

~~1-21~~

THE LITERACY TEST FOR IMMIGRANTS, 1886-1917

by

John T. Houdek

A thesis submitted in partial fulfillment
of the requirements for the degree of
Master of Arts in Michigan
State University

East Lansing, Michigan
1957

Approved

Madison Kuhn

Department of History

5/28/57

8.12.38

ACKNOWLEDGEMENT

The author would like to acknowledge his appreciation to Professor Madison Kuhn for directing this thesis; to Barbara Bealer for typing and proofing the final copy; and in special token to my wife - Carolyn Houdek.

TABLE OF CONTENTS

<u>Chapter</u>	<u>Page</u>
I. The Campaign for a Literacy Test Begins	1
II. Congress Passes the First Literacy Test Bill.	25
III. The Campaign for the Test Continues; Another Veto. . . .	51
IV. The Restrictionists Finally Emerge Victorious	80
Bibliographical Note.	101

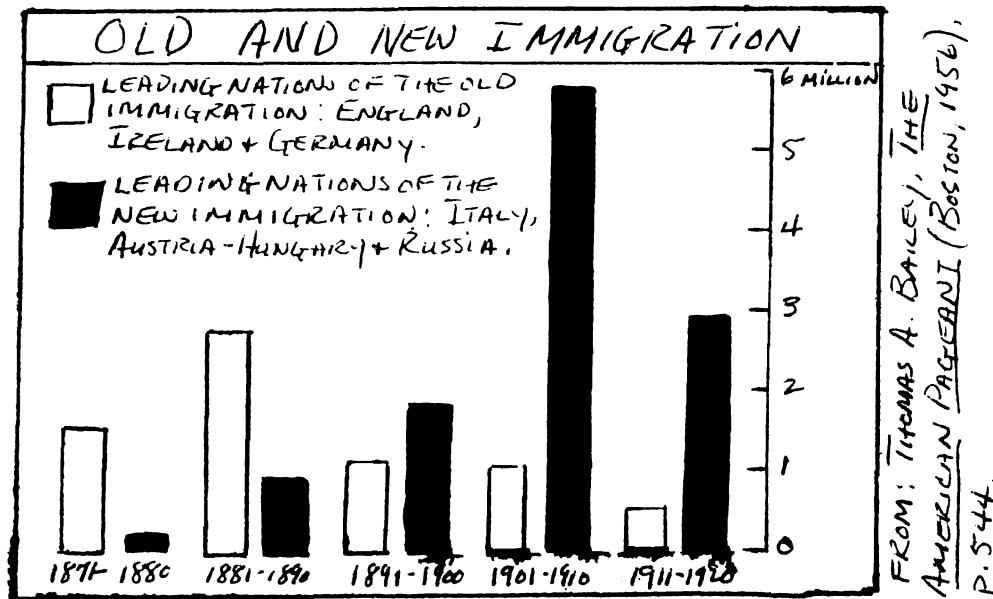
Chapter I

The Campaign For A Literacy Test Begins

During the 1880's immigrants from Southern and Eastern Europe began arriving in America in considerable numbers, reaching one hundred thousand in 1887 and never falling below that number thereafter.¹ These Southeastern Europeans gradually came to be referred to as the "new immigrants" as opposed to the "old immigrants" from northwestern Europe who had previously comprised the vast majority of the total immigration. When the new immigrants arrived on the scene nativism was already rampant, however, they did not become a really important factor in its growth until the 1890's.²

The new immigrants tended to settle in the congested urban areas and were generally more impoverished and were assimilated more slowly than the old immigrants. Among these newcomers, the Italians, the

1



²John Higham, Strangers in the Land; Patterns of American Nativism, 1860-1925 (New York, 1955), p. 87.

Slavs, the Magyars, and the Jews received some bad publicity in the late 1880's and early 1890's. The first three groups came to represent bloodthirstiness, lawlessness, and labor violence in the minds of many Americans, while the unscrupulous greed and trickery attributed to the Jews seemingly posed as great a threat to our society as the violence of the other groups. Thus it was natural that these immigrants grew to represent the social and economic evils which nativists had identified with immigrants in general. Then gradually, with a great deal of help from the nativists of the Anglo-Saxon tradition, the immigrants from Southeastern Europe merged to become "a collective type, a 'new immigration'" which menaced our racial fiber as well as our social and economic well-being.³

Neither of the two major traditions of nativism, anti-Catholicism and anti-radicalism was quite sufficient to meet this new problem. However, a third nativist tradition which was much weaker than the other two could be adapted to meet the threat posed by the new immigrants. "The old idea that America belongs particularly to the Anglo-Saxon race would define the special danger of the new immigration if one assumed that northern Europeans were at least first cousins to the Anglo-Saxons."⁴ Since this tradition had been in the keeping of Eastern upper-class intellectuals it was natural for the first organized efforts to restrict the new immigration to emanate from this area.

