

IMMIGRATION OF ALIENS

A SPEECH BY SENATOR SIMMONS

Senator Simmons, South Carolina, addressed the Senate on the subject of immigration, discussing the impact of foreign labor on the domestic market and the need for protective legislation.

Following is the full text of the able speech by Senator Simmons, in the Senate of the United States, February 18th, on the subject of immigration, in which the South's great problem is presented in a masterful manner:

The Senate having under consideration the bill (S. 4403) entitled "An act to amend an act entitled 'An act to regulate the immigration of aliens into the United States,' approved March 3, 1903":

Mr. Simmons said:

Mr. President: "I have always since I have been a member of the Senate, whenever an opportunity offered, acted with the representatives of the Pacific coast upon questions affecting Oriental immigration and settlement in this country, because while the social and industrial conditions created by the presence in our midst of these unassimilable peoples create a situation of national interest and concern, their concentration in the States of the Pacific coast more distinctly a Pacific coast problem just as the concentration of the negro in the South makes the negro problem more particularly a Southern problem."

"The Pacific coast the South feel that being more familiar with the character and the conditions out of which the negro problem arises than the people of the balance of the country, they understand better what kind of legislation is necessary and proper to meet these conditions."

"For the same reasons the people of the South feel that as the people of the Pacific coast are more familiar with the Oriental character and the conditions out of which our Chinese and Japanese problem arises, they understand that better than the balance of the country and know better what kind and character of legislation is necessary to meet that situation."

"As the people of the South demand the right to settle the negro question in their local areas, and they insist that in its national aspects their interest and counsel should to a large extent control, so they think the people of the Pacific coast should be allowed to deal with the Japanese problem in its local aspects as they think best, and that in its national aspects their interest and counsel should control, as long as their action they propose is proper and within constitutional limitation."

"In many ways in public speech and by private assurances Representatives upon this floor and in the other branch of Congress from the Pacific coast have shown their appreciation of the sentiment of the South toward them in respect to their problem, and that they entertain a like sentiment toward the South with respect to its race problem."

"For these reasons I should deeply regret to have to cast a vote affecting these questions which would tend to create friction or to alienate the feeling of mutual sympathy between these sections upon these questions, and I will not do it except under a strong sense of duty and compulsion."

UNFORTUNATE SITUATION.

"It is unfortunate, Mr. President, that the bill as amended and framed by the conferees should couple a provision concerning Japanese immigration satisfactory to the Senators from the Pacific coast with a provision affecting the methods by which the South is endeavoring to supply its need for more labor in a way unsatisfactory to some Southern Senators at least."

"This question of exclusion of Japanese laborers by legislation or treaty is in itself a great question—I might say now an acute if not an overshadowing question and I think it would have been far better for the administration and Congress to have dealt with it as a separate question. But it has been determined otherwise, and the two questions have been joined in one measure which is presented to us in such a form that we can not vote against one and accept the other, but we must accept or reject both."

"If I believed, as does the Senator from Georgia (Mr. Bacon) and as does the Senator from South Carolina (Mr. Tillman) that the proposed amendments would be copied, handled or otherwise treated in such a way as to secure foreign immigration through State promotion and aid, I would regret to oppose a measure which Senators from the West think offers their section protection against an influx of cheap Japanese coolie labor."

"Mr. President, in these conditions I have decided to vote for the bill as amended by the conferees because after careful study of it, I have reached the conclusion that the changes it makes in existing law will not embarrass or injuriously affect the South, and its efforts to solve its labor problem through means of the so-called South Carolina method of State promotion."

SCARCITY OF LABOR.

"As a result of the labor scarcity hundreds of thousands of acres of land which would yield profitable crops are uncultivated and between one-fifth and one-fourth of the cotton supplies in the States are lost."

"Unless we can get this labor from elsewhere, either in this country or abroad, it means curtailment in our present activities and a halt in that wonderful development and progress, along both agricultural and manufacturing lines, and increasing so much to the wealth and prosperity of the country at large and changed the balance of world trade in our favor."

