

BY TELEGRAPH. FORTY-FIFTH CONGRESS.

SENATE.

WASHINGTON, 14.—The Senate, at 1.30, to-day, resumed consideration of the Chinese immigration bill. Blaine, of Maine, having the floor, proceeded to address the Senate, speaking as usual without notes but with his customary earnestness and animation, substantially as follows: He said on the remarks of the senator from Ohio (Matthews) yesterday, he presented the idea that the government of the United States solicited the existing treaty with China. He (Blaine) thought that just the reverse of the historic fact. What was known as the Reed treaty, had given the trade facilities with China. The Burlingame treaty was certainly asked in the most impressive manner from the United States. Burlingame was a man of good address, and great ability. China, in selecting him to make this treaty, selected a man who was able to do perhaps what no other man could have done for them. The Chinese subject divided itself into two parts, one of substance and one of form. The first was whether we might adopt this mode of terminating the treaty, and the second was whether it was desirable to exclude Chinese immigration from the country. Mr. Blaine here read from the Burlingame treaty to the effect that the two governments agreed to pass laws making it penal offense to take citizens of China to the United States, or citizens of the United States to China without their free consent; that immigration should be entirely voluntary, and argued that that clause of the treaty had been violated from the beginning by China. There was no notice at the state department that China had ever complied with that provision of the treaty or made such a law. The Chinese government agreed to make a law that immigration should be entirely voluntary, but it never did so, and the treaty stood broken by China from the beginning. The argument of the senator from Ohio was answered by the fact that China had broken the treaty continuously. If Great Britain, France or Germany should locate six commercial companies in New York, and bring here the worst people of those countries, what would the senator from Ohio do?

Matthews said he would use our diplomatic representative in such country to make complaint to the offending government, and only in the event of a contumacious refusal by such government to obey the treaty would he resort to legislation.

Blaine, resuming, said this country and this Senate would not hesitate to defy any European power which should act as China had, although the senator from Ohio argued that we acted so with China because she was not a war power. He next referred to the volume of treaties, and said the Burlingame treaty was one which did not terminate itself or provide a mode upon its termination. Somebody must take the initiative of terminating it. The senator from Ohio said he would go to the Emperor of China and make certain representations to modify the treaty. Suppose the Emperor should refuse? In case he should say, "I desire to stand by that treaty," what would the senator do?

Matthews—I would take it into consideration. (Laughter.)

Blaine, resuming, said the senator from Ohio argued from the proposed legislation giving us a bad name. It had always been the habit of nations to terminate a treaty when it was found to be pernicious. Self preservation was the first law of nations, as well as of nature. This Chinese question was not new. It had been here before. When the naturalization laws were amended. So far as his vote was concerned, he would not admit a man as an emigrant to this country, when he was not willing to make a citizen. Trumbull, senator from Illinois, had once submitted an amendment to allow Chinamen to be naturalized.

The vote upon the amendment was—yeas 9, nays 31. There was a vote of 31 to 9 that the Chinese ought never to be made citizens. Under our system of government we should never admit people who were not to aid in the government and take part in the body politic. We must either exclude Chinese or include them in the great family of

citizens. The vast hordes of China were nearer to the Pacific coast in point of expense of transportation than the people of Kansas or the Mississippi Valley. The Chinaman to-day had the advantage over the American laborer in reaching the Pacific Coast, either Anglo-Saxon would possess the Pacific slope, or the Mongolian would give them the start to-day with the keen thrust of necessity behind them, and it was demonstrated that they would occupy that great space between the Sierra and the Pacific coast. The Chinese themselves were to-day establishing steamship lines and providing means of transportation to this country. He spoke of the vices of the Chinese, and looking towards Howe, who sits next to him, and to Mr. Hamlin, he said: "The senator from Wisconsin and my colleague both voted that the Chinese would not be naturalized."

Howe said they did not; he said they never should be.

Blaine—You voted no, and then proceeded to take the question into consideration, like the senator from Ohio. (Laughter.) Continuing his argument, Blaine said with the republic organized as it is to-day, he would make bold to declare that we could not maintain a non-voting class in this country. It was a necessity to give the negro suffrage.

