the two countries. It seems to me that it would be a gracious act on the part of the ruler of that country, if, when he found that the labourers of his own country were unacceptable visitors to us, he forbade them from coming here. In other words, diplomatic intercourse may result, and should result, in restriction so far as the Japanese are concerned, as a result of action on the part of their own ruler. If, however, this cannot be achieved, then we have to act ourselves, and I do not hesitate to say that it is no new doctrine to state that a country not only can, but should, when the self-preservation of any particular class of its own people becomes necessary, prohibit the entry into the country of unassimilable and undesirable immigrants. There are many instances in past history not only of the exclusion of the people of one nation from another, but also of the expulsion of great numbers of people: e.g., the expulsion of the Jews from Spain and the Huguenots from France and the Jews from Russia.

Before dealing with the industries, I desire, however, to say a few words with respect to sanitation and health, and to clear the ground somewhat as to some other of the subjects that have been dealt with. The evidence indicates that both of these oriental nations possess a very large degree of personal cleanliness, coupled with the most utter disregard of those sanitary regulations which are considered by Europeans necessary for the welfare of the community. It seems somewhat singular that this personal cleanliness should be coupled with filthiness in other directions in the way that it is, but it is certainly true that such is the case. The evidence of Captain Clive Phillips-Woolley shows some of the mischief arising from the disregard of these regulations, and Dr. Wade adds medical testimony of the evils resulting from that disregard, notably in relation to typhoid and smallpox. Dr. Fraser and other sanitary officers tell us that conditions within the last few months have improved. I think it can be said without doubt or hesitation, that the very existence of the Commission has largely improved them, and that the coming of the Commission into the different Chinese quarters has tended to a general clean up, culminating in the disastrous burning of the Chinese quarters at Union.

The industries chiefly affected by oriental immigration are: (1) lumber; (2) fishing and canning; (3) mining; (4) domestic service; (5) tailoring; (6) cigar-making; (7) laundry; (8) market gardening; and (9) boat-building. I only propose to deal at some little length with the first four of these subjects. The other five, while of equally grave importance with the first four, do not employ in their business so large a number of persons, and while the injury done to them is in some respects greater than in the larger

industries, it does not as a state question make itself so greatly felt, and the time at my disposal does not permit me to deal with the several subjects exhaustively. I will, therefore, confine myself to this, that so far as those industries are concerned, the whites have been really driven out, and their places taken by the Chinese and Japanese, particularly is that so with tailoring and market gardening. By the employment of improved methods and machinery, it would appear as if the laundryman was once more beginning to hold his own with his oriental competitor.

Turning now to the lumber industry. The evidence of the witnesses would seem to show that this industry is not in a good condition, and the reason seems to be because the price of the British Columbia product is regulated by the foreign market, and the absence of protection to our own market. Again the local market seems to be largely depending on the canning and mining industries. Depression in either of these industries producing like depression in the lumber trade. Mr. Alexander points out most forcibly that eighty per cent of the labour employed by them is white, more than eighty per cent of the wages being paid to white men, the remainder being paid to the orientals. His evidence may be briefly summed up to this extent, that owing to existing conditions of the trade the cost of production cannot be increased: in other words, to sell profitably under existing conditions, the limit for the payment of wages has been reached, and that to place any impediment in the way of the trade as it at present stands, would be to exclude twenty per cent of oriental labour and eighty per cent of white labour. In other words, the existence of this amount of white labour depends upon the proportion of oriental labour now engaged in the trade. The limit of profitable production having been reached, they cannot afford to employ white labour at all except by employing a certain amount, namely, 20 per cent of oriental or cheap labour. Now, this appears to involve several very serious propositions. First, it would appear that the British Columbia manufacturer or lumberman has not control of the market, and the reason assigned is because he is brought into competition with lumber mills, chiefly the Port Blakely mill on the other side, which, it appears, employs some 300 Japs. Second, that the United States mill owners have an enormous market in their own country, from which, by reason of the protection which the government extends to them, we are absolutely excluded. It would appear, then, as if one of the chief export mills on the other side employed Japanese labour, and it would also appear that the very thing which the British Columbia lumberman demands, namely, cheap labour, has created a necessity for its own existence: for if the United States pursued the same policy of exclusion towards the Japs as they have towards the Chinese, the competition which the British Columbia lumberman would then meet, would be a competition of white labour alone, in which the same field for obtaining it would be open to him as to the American. The only disadvantage that he would then labour under would be the lack of protection in his own country, an evil which it would seem admits of a very easy remedy. That this last, the lack of protection here, owing to the repealing of the Wilson bill in the United States, has been a very serious evil, there can be no doubt. It gives the American manufacturer the advantage of his enormous home market, an equal competition with ourselves in the general markets of the world, and, lastly, the liberty of using Canada as a slaughter or dumping ground for their surplus product. There can be no doubt either but that the very existence of this particular class of labour, that is, the cheapest labour that can be obtained on earth, is an inducement to the capitalists to invest moneys in enterprises which are not necessarily productive when managed under fair conditions with respect to the operative. In other words, it means this, the more saw mills the more competition, the more competition the more is the price reduced, hence the necessity of reducing wages so that the articles may be produced and sold at a profit. We cannot hope, but we may as well face it, so far as this particular industry is concerned, we cannot hope to meet their competition except by the introduction of Europeans. I may add, of Europeans from the north of Europe—we do not want them from the south of Europe—and of people from the eastern provinces, who, being frugal, hardy, thrifty, industrious people, and whose condition would be improved working, not for Chinese wages, but for a fair wage which would enable them to at any rate better their condition after coming here. I say we cannot hope to compete with

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them until we have produced this state of affairs, and we cannot produce this state of affairs until we have adopted a policy of restriction. Mr. Jardine shows that the shingle industry has been carried on without oriental labour, but it is idle to expect that white labourers will come into this country when there is an abundance of oriental labour. In the first place there is no room for them. Second, they would have to compete as to wages with a class who live under conditions that they will not submit to; and, third, when once they get the idea into their heads that certain labour is only performed by a race, whatever their skin, we are accustomed to regard as inferior, it is certain that the better class of European labourers will not come to this country. So long as we have cheap labour in the province, all industries will work or level down to it. If the employer can by the use of cheap labour employ his capital he will surely do so. The existence of this class of labour creates a demand again for more, until the limit of profitable production is reached, or the manufacturer or producer can sell no more at a profit.

Turning now to the fishing industry. I submit without any hesitation that the evidence shows that there are quite enough orientals in the country for the successful carrying on of that industry. The following figures show the number of cases from the year 1894 to 1900, inclusive, the number of fishermen from 1896 to 1900, and the total number employed in the industry:

Year.	Cases.	Fishermen.	Total Employed.	Value of Plant.
				\$
1894.....	194,371			
1895.....	566,395			
1896.....	601,579	3,593	14,277	2,197,248
1897.....	1,015,477	4,500	19,850	2,350,260
1898.....	484,161	4,435	20,695	2,480,245
1899.....	732,437	4,197	20,637	2,145,173
1900.....	585,413	4,892	20,062	2,839,904

Believing in the theory, that once in four years there is what is called a good year, it is very much to be regretted that Mr. Bell-Irving who furnished these very valuable statistics, did not give the amount of the catch in the year 1893. However, there is sufficient material here to draw one conclusion which seems to me to be irresistible. The number of Chinese from 1893 to the present time have increased. The value of the plant from 1896 to 1900 has increased nearly seven hundred and fifty thousand dollars, and the number of Chinese have increased proportionately with the increase in the number of canneries, yet in 1893, 1896, 1897 and 1899 more fish were put up with fewer canneries, less capital, and fewer Chinese than in 1900. There is an additional fact, and that is, that improved methods and machinery enable one man now to do much more than at any other time. There being then Chinese, whites and Indians sufficient now to carry on the industry, it would seem that the exclusion of the oriental would work no injury. Fisheries on the Labrador coast are supplied with white fishermen. Even this inhospitable clime finds no difficulty in obtaining its supply of white labour. Newfoundlanders are returning to their own country, leaving British Columbia rather than settle here and compete with orientals.

If the canning industry is not a profitable one, then where does the money go? From five hundred thousand to a million cases of fish are produced in the year. Some few whites are employed in the province; supplies are foreign. How, then, is the state benefitted? Upon the supplies, a certain amount of duty is collected by the federal government, certain amount of taxes in the way of licenses are collected from the fishermen; but beyond the expenditure of the money that the white fishermen receive, or the whites in the employ of canners receive, the province of British Columbia receives no benefit whatsoever. In other words, one of our greatest provincial industries, one for which we stand pre-eminent the world over, our salmon fisheries, are gradually being depleted, and the benefit the state, that is the province, itself derives is infinit-



esimal in character. If, on the other hand, the canneries are profitable, where does the profit go? No more is received by the white labourer than would be received if the canneries were unprofitable. He gets no more than the canner will reluctantly give him, and it is only to the extent of the money which he gets and the money which he spends, that the province in itself is in the slightest degree benefitted. Canning in the eastern provinces is carried on by whites, and the season in some instances is very little longer than it is with us—lobsters and oysters, for example. Canneries as large as ours are run by boys and girls; equally so with the canning of fruit and vegetables. The Chinese have grown up with the development of the canning industry. No effort has ever been made to replace them with our own people; and it is not because they have any exclusive or peculiar skill in the handling or management of the work, but simply because it is easier to go to one boss and obtain a number of labourers than it is to search for them individually. The process amounts to this: First, the white man is crowded out, and then it is said that the oriental is a necessity, and that the industry cannot be conducted without him. This process is now not only going on in the fisheries, but the lumber trade, and will ultimately permeate other classes of industry.

#### LAND.

Mr. Cruickshank tells us that the ordinary labourer in Manitoba becomes the settler. Chinese are not necessary to clear the land. Men are offering to come and clear for him as cash payments on lands they are willing to buy. The occupation of these lands would give a constant source of supply for all the labour that canneries and mills would require, and of the very best sort. The price of adjoining land is depreciated if occupied by Chinese. At courts of revision men ask a reduction on the ground that the Chinese are located on adjoining land: favour any measure in the direction of exclusion. The capable mill men here are whites who have learned their business in eastern mills, and they have no use for orientals in Wisconsin and Minnesota. I refer to Reeve Schou's evidence, which shows that many regular fishermen become settlers on the small holdings in Burnaby. He has a contract to settle land, and is getting it settled by small holders of forty acres each on Matsqui Prairie, and that is a good farming land. No Chinese labour has been used on the dyke. It has been shown that large areas of our lands are vacant and unproductive. We lack the class that the orientals keep out. The loss by the importation of agricultural products is something enormous—in fact it is one of the marvels, and has been for many years one of the marvels, of our industrial life, and if British Columbia were not one of the wealthiest countries on the face of the earth, it would be bankrupt over and over again by the lack of retaining the value of that which we produce. If our fisheries are profitable, the profits go abroad. If they are not profitable, only to the extent of the labour does it remain here: the same with the lumber; the same with the mines; the same with any other of our natural products; and yet all the time, although our population is increasing, and although we have immense natural resources in the way of cultivable areas of land, we are year by year sending thousands and hundreds of thousands of dollars out of the country for the purchase of those products, which we could readily retain ourselves. If we had only invited that class of immigrant to our shores who would have settled on the land, whose sons and daughters would have supplied the demand for all classes of labour for which there is here so great a demand.

#### MIXING.

In this industry, possibly, as far at least so rock mining is concerned, the presence of the oriental has not been so injuriously felt. There would appear to be, so far as the evidence before the Commission is concerned, no acute phase of the question in any of the mining districts that have been visited. But we may well ask ourselves why this is. The reason is not far to seek. In the first place, owing to his own peculiar superstitions, the Chinese is not a miner. That is, when he first comes to British Columbia, mining is a thing absolutely unknown to him. He never saw or heard of a mine in his

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life. No Chinaman in his own country disturbs the soil for the purpose of profit, save for agricultural purposes, and it is for this reason that his attention has rather been directed to some of the other subjects and industries already touched upon, notably the lighter ones, which are within his strength and capacity, and require steady perseverance rather than particular skill, but there is nothing to prevent just the same acute conditions prevailing in rock mining as prevails in the other industries, if once the oriental becomes familiar with the work. Three causes operate to prevent this: First, the fact that the Chinaman is not a miner as already mentioned; second, the determined effort of the white miner himself to keep him out, and, thirdly, the fact that the employer, knowing the Chinaman's inability to mine, is reluctant to employ him until he has acquired the necessary knowledge and experience, and that he never can acquire so long as the white miner refrains from teaching him. But that he may become a possible competitor is thoroughly exemplified by the fact shown that he has been extensively used in coal mining and also in gravel mining. Curiously enough, it is said, that in this latter branch of business he has produced wealth—and I refer particularly to the evidence of Major Dupont—that he has produced wealth that would otherwise have remained untouched. I say, without hesitation, far better for that wealth to have remained untouched, until in the course of time it had been, or could have been, made available for the white miner, as undoubtedly it would be, when the cost of transport and the decreased prices of provisions would enable him to work diggings of that class. Examine the question for a moment. It is said that he has added something to the wealth of the country. What is it he has done? He never paid a license if he could help it. He never made a record if he could avoid it. He never paid a tax, if he could escape it, of any kind. He has made some small purchases of manufactured articles that his own people don't produce. To that extent, and to that extent alone, has he benefitted the state. For the rest, his food is Chinese: it is hauled to the mines by Chinese teamsters; there consumed by a Chinese miner, who takes something out of the earth which he never can replace, and the larger part of which he, without doubt, immediately remits to his own country; and then, it is said, that this man has added something to the wealth of the province of British Columbia. I submit, on the contrary, that he has extracted many millions from the province that can never be replaced or restored, and that the state has received little or nothing in return.

## DOMESTIC SERVICE.

One cannot shirk the difficulty involved in the question of where is the supply of domestic service to come from. On the American continent this always has been a vexed question. It always has been a matter of great difficulty to fill the demand for domestic service, and that it has practically driven many families out of housekeeping, might just as well be conceded first as last. Probably, as years go by, domestic service will again come into favour, and I venture this as a reason. In former times all classes of female labour, the domestic servant was the most illy paid. The consequence of this was that except among the better class of servants, because grades there are and always have been amongst all orders of humanity and always will be, with the exception of among the higher class of service, domestic service was very greatly looked down upon, and even the better paid and higher class servants were not regarded as being the equals of those who gained their livelihood in some other manner. Gradually better conditions are prevailing. To-day a domestic servant receives nearly as much per month as she formerly received per annum. As a rule, she is an educated girl, she is better treated; her relationship with her employer is of a far better character than formerly, and I have no doubt the ultimate result will be that in the future, domestic service will again be sought for by intelligent young girls as a proper and honourable means of earning a livelihood. The remedy lies partly in the hands of the employer. The time has gone by—the pity is that it ever existed—when the comfort and convenience of the servant could be entirely overlooked, but inasmuch as it is a class of employment that will never stand a very high rate of wages, the source of supply must be from a class of females whose circumstances in life, from a financial standpoint, press upon them the necessity

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of earning their daily bread. That class will be best recruited from the children of white labourers who should gradually take the place of the oriental if the policy of restriction be carried out.