"We have tried to get this labor from other parts of our own country,

because we have felt and thought it should be drawn from other parts of the United States, where the people are more in harmony with the native population than foreigners would be, but we have failed. It is not my purpose to go into the reasons for this failure, but simply to state the fact. In these conditions we have been compelled to look abroad for this additional labor."

"While the volume of foreign immigration to this country during recent years has been enormous, scarcely any of it has gone to the South. If it followed its own trend but little of it is likely to go for a long time to come, especially if measures are not taken to correct false and erroneous notions of the social and labor conditions there which have been disseminated abroad by adverse interests."

"Something in the direction of inducing and directing immigrants toward the South can be accomplished through State agencies for that purpose located at Ellis Island and other places of alien debarkation in this country. The immigration bill as it passed the Senate contained the substance of a bill which I introduced two years ago providing for the maintenance of a large part of our present immigration to the great cities and centers of population, but as the destination of the great mass of these immigrants, especially the better class of them, is determined before they leave the other side, no great measure of influence over the labor market here in the South, probable or even possible from this source."

MUST REACH HIM AT HOME.

"If the South must supply its labor needs through foreign immigration, and as I have said before, it seems reasonably certain that it must, the only way in which it can supply it from this source, and at the same time, in a manner acceptable to the immigrants, is by reaching the immigrant before he leaves his foreign home. This, of course, can be done only through solicitation of representatives or agents either of individuals, corporations, or the State."

"The admission to this country of the immigrants brought over under these circumstances is a recognition by the Secretary of Commerce and Labor of the fact of the State under existing law to receive these contributions from individuals and corporations, and with them pay expenses of immigrants so long as it is not shown that there was a contract giving the contractor the right to receive from the State the distribution and employment of such alien laborers as might be induced to come."

"Now, Mr. President, if the amendments proposed by the conferees are adopted, the Secretary of Commerce and Labor will have to notify to some extent his ruling as I have stated it; but I do not think the more from the South in their efforts through State agency to secure needed immigration from abroad."

"In what respects, Mr. President, would the opinion have to be changed? Giving full force and effect to the amendments proposed, there will still be left to the State the right to appoint an agent, to send that agent to any foreign country, with full power to advertise any and all inducements and advantages the State has in truth and in fact to offer to the settler. He may set forth labor conditions; he may set forth the scale of wages; he may give a positive assurance to the immigrant that if he comes he will find that employment at a fixed and certain wage. He can go further; he can, using State funds for that purpose, pay his transportation expenses. He can likewise pay his expenses from the back to the country from which he came, if he is dissatisfied with the conditions as he finds them, or if he shall find that he can not secure employment, or can not secure employment at the scale of wages promised and guaranteed. The only thing the agent may not do, Mr. President, that he can now do is to enter into a contract with the immigrant before his debarkation for services to be performed in this country at a fixed rate of wage, and the bureau of immigration of the State can not receive from individuals or corporations contributions to defray the expenses of solicitation and importation when those contributions have a string tied to them, or when they are received upon an understanding of any kind or nature whatever, whether expressed, implied or understood, that the contractor is to have a preference in the distribution of such immigrants as may thereby be induced to come."

SERIOUS OBJECTIONS.

"Mr. President, there are serious objections to the importation to this country of alien contract labor under individual or corporation initiative, and these objections obtain with equal force against individuals or corporations using the State as their agent to do the same thing. The right to solicit and aid foreign immigration, while denied individuals and corporations, is given to the States upon grounds of wise public policy, which could not be applied to the individual or the corporation is allowed to do through a State agent what the law will not permit him or it to do directly. The objections therefore which obtain against contract labor directly imported by individuals or corporations, obtain in a large measure where the individual or corporation supplies the money and means to the State, because under these conditions he or it will likely be the beneficiary of whatever success may attend the State's efforts."

