

XXI.

RESTRICTION OF IMMIGRATION.

“All countries are concerned with keeping their own useful citizens at home. All countries are concerned in preventing the ingress of foreign criminals, deficient or diseased.”— *Whelpley*.

“The situation is grave and threatening, for, no matter how favorable may be the laws of Europe as applied to emigration, until each nation is compelled by sentiment from within or without to bear its own social burdens, they will be unloaded as freely as possible along the line of least resistance. Our immigration tide unless thoroughly policed carries with it the germs of anarchy, crime, disease and degeneracy.”— *Whelpley*.

“While each of the colonies enforces more or less restrictive laws governing those who seek to enter, it is only necessary to note the experience of the United States to reach the conclusion that, should the popular tide of emigration turn toward these British Colonies, attracted by prosperous conditions or deftly directed that way by transportation interests, it would be equally impossible for South Africa, Australia or Canada to wholly exclude the undesirables.”— *Whelpley*.

“The atmosphere of the Old World is permeated with the spirit of emigration. In all cases of hardship, of lack of employment, of misery and want, of misfortune and crime, the sufferer is urged to emigrate. If an industry is languishing, the workmen are told to emigrate. If the poorhouses are crowded, the authorities try to empty them on the colonies. If the country is deserted for the city, the city is to be depleted for the colonies; and the persons who have once deserted the soil are to be placed on it again. If population is constantly increasing by an excess of births over deaths, the remedy lies in cutting down at the other end by sending away the adults.”— *R. Mayo Smith*.

When it has become necessary in the United States to form an immigration Restriction League, it is surely high time that we examined closely the character of our immigration, and shut out those whose presence will not make for the welfare of our national life.

[The class we should exclude]

President McKinley thus expressed the situation: “A grave peril to the Republic would be a citizenship too ignorant to understand, or too vicious to appreciate the great value and beneficence of our institutions and laws, and against all who come here to make war upon them, our gates must be promptly and tightly closed.” In his message of 1903, President Roosevelt said: “We cannot have too much immigration of the right kind, and we should have none at all of the wrong kind. The need is to devise some system by which undesirable immigrants shall be kept out entirely while desirable immigrants are properly distributed throughout the country.”

Canada, eager to secure immigrants, has adopted the system of giving bonuses. The United States, on the other hand, levies a head tax that more than defrays the cost of inspection. The following figures, quoted by Mr. Monk, a member of the Canadian Parliament, contrasts the American and Canadian systems:

[Canada's system of business]

STRANGERS WITHIN OUR GATES

United States

Year	Immigrants.	Head Tax.	Money brought in.
1904	812,870	\$1,599,472	\$20,894,383
1905	1,026,499	2,082,473	25,109,112
1906	1,100,735	2,290,901	25,109,413
1907	1,285,349	2,782,103	25,599,893
Total	4,225,453	\$8,755,350	\$96,712,801

Canada has paid in bonuses, to attract immigrants, \$781,613. The proportions are British, \$252,230; Continental, 446,811; United States, \$82,571. (1908).

[The head tax of the United States]

“Thus,” says Mr. Monk, “we have paid over three-quarters of a million, besides meeting the expenses of inspection, etc., while the United States have paid no bonuses, have made their immigrants defray the whole expense of their inspection, and have obliged them to bring nearly a hundred millions of money into the country in the last four years. Our total outlay for immigration was \$950,000 for 1907 and is to be \$1,045,000 for 1908.”

[Canadian law re immigrants]

According to our Immigration Act in Canada, provision is made for the appointment of immigration officers, regulations are drawn up for the protection of immigrants, and restrictions are made *re* the immigration of certain classes.

The following clauses give the law which prohibits certain persons from landing, and provides for deportation:

“26. No immigrant shall be permitted to land in Canada, who is feeble-minded, an idiot, or an epileptic, or who is insane, or who has had an attack of insanity within five years; nor shall any immigrant be so landed who is deaf and dumb, blind or infirm, unless he belongs to a family accompanying him or already in Canada, and which gives security, satisfactory to the Minister, and in conformity with the regulations in that behalf, if any, for his permanent support if admitted into Canada.