It is important to observe that the policy of non-employment of orientals in the boundary country has largely operated in their partial exclusion, or at least, to the great diminution in their numbers. If a like policy had been adopted elsewhere, then there can be no doubt that whites would have come in to fill the ready demand for labour. As an illustration of this, one may refer to Tacoma and to Mr. Houston's evidence. At Spokane and Seattle, and with some feeling of regret may I say that the means adopted in the town of Phenix, in British Columbia itself is an object lesson to all who care to read the signs of the times.

Depression in commercial matters, depression in all classes of labour, following as a matter of course, produced in 1886, bloodshed and riot, resulting in the exclusion of the Chinese in Seattle. From that time on, this city has gradually grown from a population of 6,000 or 7,000 to a population of 90,000. Now, I do not say that this is owing entirely to the exclusion of Chinese, but I do say that the startling fact remains that in all that immense population there are only some 300 of them, and that in the neighbouring state of Washington, the people there have managed to build up that immense city in the same time as this city of Vancouver, of which we are naturally so proud. The population of Seattle has increased from 6,000 to 90,000, and the city has been built exclusively by white labour.

The Exclusion Act has worked well in the United States. Non-employment has been effective in the boundary country. United action kept them out of the building trades and the mines. Is it not time for a policy of exclusion producing a gradual change in the labour employed in other industries? The continued employment of orientals is having its effect upon the younger generation. Work that boys would do and girls, too, they find the places occupied by Chinese. They have been taught both by education and instinct to look upon the Chinamen as an inferior. The consequence is that they will not engage into competition with him. The schools are full; and, sad be it to say so, so are the streets at night.

It has been said on behalf of the orientals by their counsel that the labour unions are responsible for the agitation, and what is taking place is but the outcry of the labourer. Sirs, if that be so, then I say let us thank the labour unions for it—let us thank the labourer for his outcry, because, while at present it is the labourer alone who is pinched, the time is not far distant when other classes of the community will be feeling the stress of oriental competition in their respective fields, and then the outcry will not be confined to the labour union or the labourer. We are further told that our good relations with the eastern empires, particularly Japan, will be imperilled by restricting the entry of their subjects into our land. Sir, when the statesmen of any part of our country appeal to the patriotism of the people to suffer and endure for the good of the country at large, and that appeal is limited largely to a particular class of the community, being that portion of the community who earn their daily bread in probably a precarious manner, it is putting their patriotism and loyalty to a very severe strain when they alone are asked to bear the burden, and to waive their rights in favour of an alien race, and an alien race who by their very presence degrade the position that the sufferers occupy. The question seems partly to be, if a policy of exclusion were adopted, would there be a sufficiency of white labour come into this country to save such industries as are to a large extent at present practically dependent on Chinese labour? It is not exclusively a labour question. The labourer, it is true, and his employer are immediately affected. The real trouble, however, is far deeper and depends not upon the industrial or economic aspect of the presence of the Chinese, but upon its political aspect. What will be the result in the future of the gradual encroachment of orientals upon certain avocations to the exclusion of whites? Ultimate; there would be three classes in the community, namely: the master class, the servant class and a class of persons engaged in supplying the daily wants and luxuries of both, and this latter class will, if the servant class be alien, likewise be largely alien. Certain classes of labour in British Columbia are already being regarded as purely Chinese, hence degrading and beneath a

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white man. This, in itself, tends to the degradation of labour. When, as a question of principle, no work ever degrades any one.

Looking at the question from its industrial aspects. While the object of the commission is to inquire exclusively into oriental immigration, I hope I may be pardoned for saying that much that one may say on this subject applies equally to some of the inferior or lower orders of the Latin races. That cheap labour is not an absolute necessity for the production of any particular article of manufacture is shown by the startling fact, that it is not the cheap labour countries that are the manufacturing countries. The cheap labour countries of Europe are Italy, Austria and Spain, the agricultural parts of Germany, Sweden and Norway. The great manufacturing countries of the world are Great Britain, the United States, and those parts of Germany not included in my former remark; and the curious fact remains that that country which is gradually forging ahead, so far as industrial skill is concerned, and to some extent crowding out the manufactures of other nations, is the country in which labour is most highly remunerated, namely, the United States of America. It is the large American manufacturer, who, employing white labour exclusively, is now competing with the United Kingdom, with Germany, and all other European nations, and by superiority of production alone, driving the European out of the market. A striking illustration of this important fact is the recent supply of bridge material and locomotive engines to the Imperial Government. Recently, the government was attacked in the House of Commons for purchasing American locomotives for use on the Indian railways. Lord Hamilton, Secretary of State for India, having been absent from the House at the time, considered the matter of sufficient importance to reply to the attack by a letter to the *Times*, and in that letter he made one statement I wish to quote. Said his Lordship:

'You seem to think that orders have gone abroad because those who gave them did not understand their business; I wish it were so. The competition we have to face is founded on something much more formidable and substantial. Mechanical research, the consolidation of capital, thorough technical education and improved industrial organization have made in recent years a greater advance in America than here. It is the product of this combination and not the assumed stupidity of the Indian officials that the British engineer has to fear.'

I may add that it was from a high labour country to a cheap labour country that those engines were sent.

Mr. Cassidy says there has never been enough labour in a 'fluid condition.' A 'fluid condition' meaning that any employer can, at any time, with little difficulty find all the labour he may need, for as long or short a time as the exigencies of the particular matter in hand may require. My friend desires to see repeated in British Columbia the scene enacted every day on the opening of the gates of any of the London dock yards. There is labour there in a 'fluid condition.' Better, far better, that the employer should go short of 'fluid' labour than that the misery and starvation of a London dock yard should be repeated in British Columbia.

My friend, Mr. Taylor, says that we are asking for the ordinary rule prevailing in the British Empire to be abrogated. No, sirs, on the contrary, we are asking that the rule prevailing in the great self-governing colonies of Australia and Natal, and the neighbouring republic, may be introduced here.

It is further said that these people do not come here as the result of servile contracts. I cannot prove that they do, but I will mention one significant fact: In fifteen years since the passing of the head tax, there has been paid for the entrance into this country by the Chinese alone \$818,033 gold dollars. Approximately in their own money, the silver dollar, nearly \$1,636,066. That is to say, these labourers coming here to work for the low wages raised the enormous sum of \$1,636,066 for the privilege of entering the country, and paid at the same time their own fares and expenses to come here. Is such a proposition credible?

Having now in the time at my disposal touched upon the industrial aspect of the question, I wish to refer to its national or political aspect, and in this connection I refer particularly to the evidence of the Rev. Canon Beanlands. I select his evidence because it is that of a highly cultivated, scholarly clergyman, who courageously put for-

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ward what at first sight seemed to me a most attractive theory, namely, that 'There is a time in the history of every country when the existence of a servile class helps the development, and that the existence of this class emphasized the position of the workman who was a member of the dominant race. That the Chinese who came here did not compare with the whites or enter into competition with them.'

Now, as this theory tended to the advancement of the white labourer, it seemed particularly attractive. The question is: Is it sound? Is there any single instance of a nation in modern times prospering with a servile class? Do we need to go further than the civil war in the United States? Certainly, the result of an attempt to maintain a servile class in the southern states has not been a success.

Conditions in British Columbia seem to point to this: That there are some artisans and mechanics, and a few of the better sort of labourers receiving the best of wages. But the substratum of the industrial situation is oriental. Now, of this, Canon Beaulands approves. I venture to think that he loses sight of the important fact, that the oriental substratum will not remain quiescent. As a matter of fact, it is gradually forcing the way upward and disturbing and displacing the very men whom the Canon seeks to benefit. So far from elevating the artisan and mechanic, I cannot but think it will have the opposite effect. The knowledge that he is of a higher type of humanity will be little compensation to him when the servile substratum has forced its way upward, and working for low wages at the higher branches of labour driven the white artisan out.

There are large areas of London in which the Poles and Slavs, a servile cheap labour class, have driven the English out—the same process there as here, the English worker displaced by the foreigners who will live under conditions intolerable to the Englishman. Does he think you feel proud that he is free? That he belongs to the dominant race? Free. Yes, to do what? Starve. It would be a curious inquiry to ascertain what becomes of the displaced Englishman. What becomes of the British worker? To every deep there is a lower depth, and honest poverty having been displaced by the Pole and Slav, is it reasonable to suppose it has been exalted? Is it not more probable that they have become part of the submerged tenth, and reached that depth of poverty and degradation that gives no hope of raising?

I refer to the evidence of the following witnesses, who see the evil of oriental immigration. I select them as employers of labour, citizens of high standing in the community, and men whose opinions are entitled to careful consideration:

Thomas R. Smith.—Contended that canneries look upon Chinese as an evil generally. Policy would be to exclude.

J. A. Sayward.—Chinese crowd out whites and Indians. Favours restriction.

Wm. Munsie.—Could afford to pay a higher wage. Do not fear any trade disturbances. Willing to see orientals excluded.

E. J. Palmer.—No inconvenience will be experienced from restriction of Chinese. Neither Chinese nor Japanese are a benefit to the country.

Thos. Piercy.—Thoroughly favours exclusion and protection to white labour.

Henry Croft.—Averse to oriental immigration. Advocates restriction.

Jos. Hunter.—Prefer to see white labour predominate throughout the country. Country better without orientals. It would be a menace to the country if people like Chinese were found encroaching on the general avocations of the people. I believe this would be a better country without them. Industrial conditions would not be affected by restriction or prohibition.

D. Spencer, Victoria.

A. Haslam, Nanaimo.

R. H. Alexander, Vancouver.—If it were not for the necessities of our particular industry would much prefer that the immigration should be limited to whites. To build up the country, population must be homogeneous. Does not approve of them as citizens. Prefers to see them replaced by whites. Wages would not increase if exclusion put in force at once. Prefer country should be occupied by our own people.

J. G. Woods, Vancouver.

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J. W. Hackett, Vancouver.—Had to employ orientals to compete with others using them.

Bernard Macdonald, Rossland.

E. Kirby, Rossland.—It is not for the best interests of the community to have an unlimited supply of oriental labour come into the country. Plan adopted in the United States has worked out well.

H. Croasdale, Nelson.

F. Burnett—Sentimentally, yes; business, no.

Major Dupont even does not want them. In the interest of the country it would be preferable to have whites. Suggests license to come for five years.

There is, therefore, no possible reason for delaying relief. The time will never arrive, according to the employer, when the conditions will be favourable to the exclusion of the oriental. In other words, so long as you have got the desire of profit as the only cause operating between the master and servant, just so long will the master insist, and no one can blame him for insisting, on obtaining as large a profit as he possibly can get. But this Commission is not sitting in the interest of either master or servant. It is sitting to inquire into the advisability of restricting the immigration of orientals. According to the evidence that has been given, repeatedly have witnesses stated that they believe no dislocation or disturbance of trade relations would take place, by some immediate measure of relief. If so, why then should it be delayed? Now is the time before the evil becomes greater than it is now. And now, in conclusion, permit me to make some few general observations.

There would seem to be three great centres of the earth's surface which seem to be specially adapted for the habitation and enjoyment of the human race—the white, the mongol and the negro—each in its own centre, namely, the white in Europe and the northern part of the American continent and possibly some portion of the southern part of the American continent, the mongol in the north-eastern part of Asia, and the negro in equatorial Africa, and apparently in some parts of the United States. Each in its own centre appears to reign supreme, and it would seem as if neither of the others in that particular locality could oust the one for which it seems to have been specially designed. On the borders of each of these three great areas of the earth they come into conflict, either industrially or military, and it is just such a conflict as that that we have here. The question then arises, which is it that in the contest for the industrial and political occupation of the north-west part of the North American continent shall prevail? The white man or the oriental? Now, we have all the legal and political advantages; we are in possession and we would be worse than fools, we would be blundering traitors if we ever allowed ourselves to be ousted from the advantageous position we possess. We have got to meet this great people on their own ground, not industrially but politically, and we have got to see that they are excluded from our borders, so that our own people may be allowed to come in and possess and occupy the land. Immigration into the north-west part of Canada is at present really excluded by the oriental. The white labourer or the intending immigrant will not face eastern competition, and he is wise in his generation. He does not go to China, and he does not go to Japan, but seeks a newer and wider field. In point of fact, the western man—the man of the British Islands, the great colonizing nation of the world—never went east but for the purpose of conquest. For the purpose of occupation and colonization, he leaves the east and goes toward the west. Merciless he may be in his progress. He may trample other races under his foot; he may either absorb or extinguish them, and if they are people of his own type he will absorb them. If they are people of an inferior type they will be extinguished. When, however, he comes in or near the boundaries of either of the other two great races of mankind, then he meets them within their own territory, with a power equal to his. He meets a race incapable of extinguishment, and before which even he, with all his characteristic vigour and endurance, is bound to recoil. Let us then see that in this our land, this conflict may be put an end to, and our industrial classes not brought into conflict with the races already referred to. We cannot allow one of the fairest portions of the earth's surface to be wrested from Canadians. The

question is then not wholly economic and industrial, but, as I already pointed out, largely a national question.

We have commercial protection, and to that extent benefit both the Canadian labourer and Canadian capitalist. We have laws preventing introduction of alien labour. Why should we not go one step further and prevent the voluntary immigration into our country of a class of labourers, not only aliens in race, but aliens in civilization.

Such observations as these are true not only of orientals, but they are equally true of Italians and other Latin races. I do not say that the evidence points wholly in this direction, but I venture to give it as my own impression that the Latin and Slavonic races of Europe are not wanted here. With the Teuton and the Scandinavian we assimilate. They are of our own type. It is from them we sprung. They become in every sense of the word good citizens and loyal Canadians. We can make room in this country for some thousands of people who would be greatly benefited by the change. We have a climate unequalled in salubrity and at the same time variety—the home of a strong, sturdy and independent people. Are we then to allow this land to become the home of a servile, alien race, their superintendents paying tribute to non-resident capitalists and a few tradesmen who supply the wants of both. We have grand mountains containing every variety of minerals in abundance, gold, silver, copper, lead, iron and coal. We have beautiful valleys capable of producing all the necessities of life and some of the luxuries for the toiling thousands in our own and other fields of labour. We have rivers teeming with food, fish in endless variety, our seacoasts likewise are unexampled in their productiveness. We have timber of enormous size, and almost inexhaustible in quantity. I ask you then to make such report as will justify the government in imposing such a head tax as to amount to exclusion. I ask you to so report as to preserve one of the fairest portions of the earth's surface for the Canadian people, and not allow it to be wrested from them, not by conquest, but simply by engulfing us in the rising tide of oriental immigration.

#### ARGUMENT BY MR. A. D. TAYLOR ON BEHALF OF CHINESE.

MR. CHAIRMAN AND GENTLEMEN,—Although I have not had the advantage of attending on behalf of my clients, the Chinese Board of Trade, during the whole of this inquiry, as my learned friend, Mr. Wilson, has; I have obtained full notes of the evidence, and have also had the benefit of the notes made by my colleague, Mr. Bradburn, who attended the sittings of your Commission in Victoria.

In my argument therefore on behalf of the Chinese I refer to all the evidence that has been adduced before you since you opened the sittings of this Commission in Victoria some two months ago.

In accordance with the suggestion of my friend, Mr. Wilson, I will only put before you the main features of the question as they present themselves to me, referring in a general way to the evidence bearing out my view of the matter as representing the Chinese.