The nativists were furnished with the respectable means for discriminating against the new immigrants in 1888 in an article written by Edward W. Bemis, a progressive economist and a student of Richard T. Ely.

³Ibid., pp. 87-96.

⁴Ibid., p. 95.

One of the first intellectuals to take note of the change in the origins of immigration, Bemis proposed that the United States "Admit no single person over sixteen, and no man over that age who cannot read and write his own language."⁵ This proposal "has commended itself wherever I have presented it," declared Bemis, "in conversation and lectures in many States of the East and West and by leaders of trade unions as well as by all other classes with scarcely a dissenting voice. . ."⁶ Such a proposal would help to maintain America's high standard of living and aid American labor by shutting out fifty per cent of the Polish, Hungarian, and Italian immigrants, contended Bemis.⁷ This proposal was taken up by the nativists and to secure its enactment became their single goal. Headed by Henry Cabot Lodge, the foes of the new immigration began a campaign for the test that was to extend over a span of more than a quarter of a century.

Shortly after the test was proposed, two schools of thought arose as to the proper place to administer the test. Early advocates of the idea contended that the test could best be given to prospective immigrants by United States consuls before the immigrants embarked for America.⁸ Later they decided that the immigrant could best be tested when he arrived in this country.⁹ The criteria for ascertaining the immigrants' literacy

⁵Edward W. Bemis, "Restriction of Immigration," Andover Review, IX (1888), 263.

⁶Ibid., p. 263.

⁷Ibid., p. 263.

⁸Henry Cabot Lodge, "The Restriction of Immigration," North American Review, CLII (1891), 36; Charles S. Smith, "Our National Dumping Grounds; A Study of Immigration," North American Review, CLIV (1892), 438; H. C. Hansbrough, "Why Immigration Should Not Be Suspended," North American Review, CLVI (1893), 225.

⁹Senate Report No. 290 (54 Cong., 1 Sess., Washington, February, 1896), 1.

was also a matter of question. Although most of the people who discussed the test during the early years of its history favored both a reading and a writing test, the proposal was later modified to a simple test of reading skill.¹⁰ As to the language in which the immigrant was to prove his literacy, it was usually agreed that it should be in "English or some other language." The greatest controversy among the test's proponents was to arise over the exemption of children, wives, and other dependents.¹¹

When and from whom did the idea of a literacy test first appear? A recent writer on immigration repeats the standard view that the first advocate was probably Edward W. Bemis, who presented the idea in lectures in 1887 and advocated it in an article in the Andover Review in March of 1888.¹² However, even though the nativists may have received the idea from Bemis' article, the idea had already been widely accepted when Bemis wrote. In 1886, the chief of the Wisconsin State Bureau of Labor and Industrial Statistics interrogated over thirty-nine thousand employees in his State relative to the restriction of immigration. Of the twenty-five thousand employees who replied, eighty-nine per cent favored further restriction and of this group two hundred and twenty suggested an educational test as the best means of sifting the immigrants.¹³ Where these

¹⁰House Report No. 140 (63 Cong., 2 Sess., Washington, December, 1913).

¹¹Congressional Record, 54 Cong., 2 Sess., 71-75, 233-34, 1424-25, 1427-31.

¹²Higham, pp. 101, 105.

¹³Constantine Panunzio, Immigration Crossroads (New Brunswick, 1915), p. 60. Oddly enough Bemis also takes note of this survey, but does not mention that some employees advocated an educational test, see Bemis, p. 264.

workers got the idea of an educational test is a matter of question, for Bemis supposedly only lectured on the idea as far back as 1887. Thus it seems quite possible that either someone else had promulgated the idea before him or that the idea had been in existence for some time, but had not become as popular as other restrictive and selective proposals. Whatever the case may have been, the fact that within about ten years the majority of the members of the A. F. of L. favored a literacy test when evidently only a small percentage of workers favored it at this date demonstrates that the efforts of the nativists to popularize the literacy test had not been in vain.

By the very early 1890's, the literacy test had gained in popularity and was mentioned more frequently as a possible solution to many of the problems arising out of immigration.¹⁴ Indicative of its increasing prominence was the testimony given before the Select Committee on Immigration and Naturalization. Also significant was the introduction in Congress in 1889, of one of the first immigration bills to contain a literacy test proviso. During this same period the advisability of making the test a part of the statutes governing immigration was discussed in several magazines and newspapers. A closer examination of these developments is essential to a better understanding of the test's early history.