Dawes said they naturalized Chinamen in his state.

Blaine—By what laws?

Davis—By state laws.

Blaine—Then you do it in violation of the United States laws?

Sargent said the United States circuit court of San Francisco, in a test case, decided that the Chinamen could not be naturalized.

Blaine—The prohibition is on the very front of the law. In the course of further argument, Blaine inquired if there was a senator on this floor who would say that under the Burlingame treaty as it is now operating, the Chinese could not overrun the Pacific Coast should they choose to do so.

Hamlin said, during the last 20 years the net Chinese emigration to this country had not exceeded 4,000 a year. He was indifferent as to all the predictions of evils to come from Chinese immigration. Treat them as Christians, and they will become good citizens. (Applause in the galleries.)

Sargent quoted from statistics to show that the six companies imported 151,300 Chinese during the period mentioned by the senator, and this number did not include those landing in Oregon and other places.

Morrill inquired if a large number did not return to China each year.

Sargent replied in the negative.

Hamlin claimed that there were not over 100,000 Chinese on this continent.

Blaine, resuming, said if the admonitions of our history were anything they should teach us to flee from a race trouble as the one thing to be avoided. Could any one say we had solved the negro question satisfactorily, or that we were prepared to invite or permit another race trouble? Such a thing to him seemed to be the very recklessness of statesmanship. His colleague had said, "Treat the Chinese as Christians." They could not be Christianized, and the demoralization of the whites was more rapid than the salvation of the Chinese by reason of the contact. If Congress failed to pass a bill to restrict Chinese immigration, law and order could not be maintained in California five years hence, without the aid of the military. (To Mr. Sargent,) Do I overstate it?

Sargent—I am sorry to say that I think you do not.

Blaine continued and said he had heard a good deal about cheap labor. He did not believe in cheap labor. In a republic where suffrage was universal, cheap labor could not be legislated for. Labor should not be cheap. It should be dear. It should have its share. There was not a laborer on the Pacific coast to-day who was not crushed on account of competition with Chinese labor. You could not make a man who must have beef and bread, and perhaps beer, work with a man who could live on a handful of rice. This was not an effort to bring rice up to level of beef and bread, it was to drag beef and bread down to the rice standard. (Applause.) In conclusion he argued that this legislation was in strict accord with international obligations. It was justified, as the Chinese never lived one month under the terms of the treaty. The question was whether

we would devote an important section of the United States to be the home and refuge of our own people and those affiliating with us, or whether we would leave it open for those who inevitably degrade us. The Senate must this day choose whether it would insist upon their visitation of Christ or the civilization of Confucius. (Applause.)

Mitchell was the next speaker. He said he did not now propose to enter into any elaborate argument on this subject, as he had previously given his views at length. He gave his hearty and unqualified support to the pending bill. He then spoke of the importance of the subject, and said it concerned the perpetuity of our republican institutions. He spoke of the constitutional powers of Congress to pass the bill and argued that all nations recognized the imperative necessity of so regulating their affairs as to free their people from contaminating influences. Under no circumstances could a Chinaman become a citizen of the United States. The sooner we announced our true position on this subject and maintained it, the better it would be. By the law of nations every treaty prejudicial to the state was void and fell to the ground. In support of this argument he quoted from Vattel, and continuing, asked who had a better right to judge whether a treaty was prejudicial than the law-making power? He spoke of the vices and habits of the Chinese, and in conclusion argued that the passage of the pending law was justified not only by law, but by the highest considerations of governmental policy.

Matthews submitted the following as a substitute for the House bill: That the President of the United States is hereby requested, as promptly as in his judgment would be expedient, to give notice to the Emperor of China that the existing treaty stipulations regulating the immigration of subjects of the Chinese Empire to this country, and the practice of immigration which has resulted therefrom, are not satisfactory to this government, and to request such modifications thereof as will, in his opinion, limit or prevent the evils resulting therefrom, and that unless the Emperor of China shall assent to such modifications by negotiation of a new treaty, to be submitted to the Senate for its ratification, on or before the 1st day of January, 1880, the President is hereby authorized and requested then further to notify the Emperor of China that this government abrogates the existing treaty from and after the 1st day of July, thereafter.