The first point which I wish to raise is that, while your Commission is a Commission of inquiry to obtain evidence generally referring to the question at issue, and not a court trying a case between two parties, plaintiff and defendant, in the ordinary way, my clients are still in a great measure in the position of defendants. Your Commission, as the Order in Council appointing it shows, was the result in a great measure of an outcry against the Chinese and Japanese, and especially the result of two petitions to the Dominion government referred to in the Order in Council. In these petitions serious charges are made against the Chinese. They are therefore to a great extent in the position of defendants, and while this position of defence is in one way a disadvantage, I claim on behalf of my clients any advantage of the position, and one of the advantages that a defendant has in an ordinary case is that the burden of proof is on the plaintiff and especially is this the case when charges are made, for then it is essential for the party making the charges to support them and not for the accused to prove his

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innocence. In other words, I claim that it is not for the Chinese to come forward and clear themselves from the imputations made against them, but rather for the persons who feel themselves aggrieved by the presence of the Chinese in the country to come forward and show that the presence of the Chinese in the province works the injury that these people say it does.

Without suggesting that you are strictly bound by this rule, I think that I may fairly urge on behalf of the Chinese that they are entitled to some benefit from it, and that in this province and in this Dominion, forming part of the British Empire, which has always opened its doors in the widest way to all comers from all parts of the world, the presumption is that the Chinese are entitled to come in like all other men, and that those who want to set up a barrier against their coming in must show some good reason for so doing. Certain restrictions already exist enacted at the instance of those who, as at present, cry out that the Chinese are, to use one of their milder terms, 'a detriment to the country.' Surely, these people who now want to impose further restrictions, if not total exclusion, should show their reasons and support these reasons by facts.

I claim therefore on behalf of the Chinese some benefit from this rule and I urge that the evidence brought before the Commission by those opposed to the Chinese, falls far short of bearing out the statements made by those opposed to the Chinese and their presence in the country.

At the outset of this inquiry you gave a series of questions covering the points on which you wanted evidence and before discussing the more general points involved in the inquiry I will briefly refer to these questions and the evidence bearing on each as regards the Chinese.

1. The number of Chinese in the Province. I think we may take it that twelve thousand is about the number. Yip On, the secretary of the Chinese Board of Trade in Vancouver, gives that figure and W. A. Cum Yow also examined in Vancouver gives the same number. We may say therefore that this is approximately the Chinese population of the province. I would mention here, however, that this population, notwithstanding the considerable numbers that have immigrated in recent years, is not increasing in proportion to the general increase in the population of the province. The evidence rather is that it is actually decreasing. The reason for this I will refer to later.

2. The Immigration since 1884. The statistics which have been furnished by the officials show the figures and it is unnecessary for me to go into them except to qualify them by the statement I have just made that notwithstanding the immigration the Chinese population is not increasing.

3. From what class in China are the immigrants drawn and what was their condition in China? Although there has been some conflicting evidence I think it will be admitted that the Chinese population in the province come from the country districts or provinces of which Canton is the natural seaport, and that they are of the small farmer class. There has been an attempt made to show that they are of the coolie class from the cities of China, but the witnesses who attempted to prove this, are not in a position to speak definitely. At their examination in Vancouver, Mr. G. W. Thomas and Mr. Dyer spoke on this point, but Mr. Thomas had not visited China since the year 1875 and had no means of knowledge. Mr. Dyer referred specially to the emigration of the coolie class to the Straits Settlements and could not speak definitely as to those who came to British Columbia although he inferred that they were also of the coolie class.

4. The character of the Chinese, for honesty, obedience, diligence, thrift, sobriety and morality and keeping of contracts. On this question, the evidence is in favour of the Chinese. While one or two witnesses do not give them a good character, the mass of evidence even from those who are pronounced in their feelings against the desirability of Chinese as citizens, is that the Chinese are honest, obedient, diligent to a degree, thrifty to an extent which some witnesses claim to be a crime, sober, and on the whole, as moral as similar classes among the whites. As to their keeping of contracts, the evidence is all to the effect that they are beyond reproach. When a man like the Honourable Mr. Reid who has had thirty-eight years' experience in the country speaks as he does of the way in which the Chinese carry out the terms of a contract, even if it



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be disastrous to themselves; when witnesses like Mr. Smith, of Robert Ward & Co., Ltd., Victoria and Mr. Frank Burnett, of Vancouver, both of whom have had large dealings with the Chinese, tell us that they can always be relied upon to keep a contract, when Mr. W. A. Cum Yow, of Vancouver, who speaks specially of the relations between the Chinese contractors and the Canning Companies states that he does not know of a single instance where a Chinese contractor had failed to carry out his contract in full, it is not necessary to make any further reference to the evidence. But in this connection I would like to remind you of the evidence of Mr. Dyer who was examined in Vancouver on the last day of the sittings here. You will remember that Mr. Dyer is a member of the staff of the province newspaper, and that he certainly was not in favour of the presence of the Chinese in this province. He had ten years' experience in China and Japan, and stated that in Japan, positions of trusts were invariably filled by Chinese and in the same way in the Straits Settlements and other places in the east, showing the reputation which the Chinese have there for honesty and integrity.

5. The next question is the number of Chinese engaged in the various industries enumerated in the question as follows:

## FISHERIES.

The evidence shows that there are no Chinamen employed as fishermen. The only Chinese that can be said to be employed in the fisheries are those employed in the various canneries. As to the number employed in this way it is difficult to speak precisely, for the employment is not a permanent one, the work beginning about May 1, when what are called the first crew is taken on for the work of preparation and ending with the close of the canning season, about October 1, the greatest number being employed in the months of July and August, when the actual fishing and packing is going on. Mr. Bell Irving estimates the total number thus employed as perhaps 4,000, but many of these are drawn from other occupations for the time being. In the statement of the Chinese population of Victoria put in by Lee Cheong, president of the Chinese Benevolent Association of Victoria, at the sittings on April 21, the number of cannerymen proper is given at 886, and in Vancouver the number of cannerymen is given as 551. As to the employment of Chinese in the canneries I shall have occasion to refer more fully again.

## THE MINES.

In these there are a certain number of Chinese employed in the coal mines on the island, but the numbers are smaller than generally supposed, as will be seen from the evidence, and so far as other mines are concerned, there are few or no Chinese employed, except in placer mining. As to this class of mining I would refer to the evidence of the Honourable Mr. Reid.

## THE LUMBER BUSINESS.

Under this head there are very few Chinese to be found. In the statement filed in Victoria the number of saw-mill hands is 48. In the statement filed in Vancouver the number of saw-mill hands employed is 12, all in the employ of one mill. These figures refer to saw-mill hands proper. In the shingle mills a larger number of Chinese are employed, the number in Vancouver being 110. In these shingle mills the Chinese are employed on contract work for which they have a special aptitude, owing to their great diligence, and the fact that they are always ready to work long hours. This is one of the many sins laid to their charge by the white workman.

## MANUFACTURES.

The number of Chinese employed in general manufactures is small. In fact, leaving out those employed in Victoria and Vancouver in the manufacture of boots and shoes

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and of clothing, the number engaged in factories is nil. Reference will be made to the shoemaking industry and the clothing industry under another head.

## FARMING AND MARKET GARDENING.

There are no Chinese engaged in farming proper, but a large number are engaged in market gardening. In Victoria, for example, the number of market gardeners is given as 200. In Vancouver the number given is 134. It may be taken that in the province generally there are 500 Chinese employed in this industry for which they show remarkable aptitude, having in most instances doubtless learnt the business in their native country where gardening has been perfected.

## DOMESTIC SERVANTS.

In the city of Vancouver and Victoria there are about 800, and allowing a fair percentage for the other parts of the province it may be estimated that there are 1,000 to 1,200 Chinese domestic servants. As to their efficiency in this respect, and the necessity for their employment I will refer at a later stage in the argument.

## OTHER CALLINGS.

Under this head must be classed the merchants and merchants' clerks, who in Victoria and Vancouver number 388 and 143 respectively, and in other parts of the province probably as many more, and a certain number of miscellaneous labourers.

6. The difference in wages paid to the Chinese and to white men in the same trade or calling. There are few cases in which a direct comparison can be made, that is where a Chinaman can be found doing the same work as a white man. When this is the case, the rate of wages paid to the Chinaman is considerably lower. But as stated, there are a few cases in which this direct comparison can be made. In the canneries the Chinamen do a class of work which is not done by the whites. In the shingle mills they work by contract. In domestic service the comparison is with white women. Here the Chinaman gets rather better wages on the average, and in some cases far higher wages, but as the evidence shows, he is a better servant and does work which a white servant girl cannot or will not do. In the tailoring trade the wages of white journeymen can be put approximately at \$15 a week (see the evidence taken in Victoria on March 15 and 16) while the wages of the Chinese are from \$25 to \$35 a month with board (see the evidence of Tim Kee in Victoria, March 15). In the boot and shoe business the Chinese workmen are paid from \$1.10 to \$1.25 a day (see evidence in Victoria, on March 20). White men in the same business are employed in a different class of work and are paid from \$2.50 to \$3 per day. In the saw mills where Chinamen are employed their wages may be put at an average of \$1.25 a day, while the lowest wages to white men in the same employment is \$1.50.

7. Has any industry been called into existence by the presence of the Chinese? I think that on the evidence we may take it that the canning industry, while not actually called into existence by the Chinese, has been built up by the fact of their being here, and their labour available for the peculiar conditions of the cannery business in a way that could not have been done had they not been here, and that they are indispensable in it. It is a significant fact as stated by Mr. Bell Irving, that in every salmon cannery on the Pacific coast from Northern Alaska to the Sacramento, Chinese are largely employed. I shall have occasion to refer to this point again.

8. Is there any industry dependent upon the Chinese labour for its continuance? While some witnesses claim that the canneries could continue without Chinese, the evidence of the owners and managers of the canneries is to the contrary; for they one and all state that it would be impossible to carry on the industry without the Chinese. In the lumber business the evidence of those qualified to speak is that there is an absolute necessity for cheap labour of some class, cheaper than can be got in the white population. It is these two industries the fishing and the lumber, which with

mining make up the three principal industries in the province. In both of them the competition is with outsiders and the price is fixed not by the local demand in British Columbia, or in Canada, or by conditions prevailing here, but by this outside competition and the necessity for cheap production is hard and fast.

9. How do the Chinese come to the province and under what terms? I assume that this refers to the statements frequently made that the Chinese are imported in large numbers under contracts which are alleged to be of a servile nature. These statements are not however borne out by any evidence. No witness has come forward and established this by direct evidence. All they tell us is hearsay. On the other hand we have the positive evidence of E. W. McLean, Mon Kow, Cum Yow and Lee Cheong that such is not the case. It is surely not necessary for me to refer to this evidence in detail, as this is certainly a point on which I am entitled to claim that the burden of proof is on those who make the statement.

10. What proportion bring their wives, or marry here or attend school or churches or become christians? It is difficult on the evidence to speak precisely, but the proportion that bring their wives or marry here is very small, less than 5 per cent. For this there are reasons. As Mr. Cum Yow puts it, a large proportion would bring their families here were it not for the unfriendly reception given them in recent years which has created an unsettled feeling. As to attending school, the number of children is small, but a number do attend our public schools and there are a certain number of christians among the Chinese population although this number again is small.

11. What is the standard of living of the Chinese as compared with the whites? This is lower than that of the whites, but here again it is difficult to make a comparison for there is not in the province any class of whites that can be directly compared with the Chinese labouring class. The white labourer or workman is as a rule in a superior position, earning considerably higher wages, so that there is no class of white workmen in the same position. The Chinese live within their means, and the wages which they get compel them to be thrifty and frugal. It is hardly fair to urge, as many of the witnesses have done as a wrong in the Chinese, that he is not extravagant and that he lays up something for the rainy day, and in many cases sends money away to support his wife or his parents. Why should it be a crime in a young Chinaman to deny himself and send money home to his family? If a young immigrant of any other nationality did this he would be praised instead of blamed.

12. What is the moral and physical condition of the Chinamen, their habits of cleanliness and attention to sanitary regulations? As to their moral condition I have already spoken. As to their physical condition, they are not as strong physically as the whites, but this is a matter of race. So far as health is concerned, they compare favourably with other classes of the population except as to consumption to which they appear to be peculiarly susceptible. As to their attention to sanitary regulations, they require education and oversight, but here again there is no white class to compare them with.

13. Do they live in different parts of the city or in aggregations? The conditions prevailing in Vancouver and Victoria may be taken as typical. The Chinese live in aggregation, but this is rather a matter of necessity than of choice. In both cities the only class that do not live in Chinatown proper are the laundrymen for the convenience of their business, but as Mr. Cum Yow in his evidence in Vancouver states, this aggregation is rather forced upon them than chosen by them.

14. What effect has their residence in any place on the price of property in that locality? Owing to the strong feeling in the minds of many against the Chinese, their neighbourhood has had the effect of depreciating the value of property, but on this point I would refer the Commissioners to the evidence of Major Dupont in his examination in Victoria on April 3, where he states that the Chinese are good tenants in every respect.

15. What proportion live in separate houses and have families? As shown by the evidence the proportion is small. How many Chinese women are there in the province? The actual number in Victoria is 94 women and 82 female children. In Vancouver the number of women is 29 with 13 female children. Outside these cities the numbers would bring up the total to about 300 of them; the majority are the wives of merchants

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with a few wives of labour men. The number of women of no occupation is not more than twenty in the entire province. So much for the charge that prostitution prevails to a great extent among them.

17. Are men and women brought under servile contracts? There is no evidence of this.

18. This question relates to the Chinese companies. There is no evidence that they take any part in Chinese immigration, or effect it in any way.

19. Do the Chinese take any interest in our laws and institutions? What proportion build up homes and become permanent citizens or residents? The Chinese take very little interest in our laws, but this is hardly to be wondered at seeing how they are treated, and they have not got the right to vote. The proportion that build up homes is small but increasing.

20. Do they learn our language, &c., and show signs of assimilating? The number that learn our language and adopt our customs is small, and the evidence is that the Chinese will not assimilate.

21. How have workmen been affected by the Chinese? This is in one sense the main question, for this is the great cry against them, and I will have to discuss this point more fully as one of the general points of my argument. In the meantime I submit that the effect of Chinese competition is not at all what it has been represented to be.

22. How has Chinese immigration affected white immigration? There is some evidence of individual cases where white immigrants have been prevented from coming, but this is only in isolated cases, and there is no evidence that the presence of the Chinese here has had any general effect in preventing white immigration.

23. What proportion of Chinese return to their own country, and what proportion of their earnings do they take? A considerable number of Chinese, probably 20 per cent, return to their own country and take some of their earnings, probably 25 per cent.

24. Are the Chinese a menace to health, and, if so, in what way? If there is any menace to health the greater number should constitute the greater menace, and we can, therefore, refer to the condition of affairs in Victoria and Vancouver, and if the presence of the Chinese in these cities is not a menace to health it certainly will not be so in other parts of the province. The evidence of Dr. Fraser, medical health officer of Victoria, examined on March 13, and James Wilson, sanitary inspector of Victoria, examined on March 15, shows the condition in Victoria. In Vancouver similar evidence was given on April 24 by Dr. McLean, the health officer, and Mr. Marrion, Health Inspector. In both cities the principal thing alleged against the Chinese is that they are fond of overcrowding, but it is admitted that by proper supervision this is prevented and the sanitary condition of the Chinese quarter greatly improved. No instance is given of the origin of any contagious disease in the Chinatown of either city, and the mortality amongst the Chinese is not greater than amongst the white population. In Vancouver, Dr. McLean tells us that the condition of Chinatown has greatly improved in recent years and is still improving, and Mr. Marrion, the health inspector, states that there is less difficulty than formerly in enforcing the sanitary by-laws, as the Chinese are becoming gradually educated to the proper standard, while the merchants and better classes among them assist the health officers in every way in their duties. Dr. McLean speaks in a vague way of the presence of the Chinese being a menace to health, but it is significant that in Vancouver, as shown by his report for 1900, out of 183 cases of infectious disease during that year only six occurred in Chinatown, and of the remaining 177 not one could be traced to Chinatown. This is about 3 per 1,000 of the Chinese population of 2,000, while taking the total population of Vancouver to be 30,000, the number of cases in the white population is 6 per 1,000, or twice as many in proportion as in Chinatown. I submit that there is no evidence that the presence of the Chinese is in any way a menace to health.