The Select Committee on Immigration and Naturalization, created by a joint resolution of the Senate and House in 1890, represented to some extent the increasing national concern over immigration.¹⁵ One of the primary reasons for the creation of this body was the desire by Congress

¹⁴Henry P. Fairchild, Immigration (New York, 1925), p. 387.

¹⁵Cong. Rec., 51 Cong., 1 Sess., 2083, 2139-41.

to discover what action it should take on the several immigration bills then before it.¹⁶ One of these bills called for a test to determine whether or not immigrants could read and write in their own language.¹⁷ If the immigrant could not pass this test, he would be excluded from the United States.¹⁸ The committee, which held hearings in such cities as New York, Boston, Chicago, Detroit, St. Louis and Cincinnati, often asked for and received opinions on the advisability of making such a test a part of the immigration laws.¹⁹

Although opinion on the question varied, a number of witnesses favored the proposal. Phillip Armour, who would seem a fair representative of the big businessmen of the period, favored the test in a letter to the committee written in lieu of a personal appearance.²⁰ Such a position seems at first glance to be incongruous with a meat-packing company's use of low wage immigrant labor. However, it seems safe to say that Armour probably represented that portion of the business world that was beginning to hold quite strong anti-immigrant sentiments. This attitude on the part of many businessmen, came as a result of a rising wave of hostility among businessmen toward the "swarms of cheap foreign laborers which employers had long considered essential to their own and the nation's prosperity."²¹ Businessmen had begun to succumb to

¹⁶Report of the Select Committee on Immigration and Naturalization (51 Cong., 2 Sess., House Report No. 3472, Washington, 1891), 886.

¹⁷Ibid., p. 885.

¹⁸Ibid., p. 885.

¹⁹Ibid., p. ii.

²⁰Ibid., p. 743.

²¹Morrel Heald, "Business Attitudes Toward European Immigration, 1880-1900," Journal of Economic History, XIII (1953), 291.

the preachings of American racists because of their fear of radicalism that had been associated in their minds with immigration. Closely connected with this fear was the association of strikes and violence arising out of labor disputes, such as the Haymarket Riot and other such incidents, with the arrival of trouble making immigrants.²²

Another witness who favored the proposal was a Special Agent of the Treasury Department, the department then in charge of immigration affairs.²³ His testimony was reinforced by the statements of the federal immigration inspector stationed at Pittsburgh.²⁴ Other witnesses who favored the test were Henry Rice, President of the Hebrew Charities, Henry J. Deily, representing the American Defense Association, a nativist organization centered in Pennsylvania claiming about one hundred thousand members, and William Vocke, ex-president of the German Immigrant Relief Society.²⁵ The latter's position as an exponent of the literacy test was diametrically opposed to that of most other German-American witnesses and therefore, deserves some clarification.

First, it should be pointed out that he thought of the test only as a means of purifying and discriminating a little among the immigrants and certainly not as a restrictive measure. Besides this, Vocke's statement that German-Americans in Chicago and the West would not oppose such a measure may indicate that he felt himself merely to be expressing the sentiments held by the majority of his own nationality residing in this area.²⁶

²²Ibid., pp. 293, 296, 300, 302.

²³Report of the Select Committee on Immigration and Naturalization, 317.

²⁴Ibid., p. 350.

²⁵Ibid., pp. 526, 586, 662.

²⁶Ibid., p. 663.

Several editors of foreign language newspapers also endorsed the test during their testimony. Among this group were Herman Raster, editor of the Illinois Statts Zeitung; Charles Jonas, editor of the Wisconsin Bohemian newspaper, The Slavie; Emil Praetorious, editor of the St. Louis Westliche Post; John Day, editor of the Logansport, Indiana Deutsche Zeitung; and John Anderson, editor of the Chicago Daily Scandinavian.²⁷ Why did these editors favor the test, when as it will be seen, some editors of foreign language newspapers also located in the Midwest opposed it? Probably this split only represented what was then the status of hyphenated opinion on immigration restriction. At this early period, foreign language papers, clubs, and societies were not nearly so unanimously anti-restrictionist as they later would be. However, although these editors were divided on the question of the advisability of enacting such a test, they were one in feeling that it would bring a better class of immigrants to the country and would tend to keep out the undesirables among the new immigrants.²⁸

In summary, the testimony in favor of the test came mainly from some editors of Midwestern German-language newspapers, immigration officials, heads of certain immigrant societies, nativist organizations, and an important American businessman who probably represented the sentiments of a number of others like him.