"For these reasons the law ought not, in my judgment, permit the State to receive from individuals or corporations money to be used in connection with promoting immigration under the exemption allowed to the State in the distribution of the contributions to such fund that they will enjoy or be given any preference or advantage in the distribution of aliens who might thus be brought to the State over other citizens."

"Of course, there could be no sort of objection to contributions to this fund by anyone who contributes solely because of his desire as a citizen to aid in supplying a public demand in this regard, either reserving or demanding for himself any greater consideration in a situation which has been growing more urgent every day."

WILL VOTE FOR BILL.

"I would not support the amendments proposed by the conferees if, in my opinion, they would change the present law so as to interfere with the rights of the States under the law to promote foreign immigration by soliciting and inducing, through its properly constituted officials and Agents abroad, I am going to vote for the bill as amended by the conferees because I am convinced it makes no such changes in respect to this right

of the States as the Senator from Georgia (Mr. Bacon) and the Senator from South Carolina (Mr. Tillman) fear, and because, as I said before, I am anxious to aid the people of the Pacific coast in their effort to protect themselves against an influx of cheap and undesirable Oriental labor."

"Now, Mr. President, let us examine and analyze for a minute the so-called South Carolina plan, the decision of the Department of Commerce and Labor with regard to it, and effect of the proposed amendments upon that plan; that we may see whether I am right in my conclusions and contentions."

"As I understand it, the ruling of the Secretary in the South Carolina case, based upon the legal opinion of Mr. Earle, the solicitor of that department, holds that under the exemption in favor of the States, it is competent for a State to send its agent to a foreign country; it is competent for that agent, in the name of the State, to advertise the inducements and advantages of this State. He may set out climatic conditions; he may set out health conditions; he may state soil conditions; he may set forth the resources and industries of the State; he may set forth the wage scale and the demand for labor, and he may set forth the inducements, such as free houses and fuel, or short hours of labor, etc., which his State may and does hold out to settlers. He may go further than that, under this ruling; he may, acting for the State, prepay the transportation charges of the immigrant to his country. He may go even further still. He may give the immigrant an assurance which is, in my opinion, almost, if not quite in effect, a contract that he shall have employment at a fixed scale of wages and a guarantee of employment for a certain period, or if he shall find any of the essential representations made to him untrue, or even if he is dissatisfied, he shall be returned to the country from which he has come at the expense of the State."

"It appears from the opinion of the Solicitor of the Treasury in this case that the money to defray practically all the expenses incurred by the commissioner of immigration of South Carolina in securing and bringing over these immigrants was furnished by the State. The money was not being contributed to the State, and that most of the immigrants upon their arrival were employed by these contributors."

RIGHTS OF A STATE.

"The admission to this country of the immigrants brought over under these circumstances is a recognition by the Secretary of Commerce and Labor of the fact of the State under existing law to receive these contributions from individuals and corporations, and with them pay expenses of immigrants so long as it is not shown that there was a contract giving the contractor the right to receive from the State the distribution and employment of such alien laborers as might be induced to come."

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LEGISLATION UNNECESSARY.

"Mr. President, I do not, as I have said before, apprehend any embarrassment to the States of the South growing out of the amendments under discussion, but I do not think there is any present necessity for this legislation. The object sought in making these changes in the law is not to provide against an actual or demonstrated evil or abuse, but against a possible abuse and a contingent evil. It would have been just as well to wait until there was an actual abuse by the States in their efforts to promote immigration. So far as the facts show there has been no abuse up to the present time. There may be none. This scheme, Mr. President, of promoting immigration through State initiative, was initiated by the State of South Carolina. There has been brought over up to this time but one shipload; I think about five hundred persons in all."

Mr. Tillman: "Two shiploads."

Mr. Simmons: "Two shiploads of five hundred each, probably."

Mr. Tillman: "Six hundred and fifty in all."