25. Has trade between China and Canada been affected by Chinese immigration? There is a considerable import trade done by the Chinese merchants. Merchants in Victoria imported \$107,504 of goods from China in the year 1900. The Vancouver

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merchants in the same period imported \$78,198. There is evidence that some export trade in lumber is attributable to the presence of the Chinese here, but so far as export trade is concerned the presence of the Chinese has had no marked effect. The restriction or prohibition of Chinese immigration would naturally directly affect the import trade.

26. The effect of unlimited Chinese immigration? I think that this question is put in rather an unfortunate way. Unlimited immigration of any class, Chinese or white, would have a bad effect, but I think that the Chinese immigration will, even in the absence of any restriction, be limited by the natural law of supply and demand. In other words, we may leave it to the Chinese not to come in too great numbers.

27. As to the sufficiency of white labour? I suggest here that there is an insufficiency of white labour. I will refer to this again in my general remarks.

28. The criminal class among the Chinese as compared with the white population? On the evidence given I think that you will come to the conclusion that taking the Chinese as a class they are a law-abiding people. They are certainly no worse than their white neighbours. Dr. Fraser, medical officer in Victoria, examined on March 13, says that the Chinese are law-abiding, no serious crimes are committed by them, their principal offences being against the city health by-laws. Superintendent Hussey of the provincial police, examined in Victoria on March 25, says that the Chinese are industrious and sober and conduct themselves as well as other classes. Chief Langley of the Victoria police force, says that comparing the Chinese with the whites as to crime, he says he does not think the Chinese are bad. In Vancouver, Mr. McIntosh, clerk of the police court, handed in a statement showing the police records for the year 1900. From this it appears that the greater number of cases against the Chinese are for infringement of the city by-laws such as health by-laws and some cases of petty thieving. Mr. Beck, clerk of the crown in Vancouver, showed that one hundred and forty prisoners were committed for trial for indictable offences in Vancouver in the seven years ending October 30, 1900. Of these sixteen were Chinese, only ten of whom, however, were convicted. It is significant that there have been no charges against the Chinese of assaults upon women or any cases of that nature.

29. The relative amount of taxes paid compared with their earning power? The Chinese pay the same poll tax as the white labourer. They pay on property the same rate as the white population. As their wages are lower the poll tax is a heavier tax on them than on the whites.

30. With whom do the Chinese trade? To what extent does this country benefit thereby and what proportion of their earnings do they take out of this country? The Chinese trade in a great measure with their own merchants, but these merchants, as will be seen from the statements handed in by Lee Cheong in Victoria and by Yip On in Vancouver, buy the greater part of their goods in Canada or import from England. They in fact obtain their supplies from the same source as white merchants in the same lines. As to the proportion of their earnings taken out of the country, there is evidence that a number of Chinese do send away a considerable portion of their earnings, probably 25 per cent., but I would refer to the evidence of the Honourable Mr. Reid where he says that this is not done to anything like the extent that is generally supposed, and Mr. Reid from his thirty-eight years' residence in the country is able to speak with some authority.

31. What proportion speak and read and write English? A considerable number read and write and there is evidence that they are anxious to learn in order to better their position.

Questions 32, 33 and 34 relate to matters of opinion rather than to matters of fact. I would merely remark incidentally as regards question 32 that the whole gist of evidence is that the Japanese are a greater menace to white labour than the Chinese are. The witnesses who state this, give as their reason the fact that the Japanese show greater aptitude in adopting our ways of life and are much more aggressive, having already forced themselves into competition with the white workmen in a way that the Chinese have not done, although the latter have been in the province in considerable numbers for many years, and the Japanese have only been here in any number for a year or two.

I have now gone through the different questions suggested by you and referred to the evidence in answer to these questions as it affects my clients and I submit that it is favourable to the Chinese. So far as facts are concerned it is absolutely so. As to the opinion given by different witnesses, specially in answer to the last three questions it is adverse. As to the capacity of Chinese to assimilate, I have admitted that they will be slow to assimilate, but this I claim is in one sense a good feature and an absolute answer to many of the absurd statements that have been made against them, as for example, that there is danger of their overrunning the country and becoming the dominant race, and statements of that character. So long as they do not assimilate and establish themselves and multiply in the country, there is absolutely no danger of such a contingency.

As already mentioned, when it comes to opinions in answer to the questions suggested by you, we find many strongly expressed opinions against them, but so far as the witnesses are concerned, I submit that these come in a great measure from persons who are not in a position to give opinions, and in many instances from persons who show by their evidence a strong prejudice against the Chinese.

I would now direct your attention to several more general points on which I wish to speak more in detail. These have all been incidentally mentioned under one or other of the various questions to which I have already referred, but several of them are of such importance that I must devote a short time to each of them and the evidence bearing on them.

1. The outcry against the Chinese comes largely from the working class. This is clear from the evidence. The witnesses who spoke most decidedly against them were workmen. When it came to employers of labour, such as Mr. Todd of Victoria, Mr. Palmer of the Chemainus Mills, Mr. Marpole of the Canadian Pacific Railway, Mr. Bell-Irving, representing the canning industry, and Mr. Alexander, Mr. MacNair and Mr. Spicer representing the lumber industry in Vancouver, the evidence was very different. The working class unfortunately in British Columbia as elsewhere, do not always see things in the light of their own true interests. They claim in a general way that the Chinese come into direct competition with them, but when we examine the evidence it is remarkable how slight the foundation in fact is for this outcry. Take the lumber industry for example. On this the evidence of Mr. Alexander is clear. He does not give opinions but states facts, facts of which he has absolute knowledge from his experience of nearly 40 years in the country. Judging from the mass of evidence before us, the length of your labours would have been greatly lessened if other witnesses had taken a leaf out of Mr. Alexander's book and confined their answers to facts and not given their own opinions which were in many cases absolutely valueless, the witnesses having no qualification whatever to speak. A number of workmen come up and speak of the lumber business. Each speaks from his own individual standpoint, and yet while he talks in a general way of the competition by the Chinese none of them can say that they have been driven out of employment by the Chinese or that they have suffered themselves. Surely if there is any foundation for the outcry that white labour is driven out by the unfair competition of the Chinese, some workmen could be found who could come forward and speak from his own actual experience. But such is not the case. Witnesses tell us in a vague way that a large number of men had applied to the Hastings Mill, but we have Mr. Alexander, manager of the mill telling us that there is and has been an absolute scarcity of white labour, and that when they do obtain ordinary white labour it cannot be depended upon, as the men employed at it leave their work at the slightest provocation. Surely large employers of labour are in a better position to speak as to the supply of labour and the effect of oriental competition than the individual workman who can only speak from his own experience.

2. The Chinese do not enter into competition with the whites in nearly as many branches as would be supposed from the cry against them. As already pointed out, in the lumber business with the exception of the few Chinese employed in the shingle mills, there are practically no Chinese engaged. There are some in the shoe making industry in Victoria, but the evidence as to this shows that they have not injured the white shoemaker but have supplied the class of cheap labour which is absolutely necessary in order to enable the few manufacturers here to compete with goods brought in from Ontario

and Quebec, where there is a large supply of even cheaper labour than the Chinese. Even with this the evidence is that the shoe manufacturers in Victoria have not been able to hold their own against eastern competition and that the industry has been declining. In the manufacture of certain articles of workmen's clothing and overalls the Chinese are engaged in considerable numbers. But in this they do not compete with any class of white workmen in British Columbia. The only competitors in this industry are eastern firms who again have the advantage of even cheaper labour than the Chinese. There are of course a great many employed in the canneries to which I shall refer later.

We next come to the laundries. Here it can scarcely be said that the Chinese enter into competition with white labour, for the evidence shows that in the steam laundries in which alone white labour is employed the white workmen get a far higher rate of wages than the Chinese. Modern machinery is used in the steam laundries and the white workmen do a different class of work. In the Chinese laundries everything is done by hand. But to show you how unfounded is the statement that in the laundry business the Chinese have driven out white labour, we need only refer to the evidence of Mr. McCrimmon in Victoria and Mr. Stewart in Vancouver. Both these witnesses are proprietors of well equipped steam laundries, and what do they say? They came to British Columbia and found the laundry business entirely in the hands of Chinese. They established their laundries in their respective towns, and using modern machinery and doing, as they say, better work, have been able to establish a successful business, so successful in fact that each of them has recently largely increased the capacity of their laundries. The business that they have got has been taken away from the Chinese, for the Chinese were alone in the field. The laundry business is thus an instance where well paid white labour with improved machinery can compete successfully with the hand labour of the Chinese. If any one has cause to complain in the laundry business it is the Chinese, and yet this is one of the cases where we have been told that the Chinese compete most unfairly and by accepting low wages have driven white workmen out of employment.

In the tailoring business there are, as already stated, a considerable number of Chinese employed. We may take the evidence of Mr. Williams, examined in Vancouver, as typical. He is strongly opposed to the Chinese, and yet in his evidence what do we find? He divides the tailoring trade into three classes. First, the manufacturing on a large scale of overalls and the lower grade of workmen's clothing. Second, the ordinary ready made clothing trade, and third, custom trade. As to the first there are no whites engaged in the business in the province. It is and always has been exclusively in the hands of the Chinese so far as the labour is concerned. The firms (white) that they supply have as their only competitor manufacturing firms in the provinces of Quebec and Ontario, who have at their command a large class of even cheaper labour than the Chinese. It is essentially an industry where the labour must be of the cheapest, and if there were no Chinese to engage in it here, the business could not be profitably carried on. Surely it is better so far as this branch of the industry is concerned that the present state of affairs should continue and that the British Columbia firms who now have this work done by the Chinese should be able to continue doing so and supply a considerable portion of the provincial market rather than that this business should be completely driven from the province. In the second branch of the tailoring industry, the ready-made clothing, Mr. Williams tells us that the Chinese do not compete at all. In the third branch, the custom trade, they do, but Mr. Williams tells us that it is by their union the white tailors and white journeymen tailors have successfully maintained their wages. So far as this custom trade is concerned I would remind you of the argument of my learned friend Mr. Cassidy on behalf of the Japanese. It is not so much a question of costs as the style and finish of the article, and if the Chinese as customs tailors make clothing of a better style and finish than the whites, why should they be debarred from entering into competition with them? As my learned friend puts it, a good tailor is rather an artist than a labourer, and it should be a case of the survival of the fittest. Surely the white tailors can compete with the orientals.

In market gardening the Chinese have to a great extent monopolized the business, but this is due as much to their natural aptitude and skill as from their cheaper mode of

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On this point again there is strikingly little evidence of their competition having actually injured any of the white population.

The next point is the fishing business. As already mentioned, a large number of these are employed in the canneries and the complaint is that the business is practically monopolized by them. The best evidence on this question will be found in Mr. Bell-Irving's examination in Vancouver and incidentally that of Mr. Frank Burnett. Bell-Irving speaks from actual experience as the manager of a company owning three canneries on the Fraser, two canneries in the North, and a cannery on Puget Sound, and also as having an intimate knowledge of the market for canned fish. He tells us that the presence of Chinese in as large numbers as at present is absolutely indispensable to the carrying on of the canning industry. I have already alluded to the fact stated by him that in every cannery on the Pacific Coast, from Northern Alaska to the Sacramento Valley, Chinese are employed and in many cases in larger proportion to the total labour than in the canneries on the Fraser. And in answer to a question as to whether it would not be possible to abolish Chinese labour and substitute white which he answered by a decided negative, he instanced the case of Fairhaven, a town of over ten thousand inhabitants. It would be naturally assumed that there would be a number of men and children available in such a community to do the process work usually done by Chinese, and yet in the only cannery in Fairhaven there is a larger number of Chinese employed than in any other cannery on Puget Sound. It is idle for people to go forward who know nothing of the canning business and express their opinion that the industry can be carried on without the Chinese. Mr. Bell-Irving explains the peculiar conditions of the canning business, that it is only carried on in the summer and only for part of that, that the first crews are taken on at the canneries about May 1 and begin the making of tins and general preparation for the season's pack; that further men are taken on in July and August when the fishing is going on and each day's catch is packed. It is then that the greatest number of men are wanted and that it is impossible to find white labourers to do this. That even now there is a scarcity of Chinese labour; that the Chinese have a special aptitude for the process work, and that even if white labour could be obtained it is doubtful if they would be so expert, but that it is an impossibility to find white labour available for so short a season. That canneries have endeavored to avail themselves of white labour only and have been unsuccessful. But while Mr. Bell-Irving thus expresses himself so strongly as to the absolute necessity of a large number of Chinese for the industry, he also shows what a comparatively small part the Chinese have in the fruits of the industry and how ridiculous it is to say, as so many do, that the business is practically monopolized by them.

The Chinese labour in the canneries is confined to the process work, that is the making of the cans in the early part of the season and the actual process of packing during the fishing season. The foremen, engineers, time-keepers and other labourers of that class is white and these men are hired for a considerable period extending from early in spring until late in the autumn and at good rate of wages. The Chinese labour is provided by the Chinese contractor who makes a contract at the beginning of the season with the canning company to put up the season's pack, the company supplying the material and the white labour already referred to. The Chinese contractor engages his own hands, the majority of whom are Chinese, but a number of Indian men and women are also included and in some canneries the Chinese contractor engages white help as well. The Chinese have developed particular aptitude for this work and, as Mr. Bell-Irving and Mr. Burnett say, it would be impossible to replace them with any other class of labour. It has been suggested that white women might be employed, but the conditions of life at the canneries make this impossible, even if white women were available, which is not the case. Fish must be put up cheaply, for several circumstances militate against the Canadian packers, who have to compete in the English markets with the Alaska and Puget Sound canneries. In Alaska, as Mr. Bell-Irving states, fish cost in the neighbourhood of 2½ cents; in the Sound by the use of traps the fish in a good season only cost a few cents. On the Fraser on the other hand net fishing is the only method employed and the price varies from 8 cents with a big run to 20 or even 25 cents.



