To the president of the United States, and to the Senate and House of Representatives in Congress assembled [Protest against ill-treatment of the Chinese. 1885].

[1885]

To the President of the United States, and to the Senate and House of Representatives in Congress Assembled:

The undersigned, residents and citizens of the State of California and of the Pacific Coast, irrespective of political alliance, feeling aggrieved by the outrages recently committed in sundry places on the Coast against unoffending residents, in contravention of law and treaty stipulation, as well as of kindness, hospitality, and right, in that in Rock Springs, Eureka, Tacoma, Seattle, and many other places, parties claiming to represent the universal sentiment on the Coast, have, by threats and violence, driven from their several communities the whole Chinese population without distinction of age, sex, occupation, or character, do hereby submit this our Protest and Memorial, and beg therefore the consideration which the enormity of the offenses committed and the importance of the subject-matter presented demand.

Purposely omitting any discussion of the act restricting Chinese immigration, or of the manner in which it has been executed by the constituted authorities.

We submit 1st. That the perpetrators of these outrages do not represent the better part of the population of this Coast, and it is a slander for them to claim that public sentiment justifies or approves any such violence, or any such unjust and unlawful ejectment by threats and intimidation as have been used in the late riotous proceedings in sundry towns in this and other States and Territories.

We submit 2nd. That these threats and intimidations and riotous and bloody acts, committed under the light of the Nineteenth Century civilization, in this nation which claims to be a leading nation in intelligence, morality, and culture, shock our sense of national pride as well as our sense of justice, honor, and right. The Scripture injunction in regard to the “stranger sojourning among us” has been sanctioned and reasserted by all modern civilization, and to us it is abhorrent that in the name of public sentiment such violations of the laws of hospitality and humanity, to say nothing of right and plighted national treaty obligations, should be repeated in one community after another on our Coast.

We submit 3rd. That such attempts to violently drive out residents of any one nationality who have acquired a constitutional and legal right to reside in the United States, is in violation of the fundamental principle on which our government was founded by our fathers. One of the principles
deep down in their hearts was that this nation should be a refuge for the oppressed of every land. Shall it become instead a land of oppression, persecution, and cruelty?

We submit 4th. That the Chinese residing in this country up to the time of the passage of the Chinese Restriction Act have as good a constitutional right to be here as any foreign-born resident in the United States.

The treaty between the United States and the Emperor of China, commonly known as the Burlingame Treaty expressly guarantees to the Chinese the same privileges as to residence and trade as are granted to the citizens of the "most favored nation;" and the treaty of 1880 expressly continues these privileges to those Chinese in the country at the time the treaty was signed. The Constitution of the United States expressly states that the Constitution and the Treaties formed under it shall constitute the Supreme Law of the Land. The treaties formed under the Constitution are no less a part of the supreme law of the land than the Constitution itself. We note with peculiar and grateful gratification the language used in the last message to Congress, in which the President recognizes the binding obligations of the Treaty and urges that “all the power of this Government should be exerted to maintain the amplest good faith toward China, in the treatment of these men, and the inflexible sternness of the law in bringing the wrong-doers to justice should be insisted upon.”

We submit 5th. That the communities where these riotous acts occur, render themselves liable, according to law, for damages to life, property, and business, injured or destroyed in such riots. Besides, therefore, the mortification and outraged sense of humanity, innocent citizens are, by these lawless proceedings, in danger of being heavily taxed to pay the damages the injured Chinese may lawfully and righteously demand.

We submit 6th. That such high-handed, riotous, and murderous proceedings, if not promptly checked and summarily punished, will almost assuredly arouse the Chinese people in their own land to retaliation, and encourage the authorities there in their indisposition to bring to justice those who violate the treaty-rights of American citizens residing in China. Thus the lives and property of Americans in that country are endangered, and the mouths of our minister and consuls, who would seek redress, are stopped.

We submit 7th. That the Press generally on this Coast has not been outspoken and bold, as the circumstances demanded, in its denunciation of the foul crimes that have been committed. Thus crimes that outrage humanity have been condoned, and the impression has been created in other parts of our country that even the best citizens on the Coast sympathize with, and secretly approve the fearful deeds of the rioters.
In view of these considerations the undersigned memorialists feel justified and constrained to appeal to the Chief Magistrate of the Nation and to the Representatives of the people in both Houses of Congress, to see that such measures shall be adopted as shall bring the offenders to justice and prevent the recurrence of such acts, and as shall maintain the honor and insure the fidelity of the American Government to its treaty stipulations.

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