“27. No immigrant shall be permitted to land in Canada who is afflicted with a loathsome disease, or with a disease which is contagious or infectious, and which may become dangerous to the public health or widely disseminated, whether such immigrant intends to settle in Canada or only to pass through Canada to settle in some other country; provided that if such disease is one

which is curable within a reasonably short time, the immigrant suffering therefrom may, subject to the regulations in that behalf, if any, be permitted to remain on board where hospital facilities do not exist on shore, or to leave the vessel for medical treatment, under such regulations as may be made by the Minister.

“28. No person shall be permitted to land in Canada who is a pauper, or destitute, a professional beggar, or vagrant, or who is likely to become a public charge; and any person landed in Canada who, within two years thereafter, has become a charge upon the public funds, whether municipal, provincial, or federal, or an inmate of, or a charge upon, any charitable institution, may be deported and returned to the port or place whence he came or sailed for Canada.

“29. No immigrant shall be permitted to land in Canada who has been convicted of a crime involving moral turpitude, or who is a prostitute, or who procures, or brings or attempts to bring into Canada prostitutes or women for purposes of prostitution.

“30. The Governor-in-Council may, by proclamation or order, whenever he considers it necessary or expedient, prohibit the landing in Canada of any special class of immigrants, of which due notice shall be given to the transportation companies.

“(2) The Governor-in-Council may make such regulations as are necessary to prohibit the entry into Canada of any greater number of persons from any foreign country than the laws of such country permit to emigrate to Canada.

“31. Acting under the authority of the Minister, the immigration agent, the medical officer, and any other officer or officers named by the Minister for such purpose, may act as a board of inquiry at any port of entry to consider and decide upon the case of any immigrant seeking admission into Canada.

“(2) The decision of such board touching the right of any such immigrant to land in Canada shall be subject to appeal to the Minister.

“(3) The Governor-in-Council may make regulations governing the procedure in connection with inquiries by such boards of inquiry and appeals from their decisions.

“32. All railway or transportation companies or other persons bringing immigrants from any country into Canada shall, on the demand of the superintendent of immigration, deport to the country whence he was brought any immigrant prohibited by this Act, or by any order in council or regulation made thereunder, from being landed in Canada who was brought by such railway, transportation company or other person into Canada within a period of two years prior to the date of such demand.

“33. Whenever in Canada an immigrant has, within two years of his landing in Canada, become a public charge, or an inmate of a penitentiary, gaol, prison, or hospital or other charitable institution, it shall be the duty of the clerk or secretary of the municipality to forthwith notify the Minister, giving full particulars.

“(2) On receipt of such information the Minister may, in his discretion, after investigating the facts, order the deportation of such immigrant at the cost and charges of such immigrant if he is

able to pay, and if not, then at the cost of the municipality wherein he has last been regularly resident, if so ordered by the Minister, and if he is a vagrant or tramp, or there is no such municipality, then at the cost of the Department of the Interior.

“(3) When the immigrant is an inmate of a penitentiary, gaol, or prison, the Minister of Justice may, upon the request of the Minister of the Interior, issue an order to the warden or governor of such penitentiary, gaol or prison, commanding him to deliver the said immigrant to the person named in the warrant issued by the Superintendent of Immigration as hereinafter provided, with a view to the deportation of such immigrant; and the Superintendent of Immigration shall issue his warrant to such person as he may authorize to receive such immigrant from the warden or governor of the penitentiary, gaol or prison, as the case may be, and such order and warrant may be in the form given in Schedule 2 to this Act.

“(4) Such order of the Minister of Justice shall be sufficient authority to the warden or governor of the penitentiary, gaol or prison, as the case may be, to deliver such immigrant to the person named in the warrant of the Superintendent of Immigration as aforesaid, and such warden or governor shall obey such order; and such warrant of the Superintendent of Immigration shall be sufficient authority to the person named therein to detain such immigrant in his custody in any part of Canada until such immigrant is delivered to the authorized agent of the transportation company or companies which brought him into Canada with a view to his deportation as herein provided.

“(5) Every immigrant deported under this section shall be carried by the same transportation company or companies which brought him into Canada to the port from which he came to Canada without receiving the usual payment for such carriage.

“(6) In case he was brought into Canada by a railway company, such company shall similarly convey him or secure his conveyance from the municipality or locality whence he is to be deported to the country whence he was brought.