Mr. Simmons: "The Senator says six hundred and fifty in all. Nobody up to this time has charged, certainly, but it has not been shown, that there has been any abuse of the authority of the State in this regard, so far as our contract-labor laws are concerned in the action of that State. The State of South Carolina, encouraged by the success of South Carolina, seeing the opportunities that are offered by that method, are getting ready to take advantage of the ruling in that case. If the process of development, as the States begin to operate under this law, abuses shall arise, it will be time enough to resort to legislation. If abuses shall arise, growing out of contributions from corporations and individuals, resulting at least in an obligation which is likely to be assumed and to be a burden to those to whom an advantage in the distribution of the immigrants they could probably be effectively dealt with by departmental regulations."

WARNED SOUTH CAROLINA.

"I was, Mr. President, I am advised that the Commissioner of Immigration has this matter in mind, and that he has warned the State of South Carolina that there must be no agreement between State authorities and contributors to immigration funds providing for a preference, nor must there be actual preferential treatment in distribution. I am also informed that the Department of Commerce and Labor is holding or preferring of this kind should be disclosed, hold itself authorized under existing law in deporting immigrants brought in under such conditions."

"Mr. President, I wish to emphasize my opposition to that kind of legislation. I am opposed and the people of my State are opposed to the importation of foreign contract labor under individual or corporate initiative, largely because that would let down the bars to indiscriminate immigration. To stop and prevent the present unrestricted and indiscriminate influx into this country of aliens I offered the educational test amendment to the pending measure, which the Senate adopted, but which the House struck out. I wish to know that the commission of blue laws which the bill

provides to investigate the whole subject of immigration will give special consideration to the feasibility of applying this test."

"Every consideration of public policy and equitable treatment of American labor requires that some effective restraint should be placed upon the ignorant hordes that are to-day pouring in upon us from nearly every quarter of the globe. In my opinion the State action, under conditions which will guarantee perfect dependence and freedom in selecting the good and passing by the undesirable, is the most effective scheme of accomplishing this desirable restriction."

"The people of my State would rather have the hard labor conditions which they have there to-day than to open the doors of that State to unrestricted immigration. They are especially opposed to the introduction into that State of immigrants from southern and eastern Europe, and I advised that no immigration bill can likely pass our Legislature which does not expressly provide that State agents abroad shall not solicit and induce to come to the State any except persons of Celtic, Scandinavian, or Anglo-Saxon origin and extraction."

SOUTH NEEDS LABOR.

"The South must have more labor, and it is willing to get it abroad since it can not get it elsewhere, but it wants those who are to come selected with a view to safeguarding its citizenship from further race and class problems. This State method of stimulating immigration obviates the difficulty which has confronted us heretofore. It secures, by the process of judicious and discriminating preference and exclusion, the kind and class of immigrants we want and excludes in a measure those not wanted. We would get a better people who would come to us not as the Italians of southern Europe, not as the Huns and Poles come, with the purpose of returning just as soon as they can make a little money; not as the Chinaman or the Japanese come, with the purpose of exploiting our labor markets; but with a fixed purpose when they come of staying; with a fixed purpose of making this country their home; with the purpose of adopting our customs and our habits, of learning our language, of assimilating with our people, of intermarrying with them and becoming a part of a homogeneous whole; with a purpose of making themselves true and loyal citizens of our country, ready to defend its flag, and able to comprehend and understand the genius of its free institutions."

"That is the kind of labor and immigrants we want. If you let down the bars, if you permit corporations to go and bring in immigrants as they may desire, either directly or through a State agent, by furnishing to the State its immigration fund, that can not be accomplished, and the immigration we are likely to get in the South will largely be of a kind that we do not want, that will not help us, that will become an element of disorder and disturbance, and the complicating the social and labor problems which now, unfortunately, vex and distract us."

"For that reason, Mr. President, so far as I personally am concerned, I am satisfied with this report, because I think it leaves to the States all the power in this regard, and I think that all that the State has to do is to take up the burden itself and not ask somebody to bear it under an agreement or contract that they shall have an advantage. As it does this, it accomplishes that purpose which I say to be the object of this legislation, the influx of immigration against the admission of that element that we think would be dangerous to our society and to our civilization."

