

APPEAL

OF THE

Chinese Equal Rights League

TO THE

PEOPLE OF THE UNITED STATES

FOR

EQUALITY OF MANHOOD.

禁註映詰
例冊相駁

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CHINESE EQUAL RIGHTS LEAGUE,

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The New and Monstrous Anti-Chinese Bill.

"THE GEARY REGISTRATION ACT."

FORMATION OF THE CHINESE EQUAL RIGHTS LEAGUE AND ITS MASS MEETING
AT COOPER INSTITUTE, NEW YORK, ON SEPTEMBER 22, 1892.

This monstrous measure was read with astonishment by the majority of the people of the United States, and a thrill of indignation went through the hearts of many humanitarians, as cruel, unjust and exceedingly un-American. Upon the 1st of September, 1892, the leading English-speaking Chinese of the Eastern States called a meeting of its own citizens to assemble in New York to devise means to do what they could in the way of pleading to the people of this great Republic to deliver their fellow countrymen from this outrageous persecution.

The Chinese Equal Rights League was then formed, with a membership of 150 English-speaking Chinese merchants and professional men, most of whom have lived in this country for more than ten years, while some ever since their childhood. Mr. Sam Ping Lee, a merchant of Philadelphia, was duly installed as president, and Wong Chin Foo, of New York, a journalist, was made secretary. A mass meeting at Cooper Union on the 22d day of September was then called, at which over a thousand prominent Americans and nearly two hundred Chinese merchants attended, the speakers including several prominent Americans, and Wong Chin Foo, the secretary of the Chinese Equal Rights League, and the following resolution was then unanimously adopted by the large audience assembled:

WHEREAS, The Congress of the United States, by an act approved May 5, 1892, unjustly and wickedly discriminating between foreign residents from different countries, has traversed and contravened the fundamental principles of common law and the Constitution of the United States, and has ignored the assertion of the Declaration of Independence — that all men are born with equal rights; and

WHEREAS, The provisions of this act of Congress, commonly known as the "Geary Bill," bestow unheard of powers on the Secretary of the

Treasury, enabling him to fix illegal costs and expenses upon Chinese residents, thereby imposing "taxation without representation"; and

WHEREAS, The bill contains the outrageous proposition that any person who shall be arrested for its violations shall be adjudged guilty until he shall affirmatively prove his innocence; and

WHEREAS, The Chinese residents of the United States claim a common manhood with residents of other nationalities, and believe that they should have that manhood recognized according to the principles of American freedom; now, therefore,

We, the citizens of the United States, in mass meeting assembled, do hereby resolve and declare that the said bill is monstrous, inhuman and unconstitutional; and we hereby pledge ourselves to the support of that protest against the said bill which has been entered by the Chinese Equal Rights League of New York City.

APPEAL OF THE LEAGUE TO THE PEOPLE OF THE UNITED STATES.

To the American People, Friends of Humanity:—

We, the members of the Chinese Equal Rights League in the United States, who have adopted this country and its customs in the main, are at this moment engaged in a perilous struggle in which our dearest rights as men and residents are involved. Doubtless the reading public is acquainted with the fact that during the last session of the Fifty-second Congress, a Bill was passed, styled the "Geary Bill" or "Chinese Registration Act," in which the attempt is made to humiliate every Chinaman, regardless of his moral, intellectual and material standing in the community, neither his long residence in the country is considered. By this mean and unjust Act discriminating between foreign residents from different countries has traversed and contraversed the fundamental principles of common law.

As residents of the United States we claim a common manhood with all other nationalities, and believe we should have that manhood recognized according to the principles of common humanity and American freedom. This monstrous and inhuman measure is a blot upon the civilization of the Western World, and is destined to retard the progress already made by the good people of this country in the East in art, science, commerce and religion.