“(7) Any immigrant deported under this section as having become an inmate of a penitentiary, gaol or prison, who returns to Canada after such deportation may be brought before any justice of the peace in Canada; and such justice of the peace shall thereupon make out his warrant under his hand and seal for the re-committal of such immigrant to the penitentiary, gaol or prison from which he was deported, or to any other penitentiary, gaol or prison in Canada; and such immigrant shall be so re-committed accordingly and shall undergo a term of imprisonment equal to the residue of his sentence which remained unexpired at the time of his deportation.”

No one will quarrel with the provisions of this Act, but it should go further, and provision should be made for more strict enforcement.

[Restricted immigration into the United States]

The following additional classes of persons are denied admission to the United States: Polygamists; anarchists, or persons who believe in, or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, or the assassination of public officials; those who have been within one year from the date of application of admission to the United States deported as being under offers, solicitations, promises or agreements to

perform labor or service of some kind therein; persons whose ticket or passage is paid for with the money of another, or who is assisted by others to come unless it is affirmatively and satisfactorily shown that such person does not belong to one of the excluded classes. But any person in the United States may send for a relative or friend without thereby putting the burden of proof upon the immigrant.

[A new regulation for assisted immigrants]

The prohibition or careful selection of assisted immigrants is of the greatest importance. Tens of thousands have been assisted to emigrate from Great Britain. Many of them are not criminal, or paupers, or diseased, but utterly incapable and unfitted for the life here. A recent regulation seeks to mitigate this evil by insisting that assisted immigrants should, before sailing, pass an inspection of the Canadian officials. This certainly is a move in the right direction. If the inspection is at all thorough this arrangement will probably prove very satisfactory. The object is not to shut out all who are unable to pay their passage, but all who will be unable to earn a living in this country.

But while the law looks well on the statute book, what provision is made for enforcing it?

[A Canadian medical inspection]

“No immigrant shall be permitted to land in Canada who is afflicted with a loathsome disease, or with a disease which is contagious or infectious,” etc. When “immigrants are examined in groups often of 1,000 and over, and as many as 7,000 have arrived in a single day,” how can we have any guarantee that there are no loathsome or contagious or infectious diseases?

Broughton Brandenburg, President of the National Institute of Immigration for the United States, testifies to the weakness of our system:

“If there are members of the family who are physically unfit to be sent to Ellis Island, the sub-agents persuade the family to separate at the point of embarkation, and the diseased and deformed are sent across the channel into England, and dumped in the charitable institutions. *Sometimes they are sent from England, perhaps even from the port of embarkation, into Canada.*”

“No person shall be permitted to land in Canada who is a pauper, or destitute, or a vagrant.” But who is there to detect the pauper? It is true a man is asked to show how much money he has, but many an assisted immigrant has a little money, and many who have practically no money are allowed to pass.

What means are taken to detect criminals and prostitutes? What, indeed, can be taken?

Then, as to deportation—a few of the worst cases are deported; but thousands of incapables are filling our cities and being “carried” by the community. The winter of 1907–08 has shown the real conditions and how difficult it is to enforce the Act.

[Where the immigrant should be examined]

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The trouble is that we are *working at the wrong end*. The examination in every case should be not at the ports of entry, but at the ports from which the immigrants sail—or better still at the homes from which they come. Such a course would be at once kinder to the immigrants and much safer for our country. The present mode of deportation is necessarily cruel. Poor people are sent back and forward across the Atlantic, often suffering great hardship; children are torn from their parents and sent back among strangers. A scant living in the old land is sacrificed in the hopes of the fortune in the new land. After failure here comes deportation, but not always the old position at home.

Again, the examination where the people are known is the only effective method. Diseased, paupers, criminals, prostitutes and undesirables generally are known in their home neighborhood.

The Canadian Government should insist on the immigrant presenting a satisfactory certificate from the Government officials of his own country. If the foreign governments would not cooperate, if any are too despotic or corrupt to make such an arrangement practicable, then we should appoint our own agents in Europe who would make most thorough investigation.