The proposed test met with the disapproval of a slightly smaller, but weightier group of witnesses. Among these was Samuel Gompers, president of the A. F. of L., who would soon switch to the opposite position on the

²⁷Ibid., pp. 644, 674, 681, 812, 974.

²⁸Ibid., pp. 642-44, 674-75, 681, 813, 974.

issue.²⁹ However, at the time of his appearance before the committee, Gompers was more worried about the importation of contract laborers than he was about the arrival of large bodies of illiterate immigrants.³⁰ The admission of immigrants who were under contract with American firms or who had been solicited by American employers had long been under attack from labor leaders like Gompers and Powderly.³¹ It seems of some significance that Edmund Stephenson, a member of the Board of Emigration Commissioners of the State of New York, also expressed his disapproval of the proposition.³² Another witness who opposed the test was the editor of the Chicago Arbeiter Zeitung, H. C. Bechtold. This gentleman declared that he could not see that there had been any perceivable deterioration in the quality of immigrants in recent years and added that any kind of an educational test would be a failure.³³ An editor of a German language newspaper in St. Louis also disapproved of the proposal, as did the editors of the Cincinnati Volks Freund, the Detroit Abend Post and the Detroit Tribune.³⁴ It is significant, as far as German-American opinion goes, that the president of the North American Turnerbund, an organization with nearly forty thousand members, vigorously rejected the test. His reason for opposing the test was that even though

²⁹Ibid., p. 96.

³⁰Ibid., p. 96.

³¹Samuel Gompers, Seventy Years of Life and Labor; An Autobiography (New York, 1925), pp. 155-57; Prescott F. Hall, Immigration; And Its Effects Upon the United States (New York, 1906), pp. 212-13; Higham, pp. 47-49.

³²Report of the Select Committee on Immigration and Naturalization, 146.

³³Ibid., p. 728.

³⁴Ibid., pp. 853, 885-86, 898.

he strongly favored compulsory education, he was afraid that "such a restriction as that would often operate as an injustice" to the immigrant.³⁵ Another witness made clear the position of the Turnerbund, as well as the other German-American societies regarding all of the proposed changes in the immigration laws then being considered by Congress. Richard Bartholdt, who appeared before the committee in the dual capacity of representative of the North American Turnerbund and as president of a conference of German-American societies, presented a memorial drafted by this conference.³⁶ The memorial remonstrated against any and all measures then before Congress, which were designed to materially alter the national law governing immigration and naturalization mainly because such measures were contrary to American tradition and would be detrimental to the country.³⁷ Bartholdt, who was also the editor of the Chicago Arbeiter Zeitung, added more weight to his testimony by declaring that the action of this conference had been unanimously approved by the German-American press.³⁸ This statement, if its validity can be depended upon, therefore seems to nullify the earlier statements made by editors of German-American papers in favor of the test and demonstrates how rapidly this press came to the solid anti-literacy position they were to hold thereafter.

A few witnesses, although they did not approve of the test as a means of restricting immigration, did advocate such an educational requirement for naturalization. One such witness was the editor of the Cincinnati

³⁵Ibid., p. 796.

³⁶Ibid., p. 29.

³⁷Ibid., pp. 776-77.

³⁸Ibid., p. 776.

Freie Press, who thought that one desiring to become a citizen ought to be able to read and write his own native language.³⁹ T. V. Powderly, Grand Master Workman of the Knights of Labor, also opposed such a test for arriving immigrants, but felt that only literate persons should possess the franchise.⁴⁰ Another important witness, a longtime member of the Board of Immigration Commissioners of the State of New York, would naturalize no immigrant unless he could read the laws of his State in the English language.⁴¹ As the nativist spirit grew stronger in America, it seems quite probable that such people as the three just mentioned might very likely be, and in the case of Powderly definitely were, brought into the camp of those who supported the literacy test as a means of restricting immigration.

Before leaving the Report of the Select Committee on Immigration and Naturalization, it should be mentioned that the committee did not include a literacy test among the measures they recommended to Congress in their report.⁴²

Probably the first immigration bill embodying a literacy test was introduced into Congress by Representative Richard Guenther, of Wisconsin, on January 30, 1889.⁴³ This bill was recommended by Guenther in the minority report of the Select Committee on the Investigation of Foreign

³⁹Ibid., p. 845.

⁴⁰Ibid., p. 241.

⁴¹Ibid., p. 145.