We appeal to the humane, liberty-loving sentiment of the American people, who are lovers of equal rights and even-handed justice, a people from whom sprung such illustrious characters as Washington, Jefferson, Clay, Sumner, lastly Lincoln, the citizen of the world, the friend of

humanity, and the champion of freedom: such illustrious warriors as Sherman, Sheridan, Logan and Grant, whose deeds of valor in the cause of freedom are to be seen in the grand march of American development—a development which merits the emulation of the nations of the earth. Must this growth be retarded simply on account of the doings of a misguided element who have suffered their feelings to control reason, encouraging a prejudice fiendish in its nature and purpose against a class of people who are industrious, law-abiding and honest? Can there be found a more inoffensive class in the body politic? not that we are cowards, but because we believe that mildness and simplicity should be the controlling element in the character of a great man as well as in a great race of people. We have and are still paying our portion of government taxation, thereby assisting in supporting the Government, and thereby sharing an equal part in the support of the Nation.

We love and admire the Government, and look with joy to her instrumentality in promoting every good and just cause among men, to her unwavering love of human rights, to her glorious efforts for the advancement of human happiness.

We, therefore, appeal for an equal chance in the race of life in this our adopted home—a large number of us have spent almost all our lives in this country and claim no other but this as ours. Our motto is: “*Character and fitness should be the requirement of all who are desirous of becoming citizens of the American Republic.*”

We feel keenly the disgrace unjustly and maliciously heaped upon us by a cruel Congress. That for the purpose of prohibiting Chinese immigration more than one hundred thousand honest and respectable Chinese residents should be made to wear the badge of disgrace as ticket-of-leave men in your penitentiaries; that they should be tagged and branded as a whole lot of cattle for the slaughter; that they should be seen upon your streets with tearful eyes and heavy hearts, objects of scorn and public ridicule. No! We do not believe it, that so great a people as the Americans would consent to so small a principle toward a mere handful of defenceless men.

Our interest is here, because our homes, our families and our all are here. America is our home through long residence. Why, then, should we not consider your welfare ours? Chinese immigration, as well as Irish, Italian and other immigration, cannot be stopped by the persecution of our law-abiding citizens in the United States.

Treat us as men, and we will do our duty as men, and will aid you to stop this obnoxious evil that threatens the welfare of this Republic. We do not want any more Chinese here any more than you do. The scarcer the Chinese here the better would be our conditions among you.

THE CHINESE REGISTRATION ACT.

The following obnoxious and outrageous bill was passed by the 52d American Congress, May 5, 1892; the same is to be enforced upon the fifth day of May, 1893:

AN ACT to prohibit the coming of Chinese persons into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all laws now in force prohibiting and regulating the coming into this country of Chinese persons and persons of Chinese descent are hereby continued in force for a period of ten years from the passage of this act.

SECTION 2. That any Chinese person or person of Chinese descent, when convicted and adjudged under any of said laws to be not lawfully entitled to be or remain in the United States, shall be removed from the United States to China, unless he or they shall make it appear to the justice, judge or commissioner before whom he or they are tried that he or they are subjects or citizens of some other country, in which case he or they shall be removed from the United States to such country: *Provided*, That in any case where such other country of which such Chinese person shall claim to be a citizen or subject shall demand any tax as a condition of the removal of such person to that country, he or she shall be removed to China.

SEC. 3. That any Chinese person or person of Chinese descent arrested under the provisions of this act or the acts hereby extended shall be adjudged to be unlawfully within the United States, unless such person shall establish, by affirmative proof, to the satisfaction of such justice, judge or commissioner, his lawful right to remain in the United States.

SEC. 4. That any such Chinese person or person of Chinese descent convicted and adjudged to be not lawfully entitled to be or remain in the United States shall be imprisoned at hard labor for a period of not exceeding one year, and thereafter removed from the United States, as hereinbefore provided.

SEC. 5. That after the passage of this act, on an application to any judge or court of the United States in the first instance for a writ of habeas corpus, by a Chinese person seeking to land in the United States, to whom that privilege has been denied, no bail shall be allowed, and such application shall be heard and determined promptly without unnecessary delay.