"If I thought, as I said in the beginning, that the charges proposed would so modify and change the report, that I should be able to support it, I would not have said that. It is not shown nor do I mean to charge that these contributions were received with any unlawful or prohibited understanding or agreement; but I do believe and I do say that such a practice tends to defeat the very object of the law, which is to allow the States to promote foreign immigration, and I do believe and I do say that it tends to defeat our laws against the importation of foreign contract labor."

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RHEUMATISM.

"Old Mr. Rheumatism hangs on tight and bites and pinches when he takes a hold. It's quite a job to shake him off. It's hard to believe that all the pain and trouble he causes comes from such a little thing. Just a tiny bit of acid in the blood the kidneys haven't taken care of. But the kidneys aren't to blame. I used to think they were. Now I know better. It's that overworked and overworked stomach giving the kidneys part of its work and the kidneys can't do it. I found this out with Cooper's New Discovery. It puts the stomach in shape, that's all it does, and yet I have seen thousands of people get rid of rheumatism by taking it. That is why I am positive that rheumatism is caused by stomach trouble. Here is a sample of letters I get every day on the subject:

"For a long time I have been a victim of sciatica and inflammatory rheumatism, and my suffering has been too great to describe. For weeks I lay helpless. My kidneys and stomach were affected also. I could eat but little, digest less and gradually my strength left. I lost flesh rapidly."

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"The people of my State would rather have the hard labor conditions which they have there to-day than to open the doors of that State to unrestricted immigration. They are especially opposed to the introduction into that State of immigrants from southern and eastern Europe, and I advised that no immigration bill can likely pass our Legislature which does not expressly provide that State agents abroad shall not solicit and induce to come to the State any except persons of Celtic, Scandinavian, or Anglo-Saxon origin and extraction."

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"The people of my State would rather have the hard labor conditions which they have there to-day than to open the doors of that State to unrestricted immigration. They are especially opposed to the introduction into that State of immigrants from southern and eastern Europe, and I advised that no immigration bill can likely pass our Legislature which does not expressly provide that State agents abroad shall not solicit and induce to come to the State any except persons of Celtic, Scandinavian, or Anglo-Saxon origin and extraction."

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"The South must have more labor, and it is willing to get it abroad since it can not get it elsewhere, but it wants those who are to come selected with a view to safeguarding its citizenship from further race and class problems. This State method of stimulating immigration obviates the difficulty which has confronted us heretofore. It secures, by the process of judicious and discriminating preference and exclusion, the kind and class of immigrants we want and excludes in a measure those not wanted. We would get a better people who would come to us not as the Italians of southern Europe, not as the Huns and Poles come, with the purpose of returning just as soon as they can make a little money; not as the Chinaman or the Japanese come, with the purpose of exploiting our labor markets; but with a fixed purpose when they come of staying; with a fixed purpose of making this country their home; with the purpose of adopting our customs and our habits, of learning our language, of assimilating with our people, of intermarrying with them and becoming a part of a homogeneous whole; with a purpose of making themselves true and loyal citizens of our country, ready to defend its flag, and able to comprehend and understand the genius of its free institutions."

"That is the kind of labor and immigrants we want. If you let down the bars, if you permit corporations to go and bring in immigrants as they may desire, either directly or through a State agent, by furnishing to the State its immigration fund, that can not be accomplished, and the immigration we are likely to get in the South will largely be of a kind that we do not want, that will not help us, that will become an element of disorder and disturbance, and the complicating the social and labor problems which now, unfortunately, vex and distract us."

"For that reason, Mr. President, so far as I personally am concerned, I am satisfied with this report, because I think it leaves to the States all the power in this regard, and I think that all that the State has to do is to take up the burden itself and not ask somebody to bear it under an agreement or contract that they shall have an advantage. As it does this, it accomplishes that purpose which I say