We again quote Mr. Brandenburg, who says:

“No matter what our standard of requirements may be, the immigrant will evade it if he is permitted to state his own qualifications uncontradicted. The only place to ascertain the truth is where he has lived. After he has reached New York, can he be held till his record is looked up in Europe? Can he be detained at Bremen or Naples while his career in Russia or Greece is investigated? Both are absurd. The important examination must take place in the locality where the evidence exists. Any other plan is folly and a waste of time, nothing more than a costly and dangerous makeshift.

“There are several countries that would lend their aid to the establishment of an inspection service within their borders. There are others that would not. Place a head tax of \$50.00 on every immigrant from any country that will not permit such inspection, and in three months there will be a reversal of that Government’s policy. The foreign steamship companies will attend to that.”

[How can we set the standard?]

But if we had provision for thorough examination, what standard should we require? In addition to those already in the list of the prohibited, persons of poor physique, persons mentally deficient, the hopelessly incapable, the morally depraved—these surely should be excluded. In this matter our sympathies are divided. We pity the poor man or woman or child who cannot come up to the standard. There may be exceptional cases in which such people would “do well” in Canada. But we cannot but think that we must protect the highest interests of our own land. Each country should be forced to care for its own criminals, paupers and diseased. To relieve any country of the burden is only to delay the application of measures that will abolish the conditions which produce these classes.

[The Orientals, what of them?]

But there is here a larger question—the advisability or the justifiability of excluding not merely certain individuals, but certain classes. There is the live question of the Orientals on the Pacific coast. The Chinese, Japanese and Hindus are—or the majority of them are—physically and mentally “fit.” They are in no sense paupers or incapables. Indeed, one of the most frequent and serious charges against them is, that they are able to drive out other labor. Should they be excluded—if so, on what grounds? Much has been said on both sides. There is, no doubt, a national prejudice that should be overcome. On the other hand, the expression, “This is a white man’s country,” has deeper significance than we sometimes imagine.

[The labor question and the Orientals]

The advocates for admission argue that we ought not to legislate against a particular class or nation, and that the Orientals are needed to develop the resources of the country. Their opponents believe that white laborers cannot compete with Orientals, that the standard of living will be lowered, and white men driven out, and they claim that a nation has the right to protect itself.

Needless to say, the economic aspects are those that really divide men on this subject, for, generally speaking, capitalists and employers are ranged against the labor party. Perhaps in the early stages of development, Chinese labor was necessary. Perhaps, for some time, the presence of a limited number of Orientals may be advantageous. But it does seem that the exclusionists are right in their contention that laborers working and living as the Orientals do, will displace European laborers. It is generally agreed that the two races are not likely to “mix.” Ultimately, then, the question resolves itself into the desirability of a white caste and a yellow, or black caste, existing side by side, or above and below, in the same country. We confess that the idea of a homogeneous people seems in accord with our democratic institutions and conducive to the general welfare. This need not exclude small communities of black or red or yellow peoples. It is well to remember that we are not the only people on earth. The idealist may still dream of a final state of development when white and black and red and yellow shall have ceased to exist, or have become merged into some neutral gray. We may love all men and yet prefer to maintain our own family life.

[Phillips Brooks’ opinion re exclusion of foreigners]

Phillips Brooks has stated the ethics of policy of restriction. “No nation, as no man, has a right to take possession of a choice bit of God’s earth, to exclude the foreigner from its territory, that it may live more comfortably and be a little more at peace. But if to this particular nation there has been given the development of a certain part of God’s earth for universal purposes; if the world, in the great march of centuries, is going to be richer for the development of a certain national character, built up by a larger type of manhood here, then for the world’s sake, for the sake of every nation that would pour in upon it that which would disturb that development, we have a right to stand guard over it. We are to develop here in America a type of national character, we believe, for which the world is to be richer always. It may be the last great experiment for God’s wandering humanity upon earth. We have a right to stand guard over the conditions of that experiment, letting nothing interfere with it, drawing into it the richness that is to come by the entrance of many men from many nations, and they in sympathy with our constitution and laws.”

We, in Canada, have certain more or less clearly defined ideals of national well-being. These ideals must never be lost sight of. Non-ideal elements there must be, but they should be capable of assimilation. Essentially non-assimilable elements are clearly detrimental to our highest national development, and hence should be vigorously excluded.

Source: J.S. Woodsworth, *Strangers Within Our Gates or Coming Canadians* (Toronto: F.C. Stephenson, 1909): 264–278.