SEC. 6. And it shall be the duty of all Chinese laborers within the limits of the United States at the time of the passage of this act, and who are entitled to remain in the United States, to apply to the collector of internal revenue of their respective districts, within one year after the passage of this act, for a certificate of residence, and any Chinese laborer within the limits of the United States who shall neglect, fail, or refuse to comply with the provisions of this act, or who, after one year from the passage hereof, shall be found within the jurisdiction of the United States without such certificate of residence, shall be deemed and adjudged to be unlawfully within the United States, and may be arrested by any United States customs official, collector of internal revenue or his deputies, United States marshal or his deputies, and taken before a United States judge, whose duty it shall be to order that he be deported from the United States, as hereinbefore provided, unless he shall establish clearly to the satisfaction of said judge that by reason of accident, sickness or other unavoidable cause, he has been unable to procure his certificate, and to the satisfaction of the court, and by at least one credible WHITE witness, that he was a resident of the United States at the time of the passage of this act; and if upon the hearing it shall appear that he is so entitled to a certificate, it shall be granted upon his paying the cost. Should it appear that said Chinaman had procured a certificate which has been lost or destroyed, he shall be detained and judgment suspended a reasonable time to enable him to procure a duplicate from the officer granting it, and in such cases the cost of said arrest and trial shall be in the discretion of the court.

SEC. 8. That any person who shall knowingly and falsely alter or substitute any name for the name written in such certificate or forge such certificate, or knowingly utter any forged or fraudulent certificate, or falsely personate any person named in such certificate, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding one thousand dollars or imprisoned in the penitentiary for a term of not more than five years.

SEC. 9. The Secretary of the Treasury may authorize the payment of such compensation, in the nature of fees to the collectors of internal revenue, for services performed under the provisions of this act, in addition to salaries now allowed by law, as he shall deem necessary, not exceeding the sum of one dollar for each certificate issued.

Approved May 5, 1892.

The Treasury of the United States was then instructed to make out the following form of application :

No.——.

Application of Chinese laborer (or Chinese person other than laborer) for certificate of residence under act of May 5, 1892.

I, _____, a Chinese———hereby make application to the collector of internal revenue for the———district of———for a certificate of residence under the provisions of the act of Congress approved May 5, 1892, and state that I arrived in the United States on the———day of———, 18—, at the port of _____, per———, and that I was lawfully within the limits of the United States residing at———, _____, on the 5th day of May, 1892. That my age was———years' on my last birthday, and that my present local residence is at _____, and my occupation is———.

I further state that a true photographic likeness of myself is affixed to this application.

(Sign here.)———.

Subscribed and sworn to before me this———day of———, 189—, at———, ——.

Deputy Collector Internal Revenue———District———.

[Photograph to be affixed here.]

Every applicant will be required to furnish three unmounted photographic likenesses of himself or herself, one to be affixed to the application and two to be affixed to the certificate of residence, one to the original and one to the duplicate. These photographs will be securely affixed to the papers by strongly adhesive paste. Great care will be taken in receiving the photographs to see that they accurately represent the features of the applicant.

If the collector or his deputies have any doubt in regard to the correctness of the photograph presented, they will refuse to receive the application and require a correct one.

The photographs shall be sun pictures, such as are usually known as card photographs of sufficient size and distinctness to plainly and accurately represent the entire face of the applicant, the head to be not less than 1½ inches from base of hair to base of chin, No tintype or other metal picture will be received.

AFFIDAVITS OF WITNESSES.

The affidavits of two credible witnesses of good character to the fact of residence and lawful status within the United States must be furnished with every application. These affidavits shall be, in substance, as follows :

Affidavits of witnesses to application of Chinese laborer (or Chinese person other than laborer) for certificate of residence.

We, _____, residing at _____, _____, do solemnly swear that we are well acquainted with _____, a Chinese———whose application for a certificate

of residence is set forth on a preceding page; that we know of our own knowledge that on the 5th day of May, 1892, said _____ was within the limits of the United States, residing at _____, and we are informed and verily believe that said _____ arrived in the United States on the _____ day of _____, 18____, per _____, and was lawfully within the United States on said 5th day of May, 1892; that the said applicant now resides at _____, and is by occupation a _____, and that the photograph affixed to the foregoing application is a correct likeness of said applicant.