We may take it therefore that the lowest cost for the fish for a case of 48 pounds on the Fraser is \$1.50, while in Alaska it would be less than 40 cents and on the Sound in a favourable season about the same. The Fraser River Canneries are therefore seriously handicapped and any addition to the cost of production would very seriously cripple the industry, if not ruin it altogether. The Chinese contractors are able to find in the Chinese population, although during the last year or two they have even had difficulty in doing that, a sufficient number of Chinese with the Indians employed to do the process work at reasonable wages. The Chinese live in the Chinese quarters and are fed at the Chinese messhouse; the Indians live in the Indian cabins and provide their own food. There is no accommodation at any of the canneries suitable for white women and it would be impossible to provide quarters suitable for them, as these would only be occupied for a few months in each year. In other words, it is absolutely necessary for the canneries to have a class of labour like the Chinese who are willing to accept the conditions at the canneries, and to accept a fair rate of wages for the short fishing season. There is no one to replace them. Though the Chinese are thus indispensable to the canning industry, they do not monopolize the benefits of it as is generally supposed. I have already mentioned that Mr. Bell-Irving is the manager of a company operating six canneries and is therefore specially qualified to speak. He gave in his evidence a statement of the total wage expenditure at one of these canneries for the season of 1900 at \$50,872, of which he assigned \$33,500 to white labour against \$17,000, in round figures, for Chinese labour, and out of this the Chinese paid their Indian hands. The Indians being about 60 per cent of the number of the Chinese, or putting it at 50 per cent, one-third of the above amount would represent Indian labour, so that in this cannery less than \$12,000 represents the amount actually paid for Chinese labour.

It is hardly necessary to remind you of the importance of the canning industry to the province and how it affects other business. Mr. Bell-Irving and Mr. Burnett specially explain this. Such being the case, it would, as these witnesses put it, be a most serious thing to cripple if not to ruin this important industry by interfering in any way with the supply of Chinese labour, which, as stated in the evidence, is already inadequate.

#### THE LUMBER BUSINESS.

Here again the cry is that Chinese and Japanese have driven white labour from the field. As already pointed out, no instances have been proved where a white labourer has been dismissed and replaced by oriental labour. I have already had occasion to refer to the fact that in the lumber business proper, few or no Chinamen are employed. In the shingle business they are employed to a considerable extent on contract work, and the reasons for this I have given. Mr. Alexander of the British Columbia Timber Mills and Trading Company, Vancouver, the proprietors of the Hastings Mill, Vancouver, B.C., the Royal City Planing Mills, Vancouver, and the Royal City Planing Mills, New Westminster, who was examined in Vancouver, speaks with an experience of nearly forty years in the province and a knowledge of the lumber trade which is probably unequalled. He explains that from the outset of the industry in the province they have had a supply of cheap labour. At first it was Indian labour, but this he explains was always unsteady and not to be depended upon. At the Hastings mill, when the Indian Reserve adjoined the mill property and they were able to keep a direct oversight on the men, it was easier to insure their regular attendance at work, although even then it was difficult owing to the peculiar disposition of the Indians, ready to work only when it suited them and absent from work to shoot or fish or to do anything else or nothing as the humour seizes them. When the reserve was removed some distance from the mill, Indian labour became out of the question and they were replaced by Chinese. Some years ago in deference, as Mr. Alexander puts it, to public opinion they dismissed the Chinese and replaced them by the Japanese, still cheap labour. Mr. Alexander tells us that all through they have endeavoured to procure white labour, but that it is impossible. Not only is it impossible to get white labour at the same rates, but even at the higher rate which the mills are prepared to pay whites, white labour of that class is unsteady and unsatisfactory and cannot be depended upon as the Chinese and Japanese can. Mr.

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Alexander states that the Hastings mill, as well as most of the other mills in the province, are export mills, the home consumption being comparatively small, and that in this export trade the mills have to compete with the world, Puget Sound and the Baltic being their strongest competitors, and he adds that a certain percentage of cheap labour is absolutely necessary to the maintenance of the industry. He tells us that out of every five workmen in the Hastings mill three are whites and two Japanese, and that if he cannot have the two Japanese at cheap rates the company must close their mill and the three whites be thrown out of employment. In other words, the continuance of the industry is dependent on a continuance of cheap labour, and this cheap labour enables the mills to run and to pay better wages to the whites. Mr. Heaps, Mr. Hackett, Mr. Spicer and Mr. McNair all agree that cheap labour is indispensable in the lumber industry. Mr. Spicer says that if an exclusion act was passed it would result in the closing of the mills. Mr. MacNair has exceptional knowledge, as he operates mills both in Canada and the States. He goes fully into the question of outside competition, and shows how absolutely the price of lumber exported is controlled by this competition, and how fatal it would be to the industry if the cheap labour which they now have in the Chinese and Japanese is interfered with or taken away. I omitted in referring to Mr. Alexander's evidence one important statement, namely, where he said that if the company had to replace the Japanese which they have at present working in the Hastings mill with white labour, the increased daily expenditure would represent such an addition to the other cost of production, that they would have to close the mill as they would be running at a loss. Mr. Alexander also tells us that his company made a special effort to obtain white labour, and at one time actually paid the expenses of a large number of workmen from the east, but they had only remained with the company a short time and left to take more lucrative employment elsewhere. The fact is that there is ample scope in this province for white labourers in better and better paid work than the ordinary handling of lumber and work of that class about saw mills, and that the presence of the orientals to do this cheaper work so far from being a detriment to the white workmen is a benefit.

## RAILWAY WORK.

The only witness who speaks on this is Mr. Marpole, superintendent of the Canadian Pacific Railway Company. His evidence is most instructive. It appears that the number of orientals employed in this division of the railway is comparatively small, as the company endeavour to use white labour as much as possible, and that they had not employed any Japanese until the summer of 1899, when they were obliged to do so owing to the scarcity of white labour. He said that the company could not afford to pay higher wages than they are doing, and referred to the fact that the Northern Pacific Railway Company employs two thousand five hundred Japanese on its Pacific division and the Great Northern Company two thousand, and that the latter were advertising for five thousand more Japanese. Under the present conditions the railway was bound to depend to a certain extent on Chinese and Japanese.

## DOMESTIC SERVANTS.

I have already referred to the number of Chinese domestic servants in the province and I submit that from the evidence it is clear that the presence of the Chinese at any rate in as great numbers as at present, if not to a larger extent, is absolutely indispensable in order to maintain the supply of servants. One or two witnesses have told us that the Chinese are not good servants and many suggestions have been made as to the possibility of obtaining a supply of female servants from other parts of the Dominion or from England or elsewhere, but these are only suggestions and other witnesses show how impossible such plans are. Mr. Schou, examined at Vancouver, and who is strongly opposed to the presence of the orientals in the country, tells us that even in England the domestic servant question has become one of great difficulty. Owing to the employment of women in factories and other spheres of labour the supply

of domestic servants there is limited and a great deal of difficulty is experienced in obtaining servants. Mr. Marpole speaks of the difficulties in Toronto in obtaining female servants, and states that a number of people in Toronto have requested him to send them Chinese as servants. Although one or two witnesses tried to decry them, the mass of evidence is to the effect that as domestic servants the Chinese are unequalled. All the witnesses who spoke from their personal experience from the employment of the Chinese give them a good character in this respect. You will remember the strong evidence that was given by several witnesses in Victoria and Vancouver. I would refer you to the evidence of Mr. Marpole of the Canadian Pacific Railway, Mr. Buntzen of the British Columbia Electric Lights and Power Company and Mr. Rogers of the British Columbia Sugar Refiners and others. One and all of them tell us that the Chinese are indispensable as domestic servants and that already the supply is too limited. The province requires a supply of Chinese servants at least as great in proportion to the whole population as at present, and any greater restriction on Chinese immigration than what now exists would prevent this. A good supply of qualified domestic servants is of more importance to the well-being of the community than some of the witnesses who have been examined are inclined to admit.

In conclusion, I repeat that the evidence of the various witnesses examined before you, grouping them under the head of the questions submitted by you, is favourable to the Chinese and that from the evidence of those best qualified to speak, the presence of the Chinese in the country in at least as large numbers as at present in proportion to the white population, is absolutely indispensable to the continuance of the fishing and the lumber industry, and equally so in order to provide a supply of domestic servants to carry on what Mr. Rogers well calls the industry of living. The fishing industry and the lumber industry are with the mines the three most important industries of the province, and I submit that it would be a most unfortunate thing to cripple these two industries in any way. The evidence shows that unless recruited by further immigration the present number of Chinese in the province will gradually decrease and the supply of Chinese labour already inadequate for the canning industry and domestic service will be too small. Exclusion would of course prevent any further immigration, and an increased poll tax as suggested would practically have the same effect, for the evidence is that an increased poll tax would mean exclusion, and here I would remind you of a point I have already referred to, that the Chinese population of the province is certainly not increasing in proportion to the white population, and that it is rather absolutely decreasing notwithstanding the large number that have come into the province in recent years. The explanation of this fact is that a large proportion of the Chinese who pay the poll tax for the Dominion of Canada ultimately find their way to the United States. In other words, we are getting the revenue and the Americans are getting the Chinamen. Exclusion or further restriction means that the Chinese in the country will rapidly decrease, and, with the present number, none too great for the country's needs for the industries to which I have referred, exclusion or restriction means ruin to them.

Has any good reason been shown for excluding or restricting the further immigration of Chinese, and have the people who cry so loud against them proved the serious charges that they have made? That there has been a loud outcry against the Chinese I admit, but as one of the witnesses in Victoria put it, a few people can make a loud cry if they cry loud enough. I submit that the cry is the cry of a comparatively few, and from those who unfortunately do not know what is best in their own interests. It is significant in looking through the evidence to compare the standing and position of those who speak in favour of the Chinese with those who speak against them.

As I put it in opening, in this province and in this Dominion, part of the Great Empire which has always advocated the policy of the open door and free trade in labour, which has welcomed to its shores immigrants from all parts of the world, without exception, the presumption is that the Chinese are rightly here like all other people. If they are to be restricted, if they are to be excluded, if the door open to all others is to be shut to them, some special and good reason should surely be shown for so doing. The government has been asked to restrict if not to prohibit Chinese immigration altogether; the people who ask this have had the fullest opportunity to come before your Commission

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to present their case. This I submit they have wholly failed to do, and not only have they failed, but the evidence of independent witnesses establishes the very contrary of what these people alleged. Their statement was that the presence of the Chinese was a detriment to the country. The evidence is that far from being a detriment to the country, the Chinese are a benefit. So far from injuring the white working man they afford the cheaper class of labour which is required for some of our most important industries, thus providing positions for a larger number of whites in the better paid classes of work. They are indispensable for the maintenance of salmon canning and the lumber business, two of our most important industries, and as domestic servants for the well-being and comfort of home life in the province.

## EXTRACTS FROM THE REPORT OF THE PHILIPPINE COMMISSION.

*Exhibit IV.*

## MEMORANDUM ON THE CHINESE IN THE PHILIPPINES.

Since very ancient times the Chinese have had commercial relations with the Philippines, said relations having existed before Spanish dominion in the islands.

As the number of the Chinese was continually increasing, and also as it was necessary for the security of the colony to segregate them from the rest of the population, a large building, or market, with numerous habitations was built for them as a measure of governmental policy. This market was called the 'Market place of San Fernando.'

This market place served as a home for the Chinese, so that they could not diffuse their religion among the natives, and it was situated on the other side of the Pasig river under the fire of 'Citadel,' as Fort Santiago was formerly called.

They made good profits, and in a few years the market place or 'alcaiceria,' which was theirs exclusively, proved too small to accommodate all who came from China, and another building called the 'Parian' was constructed for a like purpose. 'Parian' is a Mexican word, which means market place, and the new building, which was made for the Chinese was situated where at present the ruined botanical gardens are, although the historians confound this 'Parian' with the one which existed in Intramuros, at the end of Victoria street, where the municipal school for girls is at present.

The Chinese immigration kept on growing in numbers and became a sort of invasion, and the time came when there were not enough habitations in both the alcaiceria and the parian to accommodate them. In the middle of the seventeenth century there were some 30,000 in the neighborhood of Manila alone.

Although historians affirm that at this time the principal occupation of this great number of Chinese was agriculture, nevertheless it is to be supposed that many of them did not have any visible work or means of acquiring it, and they audaciously revolted against Spanish sovereignty in the islands. Although there were, as has been said, some 30,000 of them, they carried their audacity to such an extreme that they had Manila in a state of siege for some days, and, although they were repulsed a number of times, they persisted in their project of taking the capital of the Archipelago by assault.

After various futile attempts they were convinced that they could not conquer in the Philippines and finally withdrew, raising the siege, and then those who had been besieged pursued them to a point beyond Kainta, slaughtering them without pity until they were in a state of complete and shameful defeat.

As a result of this Chinese revolt against the sovereignty of Spain in the Archipelago greater restrictions on their immigration were imposed.

In spite of these restrictions the Chinese colony gained in strength what it had lost in extent, because these restrictions gave the Chinese the undeniable right to manage their own commercial affairs and enable them to always corrupt the administrative officials in the Philippines, and this was the natural consequence of the Spanish royal orders referring to the Chinese.

It was necessary to punish the Chinese for their attempt to take Manila, and for the innumerable acts of treason which they were accused of, and consequently, in the time of Don Simon de Anda (1762-1764), it is calculated that some 8,000 died in the central provinces of Luzon, who were exterminated in those towns by the order of that Governor General, only those who lived in Manila and its suburbs remaining alive.

As a consequence of this anti-Chinese campaign many of them who survived this assassination emigrated to their own country, and the number of Chinese established in these islands diminished little by little.

Only those remained in the Philippines who were secure in doing their business and making a living freely and with more security than in their native country.

This noteworthy diminution continued, until from 1840-1846 there were only 5,000 in all the Philippines, a small number as compared with other times.

Lastly, the Chinese have always been the preeminent question with the Governors-General, and when Senor Norzagaray gave up his command in the Philippines in 1859 he wrote an extensive paper, in which, among other things, the seven or eight thousand Chinese who were in the archipelago were spoken of.

This Governor General, referring to the Chinese, said: "One of the most difficult questions remains to be solved on my giving up of my command—that of the commerce carried on by the Chinese in the provinces.

The clamor against these Asiatics is general in the country, because competition with them is not possible; Spaniards, Mestizos, Indians, all give them a free field in retail business when they enter.

Their few needs, their patience under every insult and vexation, and sacrifice, and personal labour which they can utilize, except agriculture, the ease with which they adapt themselves to the customs of the natives and to the exchange of produce and to all the needs of the consumer; the insignificance of their personal expenses; the manner of their life; the close cooperation which they maintain among themselves, all place them in a situation advantageous to them, but not always to commercial progress.

The truth is, that they have monopolized retail business; they make the employment of capital by individuals of other races impossible. It is also true that they do not start any enterprise nor undertaking of importance. They hoard by instinct and hide or take away their capital from the country, which capital in other hands would be a powerful element of progress and advancement, but is it possible and would it be prudent to at once reverse the customs of the country which is now accustomed to the services of the Chinese in the retail business referred to?

Are the complaints of thousands of individuals of other races sufficient warrant for the prevention of their invading activity in all industries?

An energetic reaction against the Chinese has existed during the last two years in Java, in Australia and in California.

In the voluminous report to which I referred in the beginning, it is set forth by approval and by some royal orders that they be protected. I believe that it would be possible to establish a means of quieting these complaints and at the same time avoiding the consequent setback in business, to wit, to take the prohibitive measures which have been adopted in the countries mentioned.

The commercial invasion of the provinces by the Chinese could only be advantageous under certain restrictions.

The gathering of the fruits of the country for exportation, which up to the present has been done by Spaniards, natives and mestizos, should continue in their hands, for this tendency to fraud, to adulteration, and to monopoly, which is characteristic of the Chinese, would be prejudicial to their production.

The industrial tax is called upon to establish a just balance in trade and protection in favour of the national races in the Philippines. The industrial tax which the Chinese pay at present is insufficient for the purpose, on account of the insignificant rates which it fixes.