Thurman, Ohio, said he had very few words to say on this bill, and nothing to say on the general question involved. He would assume that the arguments already made had convinced the Senate that a limit should be put upon Chinese immigration. What he would say would be as to the mode of limiting that immigration. It had been argued that a new treaty should be made with China. To him it seemed perfectly clear that it would be ruinous to this or any other country to say that a treaty could only be ended by the negotiation of a new treaty. If that doctrine was true, the Emperor of China, by refusing to negotiate a new treaty, could hold the United States to this, no matter how pernicious it may be to us. He argued that the power of abrogating treaties rested in Congress, and quoted from a number of authorities in support of his position. He also referred to the abrogation of the French treaty by act of Congress in 1793, as a sufficient precedent for this bill. The immigration of Chinese to the United States always had been a more suitable subject for legislation than for treaty. It should be dealt with by the House of Representatives rather than by the treaty-making power alone. He argued that there had been ample time for the executive to move for a modification of the treaty. Nothing had been accomplished, and now it was time for Congress to take the business in hand. In case the treaty should be simply abrogated, the Chinese could still come to this country unless there was legislation to prevent them. He therefore opposed Matthews' amendment. Continuing his remarks, he said that of all countries on the face of the earth China was the last one to insist upon the immigration of her subjects, when for ten centuries she had shut out all the world. We

have three races on this continent now—the white man, the black man and the red man—and we wanted no more mixtures. He was in favor of the immigration of white people to this country, because every one of them added strength and wealth to the nation, but that was not the case with the Mongolian.

Sargent submitted several amendments to the bill of a verbal character and they were agreed to. He also submitted an amendment, as an additional section, providing that the act shall not apply to persons officially connected with the Chinese government, or any embassy thereof, or to persons rescued from shipwreck. Agreed to. Also an amendment directing the President of the United States immediately, upon the approval of the act, to give notice to the government of China, of the abrogation of articles five and six of the Burlingame treaty. Agreed to.

Jones, of Nevada, then took the floor and made an elaborate argument in favor of restricting Chinese immigration. He referred at length to their habits and said in dexterity and imitableness they had no superior. He argued that if they should be permitted to come here, they would drive out American labor. All they needed was capital and that they would speedily accumulate. Many more Chinamen would have been here if this immigration had not been checked by popular indignation. He spoke at length on the labor question and argued that Chinese competition was dangerous to white labor, just as negro slavery was prejudicial to it. The Chinese, under all circumstances, maintained their national character.

Mr. Jones spoke about two hours and ably discussed the questions involved in the bill from a variety of standpoints, including especially those of political economy, ethnology and the law of nations.

Hoar, of Massachusetts, at 6 o'clock moved to adjourn.

Sargent hoped the Senate would not, and urged it to remain in session and dispose of this matter.

Windom (Minn.) gave notice that he would insist upon the appropriation bills to-morrow. The Senate by a rising vote of yeas 14, nays 31, refused to adjourn.

Conkling (N. Y.) then submitted the following as a substitute for Matthews' amendment: That the President of the United States is hereby requested immediately to give notice to the Emperor of China that so much of the existing treaty as permits the immigration of subjects of the Chinese Empire to the government of the United States, and in its judgment are pernicious, is abrogated, and to propose such modifications of the said treaty as will correct the evils complained of, said modifications to be made in a new and supplemental treaty to be submitted to the Senate of the United States, on or before the 1st day of January, 1880. Should the government of China refuse or omit to agree to a change of the existing treaty, to such modifications as are aforesaid, then the President of the United States is further requested, and he is authorized to inform the Emperor of China that the United States will proceed by laws of its own, to regulate or prevent the immigration or importation to its shore of the subjects of China, and after January 1st, 1880, to treat the obnoxious stipulations as at an end.