Signatures of witnesses :

Subscribed and sworn to before me this _____ day of _____, 189____.

Deputy Collector Internal Revenue,
_____ *District of* _____.

(Original.)

UNITED STATES OF AMERICA.

Certificate of residence issued to Chinese laborer (or Chinese person other than laborer) under the provisions of the act of May 5, 1892.

This is to certify that _____, a Chinese _____ now residing at _____, has made application, No. _____, to me for a certificate of residence under the provisions of the act of Congress approved May 5, 1892, and I certify that it appears from the affidavits of witnesses submitted with said application that said _____ was within the limits of the United States at the time of the passage of said act, and was then residing at _____, and that he was at that time lawfully entitled to remain in the United States, and that the following is a descriptive list of said Chinese _____ :

Name.	Age.	Local Residence.	Occupation.	Height.	Color of Eyes.	Complexion	Physical marks or peculiarities for identification.

And as a further means of identification I have affixed hereto a photographic likeness of said _____.

Given under my hand and seal this _____ day of _____, 189____, at _____, State of _____.

[COLLECTOR'S SEAL.]

Collector of Internal Revenue,
_____ *District of* _____.

[Photograph to be affixed here.]

For a certificate of residence and the witnesses necessary to obtain such certificates the reader will see at once that it is almost impossible for many applicants to do.

SPEECHES OF

Senator Sherman and Representative Hitt

UPON THE CHINESE REGISTRATION ACT AT THE TIME OF ITS PASSAGE IN CONGRESS.

“Here is a treaty by which China, the most populous nation in the world, agreed that the United States may exclude the class of people of China that we do not want here, making a discrimination against them among all the nations of the world. But it is done upon certain terms and conditions,—that, in respect to those who are now here, they shall be treated as all other peoples are treated; that no discrimination shall be made against them; that no mark of distinction shall be put upon them. By the terms of this bill I think that the treaty is violated, and I for one do not propose to vote for the conference report on that ground.”

The plainest exposition of the additions made to the Scott law by the new Chinese exclusion law was that given by Representative Hitt to the House. He said:—

“It compels every man in this country who is a Chinese laborer to go to the Collector of International Revenues, prove his title to remain in the country, and apply for a certificate, a pass, a sort of ticket-of-leave. To obtain this, he must himself prove his whole case; he is assumed to be not entitled to it; the burden of proof is all upon him.

“The rule of all free countries and all civil laws is reversed. He must prove residence here through a long series of years, back to the date of the enactment of the whole series of stringent laws since the treaty of 1880. He must find the witnesses in different places where he may have worked or resided, and one witness must be a white man. Even colored men are not admitted as credible witnesses.

“Every one can understand how difficult, how almost impossible, it is to make out such a long and costly line of proof, especially to a laboring man. This he must prove affirmatively, or he can get no certificate.

“If he is not granted a certificate,—and we can readily see how officers on the Pacific Coast would be glad to refuse it,—he is arrested, imprisoned six months or less, and then expelled from the country.

“If he obtains it he must carry it around with him, or be liable instantly and always to arrest, imprisonment, and deportation, like a convict.

“It is proposed to have 100,000 or, as some gentlemen assert, 200,000 men in our country ticketed, tagged, almost branded,—the old slavery days returned.

“Never before in a free country was there such a system of tagging a man like a dog to be caught by the police and examined, and, if his tag or collar is not all right, taken to the pound or drowned or shot.

“Never before was it applied by a free people to a human being with the exception (which we can never refer to with pride) of the sad days of slavery and the ticket-of-leave given to convicts allowed to go out awhile from the penitentiary, and the deported convicts at Botany Bay, who had to have a ticket-of-leave.