One of the greatest difficulties which this question presents is the great amount which has been written upon this subject, and the impossibility of the superior authorities of the best judgment understanding it in all its phases and all the details which should be known."

This is the most interesting part of the paper of Senor Norzagaray, in which he makes it clear that it would be better for Spain to be impoverished by taking energetic saving measures against these Asiatics than that these Philippines should be ruined by foreign commercial absorption, of which one Spanish colony was the victim.

Since the administration of said Senor Norzagaray up to the beginning of the war between the United States of America and Spain, the influence of the Chinese in the Philippines has been increasing, both in commerce and industry, and in their wealth and the volume of their production.

The Chinese engaged in a variety of industries and mercantile pursuits in the Philippines, and in 1830 the administration classified them as follows: (1) wholesale merchants; (2) retail merchants with dry goods shops; silk merchants, shoemakers, hatters, ink manufacturers, soapmakers, barbers, blacksmiths, carpenters and dealers in notions; (3) water carriers, boatmen, cooks, and dealers in firewood; (4) workmen and servants of all those comprised in the three preceding classes. Those of the first class paid a tax of \$10 a month; those of the second, \$4; those of the third, \$2, and those of the fourth \$1.

We shall make a short study of the importance of Chinese commerce in the Philippines, especially in some of the richest provinces.

In Isabella and Cagayan, a short time before the governmental tobacco monopoly was abolished, there were very few Chinese, and their action in business was insignificant, and the Spanish Government paid the owners of the tobacco crops punctually.

Nevertheless, a time came in which the Spanish administration was behind in nearly all of its payments—principally in the most important ones—and the planters of these provinces were among the many victims of these delays.

The Chinese then took advantage of the precarious situation by making usurious loans to those who lacked the means of realizing on their crops, thus securing the business of those fertile provinces, both by means of the capital which they advanced, and in the ban ling and monopoly of tobacco.

Their commercial supremacy reached such a point that once they had monopolized tobacco, almost every leaf which came to Manilla from Cagayan and Isabella was their property, and they stored it in warehouses and sold it later to the factories already established in the capital at a good profit.

They were not contented with the sale of tobacco in the leaf alone, but they also established factories to manufacture it, thus causing other factories which had been in operation to close up by the ruinous competition which the Chinese raised against them.

As they had monopolized tobacco in the leaf, they raised the price of that commodity to a fabulous height, thus insuring the ruin of the other manufacturers, their commercial adversaries.

Nevertheless, it must be mentioned that cigars made by Chinese factories soon lost credit in foreign markets through the poor workmanship and the detestable manner in which they mixed the different classes of leaves.

The Chinese were not discouraged by this, and although the sales of the products of their factories did not gain them the profits which they expected, they continued acquiring lands in the provinces mentioned, both by loaning on mortgages and by making contracts of sale in advance.

In the provinces of Hocos and Pangasinan the Chinese, by their commercial influence, succeeded in paralyzing to a certain extent the progress which was noticeable some years before in the production of said provinces.

All the interior trade of Canarines Sur is monopolized by them, and both that province and Hocos Sur seem, for this reason, to be stationary as regards the ordinary march of commerce and industry.

In Batangas the Chinese have not been able to overcome the natives in this unequal struggle for life, for although the inhabitants of Batangas were beaten in the trade of the interior they did not lose heart on this account, and devoted themselves with great diligence to the production of coffee and sugar, and to the breeding of beef cattle and swine, and the Chinese were not able to outdo them.

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In Albay, also, the Chinese extended their business, especially in hemp, and were the cause, as some merchants assert, of the discredit which that valuable fibre suffered from in the markets of America and Europe by the bad faith with which they separated the different classes for which there was a demand in the foreign markets.

Since 1860 the Chinese have been prosperous in Iloilo and the island of Negros, which islands have always been of great commercial and agricultural importance, even before the Chinese came here.

In Jolo, Cottabato and Zamboanga the Chinese have also done business both in trading with the natives of said islands and with the Philippine and Spanish troops in garrison there, and in dealing with the Moros in shells, pearls and other valuable products.

The town of Taal merits special mention, for the natives there have not allowed the Chinese to establish themselves in that town, in spite of their vigorous persistence.

The Chinese were assassinated there and the criminals were never detected, for which reason the Chinese decided not to oppose the determination of the people of Taal, who carry on a comparatively prosperous commercial life without necessity for foreigners to trade in the products.

We can now judge how it is that the Chinese were always successful in the commercial competition which they raised in the Philippines.

To put it in one word, they were successful because there exists among them a cooperative protection incapable of being destroyed either by law or by any measures which may be taken to counteract it.

In fact they succeed everywhere in obtaining a monopoly of wholesale and retail trade, becoming by the unity of purpose which they possess the proprietors of mechanic arts and trades in the country. They lend each other cooperative aid and all work together for the same end, thus forming a vast commercial society with which it is impossible for other merchants who work separately to compete.

Some foreign business houses established in Manila import dry goods from Europe and turn them over for prompt and certain sale to a small number of Chinese merchants, in whose power to collect the value of the merchandise they have confidence.

These merchants divide the articles received among the shops of their countrymen and also send quantities of the goods to their principal agents in the provinces, who in turn distribute them among the different Chinese who have open shops in the towns and provincial capitals.

They previously mark the prices on the articles and the shopkeepers are not allowed to reduce them under any pretext.

Under this system the result is that although there may be many Chinese establishments in one town, the same article exists or may be secured in all of them, and the price is uniform in high and low alike and only follows a general rule whether the article is plenty or scarce in the place.

When a Chinese immigrant lands in Manila he comes under the management of a headman, who lends him \$30 or more and to whom the future merchant is directly responsible.

He then begins to work in the most laborious and humble employment, but in spite of his small compensation he is able, by force of self-denial, to save a quantity sufficient to free him from the power of the headman, to whom he returns the quantity advanced to him. From that time on he works on his own account, protecting and being protected by his countrymen, until he accumulates sufficient capital to return to his country and there enjoy his savings for the rest of his life.

The principle of political economy is well known which lays down the rule that in order for a country to obtain advantages from immigration the immigrants should bring in capital, new industries, or superior knowledge to perfect industries already in existence, or at least that said immigrants should apply their energies to pursuits productive of gain, not only to the immigrants themselves, but to society in general in the country in which they have established themselves, or that they finally become assimilated with the people of the country, thus giving, although indirectly, stimulus to certain professions and industries, whose progress is a consequence of the increase of the number of the

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nts of the town. Chinese, on coming to the Philippines, do not comply with the conditions of this well-known principle of political economy, which are desirable to be looked for in immigrants.

y, then, should they be allowed to immigrate in such great numbers, when their presence in the Philippines is not a guarantee of prosperity and progress for the rest of the Archipelago?

According to a census which was published in 1876, there were 30,797 Chinese in the Archipelago. In ten years this number grew to 99,152.

In every society there is an unfailing balance established between services and remuneration by the economic laws of supply and demand as well as by professional competition.

A harmonious application of this balance brings about public order and general prosperity. The deficiency or excess in any of the number of either employers or employees disturbs this balance, which, under proper conditions, makes the social edifice stable.

For a people like the Filipino people, whose wholesale business is almost entirely in the hands of the Chinese, one cannot hope for the creation of small capitals, which, being created by labour and economy, serves as a means of improving city property, and for the extension of agriculture and many useful undertakings which are not known in the Philippines as yet, and which, undoubtedly, will never be known through steps taken by Chinese capitalists.

Those who devote themselves to retail business are, in all countries of the world, not stockholders in small enterprises which promise profits to small capitals associated, and here this class of merchants is almost entirely Chinese, and consequently hostile to the most useful projects for the material progress and general improvement of these islands.

The Chinese are one of the principal causes of the commercial and industrial backwardness of the Archipelago. It is impossible here, on account of the competition they make, to attain a position in the middle class of society. This class is the promoter and promoter of great enterprises which do not promise immediate dividends, but which must be perfected by means of shares which represent a great capital, that is, by the collection of the funds of many contributors.

After having read what we have set forth in reference to what was formerly called the 'Chinese problem,' the following conclusions, briefly, may be deduced: (1.) The Chinese were protected here with undue liberality by the Spanish Government to the detriment of Spain herself and of the Philippines. (2.) Furthermore, the losses which the Philippines suffer are considerable, because it is the custom of the Chinese to consume, for the necessities of life are concerned, the food, clothing and other articles which they import from their own country for this purpose.

The first of these conclusions is now a matter of history, for the American Government, in taking the place of the Spanish Government here, will not allow the Chinese to employ attorneys to bid upon contracts with the State, nor will it tolerate frauds upon the administration, which the Chinese commit by concealing their industries or their losses. The second conclusion which refers to the losses which the country suffers from the spirit of monopoly of the Chinese, which is shown by their use of imported articles in their own nation, must also be taken into account, and these losses may be remedied by the following means: (1) To make all articles coming from China, whether they are designed for the individual consumption of these Asiatics, such as fresh or preserved provisions, fruit, clothing, shoes, and others, pay heavy duties in the custom house. (2) To raise the customs duty on opium to a very high rate, in order that the revenue of this extract may pay the country indirectly for the use of it. Opium smokers have been done away with in this manner. (3) To prevent the Chinese from engaging in agriculture, which the Spanish desired them to do, for they would not perceive that the cultivation of the soil is the surest guarantee of the future of the Philippines, since the sovereignty of Spain and the absorption of the colony by the friars has to exist. Horticulture and floriculture alone should be allowed to the Chinese.



THE HONOURABLE OLIVER P. MORTON'S VIEWS ON THE CHARACTER,  
EXTENT AND EFFECT OF CHINESE IMMIGRATION  
TO THIS COUNTRY.

NOTE. Mr. Morton was Chairman of the Commission appointed in 1896 to inquire into Chinese and Japanese Immigration and it would appear made a minority report, of which the following is all that can be found, a portion having been lost or mislaid.  
(Section A missing.)

B.

A discussion of the effect of Chinese immigration upon the country involves many considerations, and any proposition looking to its prohibition or limitation would require us to consider some of the fundamental principles of the theory and practice of our government. It is our proudest boast that American institutions are not arbitrary in their character; are not the simple creations of force and circumstance, but based upon great and eternal doctrines of the equality and natural rights of men. The foundation-stone in our political edifice is the declaration that all men are equal; that they are endowed by their Creator with inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to obtain these, governments are instituted among men, deriving their just powers from the consent of the governed. We profess to believe that God has given to all men the same rights, without regard to race or color. While this doctrine is beautiful and simple in its enunciation, it has taken one hundred years to establish it by legal formula in our system of government; while there are still large numbers who practically deny the truth of it by preventing it from being carried into execution, and who do not in their minds admit that the coloured race have the same natural rights with white men. And it is unfortunately true that there are many who yet believe that the coloured man should be in bondage; that slavery is his normal condition and has the sanction of the Almighty. We hope that increasing intelligence and the changed condition of our country will, at a time not far distant, obliterate such belief, and that all people, without regard to party or section, will believe in the equal rights of men, and recognize that doctrine in the administration of State and national governments.

A cardinal principle in our government, proclaimed in the declaration of independence, in the articles of confederation, and recognized by our constitution, is, that our country is open to immigration from all parts of the world; that it was to be the asylum of the oppressed and unfortunate. It is true that when the government was formed, and for nearly three-quarters of a century, no immigration was contemplated except from nations composed of white people; but the principles upon which we professed to act, and the invitation we extended to the world, cannot and ought not to be limited or controlled by race or colour, nor by the character of the civilization of the countries from which immigrants may come. Among the nations of Europe civilization widely varies, conflicting in many important particulars and differing greatly in degree. Nor should the operation of those principles be limited on account of the religious faith of nations. Absolute religious toleration was regarded by our fathers as of vital importance. Not only were the different sects of christians to be tolerated, but the deist, atheist, the Mohammedan and the Buddhist were to be free to express and enjoy their opinions.

One of the greatest objections which has long been urged to the Chinese and Japanese was their exclusiveness—their refusal to permit the people of other nations to settle in their midst, or even to travel through their country and acquire a knowledge of their institutions and condition. This objection has been removed. The doors of China and Japan have been thrown open, and Americans have the right by the laws of those countries, to live there, to do business, and have complete protection; and, beyond that, have rights which we do not give to Chinese and Japanese in this country. If Americans commit offences against the laws of China or Japan, they are not to be tried

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ished by the courts of those countries, but by American consular courts, and by our own government. At a time when those countries have adopted a policy, and in that respect have yielded to western civilization and especially to the force of the example and policy of the United States, it is proposed that we shall take a step backward by the adoption of their cast-off policy of exclusion. The argument set up here in favour of this is precisely that which was so long used to excuse or justify the same policy in China and Japan, that the admission of foreigners tended to interfere with their trade and the progress of their people, and to corrupt their morals and degrade their religion. The strength and endurance of our government do not depend upon our material wealth and power; on the contrary, the great increase of wealth and luxury threatens the safety and continuance of our institutions by impairing the virtue of the people, their simplicity of manners, as they did in the ancient republics of Greece and Rome. Nor can the safety and perpetuity of our institutions be insured merely by the general diffusion of education and intelligence. It may be stated, as a proposition established by experience and reason, that the sheet-anchor of our safety consists in faithful adherence to the cardinal principles upon which our government was established, and the maintenance of that broad, liberal, and humanitarian policy promulgated by our fathers. If our government shall come to be regarded as purely arbitrary—as the creation of a particular circumstance, its final demoralization and destruction are foredoomed. Our safety, our only absolute security consists in the devotion of the masses of the people to the doctrines upon which the government was founded, and the profound conviction in the minds of the people that the rights of men are not conferred by constitutions or by enactments, which may be altered or abolished, but are God-given to every man being born into the world, and cannot be violated by constitutions, enactments, or governments, without trampling upon natural and inalienable rights. For, if we do not believe that the rights of men are the mere offspring of constitutions and laws, that rulers and wicked factions may deem it expedient to take away the rights of a part of the people, and gradually to sap, and finally to overturn our institutions. The institution of slavery and its long maintenance in the doctrine that coloured men had no natural rights, and that slavery was a mere question of political economy or expedience. It is believed that men have no natural rights, arguments and inducements will be used from time to time to deprive communities or classes of their equality and participation in government.

Closely allied to these great doctrines, and, in fact, a necessary outgrowth of them, is that policy which throws open the doors of our nation to the people of other countries, to come to escape oppression or the hard conditions by which they are surrounded, to make our country their home. In permitting the people of other countries to come here and live and become citizens, we have the right to prescribe such conditions and create such safeguards as may protect us from pauperism, crime and disease; to fix a period of probation and the reasonable terms upon which they may become citizens entitled to participate in government. To regulate immigration and prescribe the conditions upon which we will admit men of foreign birth to the exercise of civil and political rights is one thing, and their prohibition or exclusion, in whole or in any part, is quite another. To make such regulations as will protect the interests, morals, and safety of the people against foreigners is both our right and duty: and in the exercise of a sound discretion, I do not say that we may not discriminate among the nations, and exact different conditions from the people of one country that we do not deem necessary as to others. We have always made this discrimination with regard to the right to become citizens, by permitting none but white persons to be naturalized. As to all the rights of foreigners coming to our shores to work, to trade, or to live and acquire property, we have never made any distinction. To do that now would be a great innovation upon the policy and traditions of the government, and would be a long step in the denial of the brotherhood of man, and the broad humanitarian policy inaugurated by our fathers.