Matthews withdrew his amendment and that of Conkling was in order.

Sargent hoped the amendment of the senator from New York would be voted down. It was simply a promise to do something hereafter.

Conkling said he was sorry to hear his friend from California appeal to the friends of the bill to vote down this amendment, and sorry to hear him call it a mere promise. The immigration of Chinese to our shores did not begin with the treaty. It began before the treaty, and would proceed after the abrogation of the treaty. He explained his amendment and said there was something more than a promise in it. It was what surgeons would call heroic treatment. We are not dealing now with a nation provided with means to conquer. There were senators who felt that the bill before the Senate was excessive, abrupt, unwarranted. These senators argued that, according to the manners prevalent in civilized nations, there were better methods known by which to initiate transactions

such as this. He sympathized with the people of the Pacific coast and said they felt the evils of Chinese immigration more than any one else, on account of their contact with it. He was as eager as any senator from California, Oregon or Nevada to do what is permitted by civilized usages between nationalities to accomplish the whole purpose. He had understood that negotiations were pending which, instead of indicating that the government of China was opposed to any change in the treaty, indicated just the reverse. There were many senators who did not understand that we had not been met with any refusal on the part of China to change the treaty.

Thurman opposed Conkling's amendment. It went upon the idea that it would be a rude and offensive mode for the Senate to terminate a treaty by the proposed bill. The proposition of the senator from New York was far more offensive to the Chinese government than the pending bill.

Eaton, Connecticut, also opposed Conkling's amendment, and said the whole sum and substance of it was that it said to the Emperor of China: We will not abrogate the treaty to-night, but we will six months hence, unless you consent to abrogate it in the meantime. It was an absolute, downright threat, and a threat was worse than a blow. He failed to see the amendment in any other light than as an insult to the Emperor of China.

Sargent, in reply to some remark of Hoar, Massachusetts, said one mistake the opponents of the bill made was in belittling the fact that the peace of the Pacific states decided upon the passage of this bill. He again spoke of the hatred between American laborers and the Chinese, and the violence ready to burst forth in San Francisco at any time, but now kept down by the cooler judgment of the citizens of that city. The difficulty was that the senators did not take the Chinese question to heart; they seemed to care more for the Chinese, more for the alien, than they did for the comfort and happiness of the citizen. He argued that there was no reciprocity in these Chinese treaties. We are allowed to enter but five ports in China. He referred to the commerce with China, and said there was something more important than commerce; there was something in national purity; there was something in having the country inhabited by republicans and not by imperialists, as the Chinese are; there was something in the church, something in the schoolhouse worth preserving.

Sargent, being physically indisposed, said he was sick and unable to go on with his remarks, but he could not justify himself in his own conscience did he not, at this moment, appeal to the Senate to act upon this matter now that the other house had acted.

Beck, of Kentucky, said no greater calamity could befall the nation than to have a horde of Chinamen coming here and degrading our people.

Bruce (Miss.) said that representing, as he did, a people who, but a few years ago were disqualified for citizenship, and who were now struggling to advance themselves, he would vote against the pending bill.

Hamlin said he was opposed to the bill but would not be driven to an extended expression of his opinion at this late hour.

Howe thought it a needless discourtesy to drive this question to a final vote without giving the Senator from Maine, chairman of the committee on foreign relations, time to express his opinion in this matter. He therefore suggested that, by unanimous consent, it be understood that the debate on this question be adjourned over until to-morrow and that the vote be taken at 2 o'clock.

Dorsey and Windom objected to this arrangement on the ground that to-morrow's session should be devoted to the post office appropriation bill.

Bayard and Withers insisted that to-morrow the tax bill should next be considered, and Conkling thereupon proposed that an adjournment be taken until 11 o'clock to-morrow, without any understanding, except that the chairman of the committee who reported the pending bill should be given an opportunity to speak upon it.

Sargent remarked that the Senator from Maine had simply reported the bill without recommendation; had no responsibility for it and