“But here are more than 100,000 men, innocent of offence, who must obtain this certificate, this ticket-of-leave, and carry it round with them in a free country! Is that the treatment due to a great body of men to whom we have solemnly promised, in the treaty pledge of our national faith, that they shall have all the rights, immunities, and privileges of citizens and subjects of the most favored nation? The treaty by which we are bound says, in Art. 2, ‘Chinese laborers who are now in the United States shall be allowed to go and come of their own free will and accord, and shall be accorded all the rights, privileges, immunities, and exemptions which are accorded to the citizens and subjects of the most favored nation.’

“Who rises here to propose labelling an Englishman or German when he goes through this country, or else make him liable to arrest, imprisonment, and expulsion? By one of these amendments, which the gentleman did not explain, the Chinese laborer who is here and has been, not the one returning to the United States in violation of law, and who has not been able to get a certificate, and is so adjudged not entitled to remain, shall be imprisoned at hard labor for a period not exceeding six months, and thereafter removed from the United States.

"This is our treatment of the most favored nation; this is our rule to measure the meaning of these words in our treaties. Is this the treatment we would permit any other people to inflict on Americans entitled in that country by treaty to all the privileges and immunities and rights of the most favored nation? Think of the difficulty, the danger of failure and imprisonment to these laborers who may have been here many years, in obtaining the ticket or certificate they are condemned to get or go to jail.

"Remember the storm of public opinion that this poor creature must meet when he goes before an officer, not to meet a charge of offence by answering the proof against him,—the right of all freemen in Christian land,—but as one assumed to be violating law, and compelled, with the burden of proof upon him, to prove that he is entitled, by residence established under this long series of laws, to remain in this country,—laws that we have contrived, with all the skill that lawyers could command, to narrow his rights under the treaty and make his position difficult.

"By this bill it is made his duty to go and hunt up a collector of internal revenue, five hundred miles away in some cases, apply for a certificate of residence, prove his case, and, if he gets his certificate, carry it about always to save him from new torment.

"How easy for him to fail to make out his whole case, and the officer refuse the certificate, especially if the public opinion of the community is strongly against him! for we know well the effect of public opinion upon an officer who is not judicial. That officer refusing the certificate, the man has but one thing to do,—to fly or go to prison. And this in the face of our solemn pledge in a treaty!

And with Hitt of Illinois, chairman of the Committee on Foreign Affairs in the last House, who said yesterday just before the vote was taken in the House: "Already, by the Act of Oct. 1, 1888, we have pressed hard in the treaty, while claiming all that is therein guaranteed to us, upon the rights of China as guaranteed us. Our relations with China to-day are strained. There has been an earnest, emphatic protest filed by the Chinese minister with the Secretary of State against the act now in force; but there has been no rupture. Now, on the top of that we take over 100,000 subjects of the Chinese Empire, and tag them like dogs, or mark them for imprisonment and punishment, unless they can prove their right to residence, so hard to prove under the present laws, and put upon them the burden of proof.

"By a new and effective treaty we can stop all Chinese laborers coming, but we will not succeed in making treaties by breaking treaties. I plead for national faith. I speak for the honor of my country. I entreat you, gentlemen, to keep that plighted word, that solemn promise, which is the oath of our country, to observe the obligations of a treaty which the other side has kept and still keeps, though we have already pressed hard upon it.

"If we would abstain from this system of irritating legislation just before elections,—for then it always comes up,—and approach China in the spirit in which she has treated us, this burden and trouble of Chinese laborers could soon be removed, the very source stopped, and the whole of this unwelcome immigration prevented by the hearty co-operation of China, which we could secure by a new agreement.

"But we have strained relations already.

"The better plan to prevent a threatened inundation of Chinamen, of which gentlemen speak, is not to construct a dam in this vicious method, and at the expense of truth and self-respect, but go to the source, and stop it there effectively and forever.

"We can readily arrange with the Chinese government for an efficient system, officers of that country and our own co-operating there to prevent any laborer from coming from that empire to the United States. They have often indicated that, if approached in a right spirit, they are willing to aid in discouraging emigration, and avoid the troublesome questions to which it has given rise. They would do it if we would only treat them with half-way courtesy."