The limitation of the right to become naturalized to white persons was placed in our law when slavery was a controlling influence in our government, was maintained by

the power of that institution, and is now retained by the lingering prejudices growing out of it. After having abolished slavery, and by amendments to our constitution and the enactment of various statutes establishing the equal civil and political rights of all men, without regard to race or colour, and, at a time when we are endeavouring to overcome the prejudices of education and of race and to secure to coloured men the equal enjoyment of their rights, it would be inconsistent and unsound policy to renew and reassert the prejudices against race and another form of civilization by excluding the copper-coloured people of Asia from our shores. It would be again to recognize the distinctions of race and to establish a new governmental policy upon the basis of colour and a different form of civilization and religion. In California the antipathy to the Mongolian race is equal to that which was formerly entertained in the old states against the negro; and although the reasons given for this antipathy are not the same, and the circumstances of its exhibition are different, still it belongs to the family of antipathies springing from race and religion. As Americans, standing upon the great doctrine to which I have referred, and seeking to educate the masses into their belief, and charged with the administration of the laws by which equal rights and protection shall be extended to all races and conditions, we cannot now safely take a new departure, which, in another form, shall resurrect and reestablish those odious distinctions of race which brought upon us the late civil war, and from which we fondly hoped that God in his providence had delivered us forever. If the Chinese in California were white people, being in all other respects what they are, I do not believe that the complaints and warfare made against them would have existed to any considerable extent. Their difference in colour, in dress, manners and religion have, in my judgment, more to do with this hostility than their alleged vices or any actual injury to the white people in California. The inquiry which the committee were instructed to make does not involve the political rights or privileges of the Chinese. As the law stands, they cannot be naturalized and become citizens; and I do not know that any movement or proposition has been made in any quarter recently to change the law. But the question is, whether they shall be permitted to come to our country to work, to engage in trade, to acquire property, or to follow any pursuit.

But before entering upon the discussion of any other principles, I may be permitted to observe that in my judgment the Chinese cannot be protected in the Pacific States while remaining in their alien condition. Without representation in the legislature or Congress, without a voice in the selection of officers, and surrounded by fierce and, in many respects, unscrupulous enemies, the law will be found insufficient to screen them from persecution. Complete protection can be given them only by allowing them to become citizens and acquire the right of suffrage, when their votes would become important in elections, and their persecutions, in great part, converted into kindly solicitation.

In considering any proposition to prohibit Chinese immigration, or to limit it, we must bear in mind the fact, fully established by the evidence, that the Chinese landing upon our Pacific coast comes entirely from the British port of Hong Kong. Though subjects of the Chinese Empire, they embark at a British port, and in that respect are invested with the rights of British subjects, and in any legislation or treaty by which we would propose to limit or to forbid the landing upon our shores of Chinamen, or any other class of people embarking at a British port, we must deal with the British government, and not that of China. With the laws of England, or the marine regulations by which the people of China are permitted to enter a British province and to embark from a British port, we have nothing whatever to do; but it is quite clear that any legislation of ours which would interfere with the landing upon our shores of any class of people embarking at a British port, whether they be Chinese or Japanese subjects, would be an interference with the trade and commerce of that port. It may be an important commercial matter to Great Britain that the port of Hong Kong shall be open to the reception of people from China or any other part of the world who propose to emigrate to the United States or any other country, and if we cut off such emigration, in whole or in part, it is not an interference with the government of China, for which we should answer to that government, but with the government of England. Our

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to permit a Chinaman to land, who had embarked at a British port upon a vessel, would certainly be a question with the English government, and not out of China; and the fact that the person thus forbidden to land was a Chinaman who had never sworn allegiance to the English government, would not in the least affect the question.

## C.

In dealing with this question, we should consider and act upon general principles, and should hesitate before adopting a new policy which would be at variance with the principles of our institutions, and enable the world to say that the principles upon which we professed to establish our government in the beginning and upon which we have since our place among the nations, have yielded to considerations of doubtful expediency in conflict with our general professions and character. As before stated, our country as a republic consists in our faithful adherence to the doctrines upon which it was established, and to the education of our people in their truth, without regard to temporary interest or condition. The most of the Chinese were labouring men, who came from the rural districts in China, and were accustomed to agricultural pursuits. Some of them were scholars in their own country, some of them were merchants, and a few mechanics. As a rule, they are industrious, temperate and honest in their habits. Some thousands of them are employed as household servants in the cities of the country. In this capacity the testimony generally concurs in giving them a high character. They very readily learn to perform all kinds of household duty, are obedient to their employment, and soon become exceedingly skilful. The testimony is that they went to all parts of the State to serve in that capacity, when other means or help of that kind could not be obtained from the cities, and that if they had been banished it would be very hard, in fact, as many of the witnesses said, impossible to supply their places. As labourers upon the farms and in the gardens and vineyards, all the witnesses speak of them in the highest terms. Colonel Hollister, one of the largest farmers in California and a man of great intelligence, testified that without Chinese the wheat and other crops in California could not be harvested and taken to market; that white labour could not be obtained for prices that would enable the farmer to carry on his business; that any considerable increase in the price of labour would render the production of wheat and almost every other agricultural product unprofitable, and they would have to be abandoned.

In the construction of railroads and other public works of California, the Chinese have been of the greatest service and have performed the largest part of the labour. Several distinguished gentlemen connected with railroads testified that without Chinese they could not have been constructed, and that if the companies had been compelled to rely upon white labour, it would have been so difficult to procure and so costly that the works must have been abandoned, and in fact would not have been undertaken. As labourers upon the public works they were entirely reliable; worked more hours than white men; were not given to strikes; and never undertook, by combinations, to raise the price of labour.

The chief point against the Chinese, and that which was put forth as the ground for movements against them, was, that they worked for less wages than white people, and thus took their labour, or compelled them to work for wages upon which they could not support and maintain their families and educate their children. That Chinamen work for less wages and perform the same amount of labour for less money than white people is unquestionably true. They have largely performed the hardest and lowest kind of work in the State, such as the construction of railroads, reclaiming the tule lands, and every form of drudgery and unskilled labour; but that they have injuriously interfered with the white people of California or have done them a serious injury may well be doubted. The great fact is, that there is to-day, and always has been, a scarcity of labour on the Pacific coast. There is work for all who are there, both white and Mongolian, and the State would undoubtedly develop much more rapidly were there more and better labour. There was much intelligent testimony to the fact that the Chinese, by

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their labour, opened up large avenues and demand for white labour. The Chinese perform the lowest kind, while the whites monopolized that of a superior character. This was well stated by Mr. Crocker, a very intelligent witness, largely interested in the Central Pacific and Southern California Railroads. In answer to a question as to what was the effect of Chinese upon white labour, and whether it was to deprive white men of employment, or had had that effect at any time he said:

'I think that they afford white men labour. I think that their presence here affords to white men a more elevated class of labour. As I said before, if they should drive these 75,000 Chinamen off you would take 75,000 white men from an elevated class of work and put them down to doing this low class of labour that the Chinamen are now doing, and instead of elevating, you would degrade the white labour to that extent. For any man to ride through California, from one end of this state to the other, and see the miles upon miles of uncultivated land, and in the mountains millions of acres of timber, and the foot-hills waiting for some one to go and cultivate them, and then talk about there being too much labour here in the country, is simply nonsense, in my estimation. There is labour for all, and the fact that the Chinamen are here gives an opportunity to white men to go in and cultivate this land where they could not cultivate it otherwise.

Again he said:—

I think that the presence of the Chinese, as labourers among us, goes very far toward the material interest of the country; that without their labour we would be thrown back in all branches of industry, farming, mining, reclaiming lands, and everything else. I believe that the effect of Chinese labour upon white labour has an elevating instead of degrading tendency. I think that every white labourer who is intelligent and able to work, who is more than a digger in a ditch, or a man with a pick and a shovel, who has the capacity of being something else, can get to be something else by the presence of Chinese labour easier than he could without it. As I said before, when we were working 800 white men, and that was the extent we could get, we began to put on Chinamen. Instead of our white force decreasing it increased, and when we had eight, nine, and ten thousand Chinamen on the work, we had from 2,500 to 3,000 white men. Instead of these white men being engaged in shoveling dirt or with a pick and shovel, they were teamsters, mechanics, foremen, and men in an elevated grade of labour, receiving wages far above what they would have done if we had had the same number throwing up the dirt and digging in the rock. I know of a great many instances where men have come on to the road and taken a foremanship over Chinamen, and have acquired a little start, which they afterwards used, and they are now independent citizens, owners of farms, owners of corner groceries and stores in the country towns.

Other evidence showed that by Chinese labour over one million acres of tule land have been reclaimed. This was work of the hardest and most unhealthy character, requiring them to work for a large part of the time in mud and water; but the lands, when reclaimed, were occupied and cultivated by white men, furnishing a great many homes, and were in fact the richest and most productive in California. They also chiefly performed the work in constructing irrigating canals for farming purposes, and dams and canals for supplying the mines with water, by which a very large extent of country was made exceedingly productive, furnishing homes and employment for thousands of white men, and by which also the mines were made profitable and created a large demand for white labour. The evidence further showed that the railroads chiefly constructed by these people were the pioneers in settlement and agriculture; that the settlements followed the railroads; that wherever a railroad was constructed the lands were taken up and converted into farms and homesteads. While there was complaint that the Chinese by their cheap labour took it from white people, inquiry failed to show that there was any considerable number of white people in California out of employment, except those who were wilfully idle; that there was work, and remunerative work, for all who chose to perform it; that among the most bitter enemies of the Chinese in the city of San Francisco were the hoodlums, who were notorious idlers and ruffians, and yet made large outcry against Chinese cheap labour. That there have been many instances where Chinamen have been employed in preference to white people because of

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their cheaper labour is undoubtedly true, but not to an extent that could furnish just use of complaint requiring legislation or political action for its redress. The field of labour in California is extensive and varied in its character, and people who fail of employment in one direction can as a general thing obtain it in another. No system of labour is healthy or profitable which is not free—in which men are not at liberty to work for such prices as they choose to accept. The field of labour must be open to competition, as is every other branch of business. There is competition among merchants as to who shall sell the cheapest; competition among mechanics and manufacturers; and as labour is honourable, so it must be free and open to the same competition with every other pursuit in life.

The labour performed by the Chinese has tended very greatly to the development and prosperity of California. The testimony of many of the witnesses went to show that but for Chinese labour the state would not have half the population, property and production she has today. The testimony was quite conclusive upon the point that the first successful introduction of manufactures into California, in almost every respect, was owing to the employment of Chinese labour; that as manufactures progressed and became firmly established the employment of Chinese gradually diminished and white labour in them largely increased; and that that change is still going on. But these manufactures in their infancy could not successfully compete with goods from the Eastern States and Europe, except by employment of the cheapest kind of labour. Mr. J. S. Brooks, a distinguished lawyer in San Francisco, who has lived in the state since 1849, testified as follows in regard to the effect of Chinese labour in that state. He said:

I have no doubt that the importation or rather the immigration of Chinese to this State has increased its wealth at least one-half; I think a great deal more. In the first place, the works which they have constructed without their aid would have immediately increased the taxable wealth of the State at least one-half. In addition to that, I am satisfied that they have increased the white population of the State in almost the same proportion, if not quite. I think, without their aid at the present time, the population of the State could not be maintained at more than one-half its present amount, if so that extent. I am satisfied from the inquiries that I have made from all parts (and it is impossible for me to present all these witnesses before you) that the product of the State—its chief export, wheat—cannot be produced at the price at which it can be exported, if the cost of production is increased at all. There is a considerable portion of the State, including land that has been cultivated, which will not bear cultivation at the present time—that is to say, the crop which it will produce will not pay at the present price of wheat here for export, and it will not pay the cost of its production. The yield of wheat from these lands, as everyone probably knows without any testifying to it, steadily decreases. (Section D is missing).

E.

In our treaty with China, concluded in 1868, commonly known as the 'Burlingame treaty,' I find the following articles:—

## ARTICLE V.

The United States of America and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and emigration of their citizens and subjects, respectively, from one country to the other, for purposes of curiosity, of trade, or as permanent residents. The high contracting parties, therefore, join in reprobating any other than an entirely voluntary emigration for these purposes. They consequently agree to pass laws making it a penal offense for a citizen of the United States or Chinese subject to take Chinese subjects either to the United States or to any other foreign country, or for a Chinese subject or citizen of the United States to take citizens of the United States to China, or to any other foreign country, without their free and voluntary consent respectively.

## ARTICLE VI.

Citizens of the United States visiting or residing in China shall enjoy the same privileges, immunities, or exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favoured nation. And, reciprocally, Chinese subjects visiting or residing in the United States, shall enjoy the same privileges, immunities and exemptions in respect to travel or residence as may there be enjoyed by the citizens or subjects of the most favoured nation. But nothing herein contained shall be held to confer naturalization upon citizens of the United States in China, nor upon the subjects of China in the United States.

## ARTICLE VII.

Citizens of the United States shall enjoy all the privileges of the public educational institutions under the control of the government of China; and reciprocally Chinese subjects shall enjoy all the privileges of the public educational institutions under the control of the government of the United States, which are enjoyed in the respective countries by the citizens or subjects of the most favoured nation. The citizens of the United States may freely establish and maintain schools within the Empire of China at those places where foreigners are by treaty permitted to reside, and reciprocally, Chinese subjects may enjoy the same privileges and immunities in the United States.

In the foregoing articles we find a strong recognition of the inherent and inalienable right of man to change his home and his allegiance, and that Chinese subjects visiting or residing in the United States, shall possess the same privileges, immunities and exemptions as may be here enjoyed by the citizens and subjects of the most favoured nation. When this treaty was concluded with China, it was regarded by the whole nation as a grand triumph of American diplomacy and principles, and Mr. Burlingame, on his return to San Francisco, received an extraordinary ovation as a benefactor of his country, by having secured to Americans the protection of the Chinese Government, and the right to live there and trade (in return for which he had guaranteed similar rights for the Chinese in the United States), and for having secured from China a recognition of what may be called the 'great American doctrine' of the inherent and inalienable right of man to change his home and his allegiance. For the recognition of this doctrine by the governments of Europe we had been struggling, by negotiation, ever since we had a national existence, and had succeeded with them, one by one. And within the last eight years we have secured the recognition of the doctrine by Germany and other states of Europe, that had long held out against us.

## F.

In the early days of California the price of labour was exorbitant, and rendered it impossible to employ men for any other purpose than mining or in raising provisions for the support of miners, at a time and at places where transportation was most difficult, and they could not be brought from other states or countries, except at an enormous cost. These high prices made it impossible to engage in manufactures or any pursuit that came into competition with the productions of other countries, and it was only when prices had become greatly reduced, chiefly by the presence of the Chinese, that California was at all able to send her agricultural productions into the markets of the world. And it is undoubtedly true, notwithstanding the outcry against Chinese cheap labour, that the average rate of wages in California is higher than in any other part of the United States, and now stands largely in the way of the development of the State.

It is said that the presence of the Chinese in California prevents the emigration thither of white people, and therefore stands in the way of the growth of the state. If such is the fact (which I do not admit) it springs from the persecution visited upon the Chinamen, and the exaggerated declarations which have been made in excuse for them, that the Chinese interfere with white labour and leave white people out of work or reduce their wages by competition below the living point. If white people are deterred

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om going to California it is not a legitimate result of the presence of the Chinese, but by the gross misrepresentations which have been made.

Looking at the question broadly and at the effect which Chinese labour has exerted in California, running through a period of twenty-five years, I am strongly of the opinion that but for the presence of the Chinese California would not now have more than one-half or two-thirds of her present white population. That Chinese labour has opened up many avenues and new industries for white labour, made many kinds of business possible, and laid the foundation of manufacturing interests that bid fair to rise to enormous proportions. That the presence of the Chinese, holding out the prospect for labour at reasonable rates, induced the transfer of large amounts of capital and immigration to California and of large numbers of business and enterprising men, thus making California the most inviting field for immigrants from every class of society, including labouring men; and lastly, that the labouring men of California have ample employment and are better paid than in almost any other part of the country.

But it is said that although Chinese labour was at one time of great value to the State, and contributed largely to its settlement and development, that period is past and the time is come when the Chinaman can be dispensed with and that his further presence in California is an injury. In this connection I may speak of the wonderful production of wheat in the State, the superior quality of which has made it a favourite article in the markets of Europe. The system of farming chiefly employed is, by the concurrent testimony of witnesses, rapidly exhausting the land and threatens to bring about the same condition of the soil which was produced by the continuous cultivation of tobacco in Virginia. Much land that was fertile and profitable for wheat a few years ago is abandoned as worthless. On this subject Colonel Hollister testified as follows, on page 768 of the printed record of testimony:—

I find that it is almost impossible to carry on my farming with the cheapest labour I can get. With the minimum paid for farming work, say \$25 a month and board, I find that it is impossible to live. I pay out \$5 for every \$4 I get and have done it for ten years so far as farming is concerned, and yet I claim to be a good farmer. It is not my fault, it is not the fault of the soil, it is not the fault of the climate, but it is the fault of the price of labour. My own conviction is from what I know and have seen and from my own experiments and what I have seen of my neighbours, that there is not a farm in the State scientifically handled, handled well, with a view to the perpetuity of the soil, with a view to its permanency, without exhaustion, restoring as we take away, that will survive at \$25 a month for labour. A farmer cannot survive on the payment of a minimum of \$25 a month and board. The farm will not pay the labour. Any one can see that if you pay a man \$25 a month it is \$300 a year, and board and incidental losses of time and so on will go to make up the whole amount at about \$500 a year. Every 160 acres has to turn out \$500 a year in gold to pay the help before the farmer gets one dollar. No farmer in the State can farm at that rate.

Mr. Hollister also, on page 769, says:

It is very apparent that we are simply leaving a desert behind us. That is the history of California farming. We are taking every pound of bread out of the soil and sending it to Europe. There are only so many pounds of bread in an acre of land, and when you take it out there is no more; you have got to restore the elements. That requires labour and an expenditure of money. To-day it is a simple drain all the time. It is a draft upon the bank to pay this exorbitant labour. The farmer will not stand it, and no man in the world can stand it. I have seen myself twenty crops of wheat taken off, and that is a fact without a parallel anywhere else on the face of the earth, I think. Yet that land is all going. I have seen here, almost in sight of this town, eighty bushels of wheat produced to the acre. I have seen the same land, years afterward, when you could run a dog through it without striking a stalk. That is poverty; that is failure; and when your soil is bankrupt, your farming is bankrupt; and when your farming is bankrupt commerce is gone.

Mr. Brooks says, on page 902:

There is a considerable portion of the State, including land that has been cultivated, which will not bear cultivation at the present time; that is to say, the crop which it will



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produce will not pay at the present price of wheat here for export, and it will not pay the cost of its production. The yield of wheat from these lands, as every one probably knows without my testifying to it, steadily decreases. What Colonel Hollister said agrees with my own experience in that respect. I have been in the habit of travelling from this city to the different county seats in different parts of the State, and I have observed a gradual decline of the product of the land. I think a great portion of the land that is within reach of the market by water communication, by natural communication, ceases to be productive. I have had here for two days, waiting to testify, an Irishman, a small farmer who lives near Livermore, within easy distance of the railroad. He cultivates his own farm with his own family. He has his accounts for the year with him. He is a very prudent, saving man, and his wife is as hard-working as he is, and his children assist him. He gave me the figures. I forget what the figures are now, but his expenses were considerably above his income, and he told me he should have to discontinue the cultivation of his farm. He has a mortgage on it, and he has no hopes whatever of paying the mortgage, and he says he must give it up. That is a farm within easy reach, and it is not an exhausted farm by any means; it is new land, comparatively.

Other witnesses testified very strongly to the same facts, and that the wheat lands of California were being gradually exhausted, and would soon be abandoned, and when new land could no longer be had, the wheat culture of California would be at an end; and with it, the chief source of agricultural prosperity. For this there are two principal causes: first, the facility of procuring new land; and, second, the high price of labour, which forbids the application of those principles by which lands are improved and preserved. With the same amount of labour at present prices which is bestowed by the farmer upon the wheat lands east of the Mississippi River, wheat culture in California would be unprofitable, and could not be carried on. California has progressed with more rapidity in wealth and population than any other state in the Union, in spite of our distance, and the time and expense necessary to get there, until the opening of the Union Pacific Railroad within the last few years.

## G.

The testimony shows that the intellectual capacity of the Chinese is fully equal to that of white people. Their ability to acquire the mechanic arts, and to imitate every process and form of workmanship, ranks very high, and was declared by many of the witnesses to be, above that of white people; and their general intellectual power to understand mathematics, and master any subject presented to the human understanding, to be quite equal to that of any other race. Judge Haydenfeldt, a very intelligent witness, and for several years a member of the Supreme Court, testified as follows:—

Q. How does the intellectual ability of the Chinaman, so far as your observation enables you to judge, compare with that of Americans in the same corresponding class? —A. I think their general intelligence is greater. My impression is, from my information and observation, that there are very few Chinamen of the ordinary labouring class who cannot read and write their own language. In my intercourse with them, I find them always quick to understand and very quick to appreciate. They exhibit also a ready intelligence, much more so than you will generally find among the ordinary labouring class of whites.

Q. What is the general knowledge or comprehension of the Chinese of the character of our institutions and the nature of government? —A. It would be very hard to say. It is a subject that they never speak upon at all, and if they are ever addressed in regard to it, it is in the most general manner, relating to the administration of the laws or something of that kind. They recognize perfectly that every man is equal before the law, and that there is a redress for every wrong; and they understand also that if they fail to get the redress, it is from the lack of evidence, or from the lack of catching the culprit. They understand that our courts are conducted in the most judicious manner for the purpose of ascertaining what is right and what is wrong. These ideas I have derived from occasionally having interviews with them where they have had business with the courts.

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Mr. Cornelius B. S. Gibbs, an adjuster of marine losses, testified as follows, on page

As men of business I consider that the Chinese merchants are fully equal to our  
ants. As men of integrity, I have never met a more honourable, high-minded,  
et, and truthful set of men than the Chinese merchants of our city. I am drawn in  
et with people from all nations, all the merchants of our city, in our adjustments.  
e never had a case where the Chinese have attempted to understate their goods or  
fictitious claims into the adjustments.

Again, on page 531, he says :

Q. Are their losses generally adjusted without law suits?—A. I never had a law  
with them or never had a complaint from them in my life. You have got to get  
confidence, and explain to them, and they generally go through with the figuring  
selves. They can figure very fast and very correctly, and when they are convinced  
thing is right, there is no trouble. There is no class of people that pay up as  
ly as the Chinese. On Saturday we send them notice that the average is closed,  
on Monday, by ten or twelve o'clock, all the certificates are paid. I have had fifty  
sixty thousand dollars in a case, and they would come straight forward and pay it  
e twelve o'clock, while we have to send around to the other merchants a month and  
times two months before we get it all from them.

Rev. Mr. Loomis, who was a missionary in China from 1844 to 1850, and who  
een engaged as a missionary among the Chinese in California from 1859 to the  
nt time, said (page 462) :

Q. What have you to say of the intellectual capacities of the Chinese generally?

The history of China, the permanency of the government, the fact of its continued  
ence through all the ages since the dispersion from Babylon, and to-day a stronger  
n than ever before, answers that question; the career of such men as Yung Wing,  
a poor boy in the streets of Macao, now honoured with his LL.D. from New Haven  
ge, where he graduated with honours; the rapid progress and high standing of the  
ese students in our eastern institutions; the essay of one of the Lai Sun family,  
h took the prizes in such institution as Phillips Academy (and those students are  
n from all classes of society, but largely from Canton province); the progress made  
e scholars in all our mission schools—their enterprise, skill, and success in all  
ches of business which they undertaken—all these facts are sufficient answers to the  
tion, 'Have the Chinese intellectual capacity?'

Mr. Heydenfeldt, on page 511, testifies :

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The Chinese are the original inventors of printing, gunpowder, the mariner's com-  
, and many articles that are of great importance to the world; but it is undoubtedly  
that they have made very little progress in the arts and sciences for several cen-

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turies. This has been, by some, erroneously considered as evidence of their inferior mental capacity. The late Mr. Seward, a profound observer, in his 'Voyage around the World,' thus speaks of Chinese civilization:

'The Chinese, though not of the Caucasian race, have all its moral and social adaptabilities. Long ago they reached a higher plane of civilization than most European nations attained until a much later period. The western nations have since risen above this plane. The Chinese have made no advancement. Although China is far from being a barbarous state, yet every system and institution there is inferior to its corresponding one in the west. Whether it be the abstract sciences, such as philosophy and psychology, or whether it be the practical forms of natural science, astronomy, geology, geography, natural history, and chemistry, or the concrete ideas of government and laws, morals and manners; whether it be in the aesthetic arts or mechanics, everything in China is effete. Chinese education rejects science. Chinese industries proscribe invention. Chinese morals appeal not to conscience, but to convenience. Chinese architecture and navigation eschew all improvements. Chinese religion is materialistic, not even mystic, much less spiritual.

If we ask how this inferiority has come about among a people who have achieved so much in the past, and have such capacities for greater achievements in the future, we must conclude that, owing to some error in their social system, the faculty of invention has been arrested in its exercise and impaired.

The intellectual stagnation in China is the result of their institutions. The minds of men have been diverted from science and the arts to the endless ceremonies and ritual of innumerable gods. It was said long ago that 'no people can rise above the plane of the gods they worship'; and Chinese civilization long ago rose to the level of their gods. For centuries the Chinese intellect has been hampered, in fact paralyzed by her institutions, which directed the studies of her scholars to subjects from which no benefit or progress could come, to subjects which would not enlarge the intellect, improve the condition of the people, or add to the national development. Through the long lapse of the middle ages the intellect of Europe was paralyzed by misdirection. Ambition was directed to military achievements, the knowledge of science and literature being lightly esteemed, and for a thousand years or more the intellect of Europe was directed to purposes from which no good, progress or national elevation could come. It was not until the feudal system gave way that the mind of Europe was diverted from the old ruts into new channels, which led to the acquisition of useful knowledge, and finally, by the Baconian philosophy, which looked to actual results, treated all learning as useless which did not tend to the improvement of the intellectual, social and material condition of mankind. The learning of the Greeks and Romans, in many respects elevated and refined, wasted the intellect chiefly in metaphysical discussions, which, however beautiful in showing intellectual power, were yet barren in results, so far as the advancement of science and the improvement of the physical and material condition of the race was concerned. The intellect of Greece and Rome expended its force in great part upon subjects which did not advance the condition of mankind; and for more than twelve hundred years the intellect of Europe, hampered and contracted by her institutions, added but little to the progress of the sciences and arts. But, because of these undeniable historical facts, it would not do to say that the actual intellect or brain power of men through these long periods was less than it is to-day, when the world is making such rapid progress. It was the result of misdirection of the human mind, and stagnation—the result of their institutions and condition. As the intellect of Europe burst the cerements by which it had so long been bound, and embarked in a career of discovery and invention, before unknown in the world's history, so it is possible that China may yet be emancipated from her intellectual bonds, and with her powers of invention, analysis, and imagination released from the thralldom of ages, may start anew, and again outstrip the western nations as she had done before. China was a civilized nation two thousand years before civilization dawned in Europe, and when the ancestors of the refined and haughty inhabitants of the western countries were howling savages, worshipping rude idols and making human sacrifices. To a people with such a history we should be charitable. The most of the Chinese in California can read and

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write in their own language. Many of them are excellent merchants and business men. They are the best of bookkeepers and accountants, and conduct their business in the most methodical way.

## H.

The evidence established the fact that Chinese labour in California is as free as any other. They all come as free men and are their own masters absolutely. In many cases they borrow their passage money in China, with an agreement to repay from their earnings in this country, with large interest, an agreement which, to their credit be it said, they rarely fail to perform. Nearly all of them upon their arrival become members of one or the other of the six companies in San Francisco, for which they pay an initiation fee, and through that they do their business, make their contracts for labour, make remittance to China, deposit their money, and make arrangements for the return of their ones to China, should they die. They are much given to corporations and companies, and understand well the power and advantage of combination. They frequently work together in associations, under the direction of a head man, who keeps their accounts and transacts their business. The most of the Chinese who come here are young men and boys. A few families have come, but nearly all of the men are unmarried. About five thousand Chinese women have come, the most of them prostitutes, imported by procurers, who manage and dispose of them on their arrival. The better and the greater part of the Chinese are opposed to this degrading and destructive traffic, and have made repeated efforts to abolish it.

At one time they succeeded in getting a number of these prostitutes on board a ship to return them to China, but a prominent lawyer in San Francisco procured a writ of habeas corpus and brought them before the court, which decided that they had a right to remain, and discharged them. The original responsibility for their importation lies with the Steamship Companies and masters of sailing vessels, who should have refused to bring them. But when we consider the extent and effect of white prostitution in all our large cities, and the openness with which they ply their vocations, we cannot charge this to the Chinese as an original offence, or one peculiar to their colour. A vice to which they are peculiarly addicted is gambling. This they carry on extensively, but not more so, nor so recklessly, as it was practised by the white settlers of California when they had with them but few wives and families, and it is largely due to their homeless and outcast condition, and to the persecutions which drive them together for recreation and protection.

It is, like prostitution, a vice greatly to be deplored, but not so peculiarly Chinese as to make it the basis of special legislation. The Chinese are not addicted to the use of intoxicating liquors; keep no saloons or whisky shops, and a drunken Chinaman is rarely seen in San Francisco. Their form of intemperance is in the use of opium, which they smoke in shops set apart for that purpose. It does not produce violence or outbreak, but stupor, followed by languor, depression, and disease, and the number who practice it is smaller than the number of whites who visit saloons and get drunk. A common vice with them is perjury in the courts. The testimony shows them in many instances to have very imperfect conceptions of the obligations of an oath. They are in every respect free men, and no form or semblance of slavery or serfdom exists among them. But it is also true that their prostitutes are imported as slaves, are often bought and sold for that purpose in San Francisco. It is, of course, a voluntary bondage in this country, but it is submitted to by the miserable beings, who are helpless and defenseless among strangers, and must submit to the will of their masters for the mere matter of existence. In many cases Chinamen who buy them live with them as wives and raise families. Labour must needs be free, and have complete protection, and be left open to competition. Labour does not require that a price shall be fixed by the law, or that men who live cheaply and can work for lower wages, shall, for that reason, be kept out of the country.