⁴²Ibid., p. iv.

⁴³House Report No. 3792, prt. 2 (50 Cong., 2 Sess., Washington, 1889), 1-5.

Immigration.⁴⁴ The bill reported by the majority of the committee, needless to say, did not include a literacy test proviso, but restricted immigration mainly by increasing the head-tax from one dollar to five dollars.⁴⁵ However, Guenther considered the bill reported by the majority to be aimed solely at restricting the quantity of immigrants without regard to their desirability, or undesirability. Therefore, he presented his literacy test as a means of discriminating between immigrants planning to go to America, for the test was to be administered abroad before the immigrant left for America.⁴⁶ Specifically, what Guenther advocated in his literacy test proviso, which seems to have been mainly aimed at the new immigrants, was that all immigrants over fifteen years of age who could not read and write in their native language would be excluded from the United States. However, if the immigrant was "the mother or father of children, and unable to either read or write, the child or children accompanying him, her or them," if they were competent to meet the test's requirements for the mother or father, could do so. Likewise, the husband could take the test for the wife and vice versa.⁴⁷ This bill, though it probably would have found some support in Congress, was destined for an early death, for neither it nor the bill reported by the majority were ever acted upon.⁴⁸

⁴⁴Ibid., pp. 1-5.

⁴⁵Ibid., prt. 1, pp. 1-6.

⁴⁶Ibid., prt. 2, p. 2.

⁴⁷Ibid., p. 4.

⁴⁸Cong. Rec., 50 Cong., 2 Sess., 1220.

Guenther was not alone in his desire to see an educational test made a part of America's immigration laws. A member of the Select Committee on Immigration and Naturalization stated that there were "several bills before the committee on which we have to take action, and this investigation has been instituted on the part of Congress to see whether action is desirable or not. One of these bills calls for an educational test, some going so far as to compel the immigrant to read and write the English language, and expound on the Constitution of the United States before he is admitted. Others are more moderate in their demands, and require the immigrant to be able to read and write in his own language."⁴⁹

Probably the next literacy test bill to be introduced, was the one presented by Henry Cabot Lodge. This measure was introduced by Lodge on December 1, 1890, when he was still just a member of the House of Representatives.⁵⁰ Although this bill died in committee,⁵¹ we do have a record of Lodge's arguments for the test, as well as a revelation of his nativistic motives for proposing it, as he set them forth in an article published in the North American Review. The apparent basis for Lodge's arguments and indeed the very basis for his support of a literacy test is found in his statement that "it is a truism to say that one of the greatest dangers to our free government is ignorance."⁵² Lodge contended that the literacy test "would shut out in a very large measure

⁴⁹Report of the Select Committee on Immigration and Naturalization, 886.

⁵⁰Cong. Rec., 51 Cong., 2 Sess., 1220.

⁵¹Cong. Rec. Index, 51 Cong., 2 Sess., 58.

⁵²Henry Cabot Lodge, "The Restriction of Immigration," North American Review, CLII (1891), 36.

those elements which tend to lower the quality of American citizenship, and which now in many cases gather in dangerous masses in the slums of our great cities."⁵³ Speaking of the new immigration, the immigrant group at which his proposal was plainly aimed, Lodge declared that "Thus it is proved, first, that immigration to this country is increasing, and second, that it is making its greatest relative increase from races most alien to the body of American people and from the most illiterate classes among those races. In other words, it is apparent that, while our immigration is increasing, it is showing at the same time a marked tendency to deteriorate in character."⁵⁴

Despite the fact that it was never reported to the House, the Lodge bill still drew a considerable amount of favorable comment in the press. Judging from the excerpts found in Public Opinion, both Democratic and Republican papers supported the measure, although the bulk of the support came from the latter. The Boston Journal called the bill the "best considered and effectual" of all the immigration bills then before Congress.⁵⁵ The Harrisburg Telegraph declared that the Lodge bill was a non-partisan measure which if implemented would eliminate much of "the evil present in large immigration. . ."⁵⁶ Other papers, such as the Philadelphia Telegraph, the Kansas City Times, the Pittsburgh Post, the Youngstown Telegram, and the Denver Republican all thought that ignorant immigrants should be weeded out via a literacy test. Somewhat later during the same year support for the literacy test appeared in the New Orleans Times-Democrat and Harpers

⁵³Ibid., p. 36.

⁵⁴Ibid., p. 32.

⁵⁵Public Opinion, XI (1890), 225.

⁵⁶Ibid., p. 226.

Weekly.⁵⁷ At the same moment two other newspapers, one in the Midwest and the other in the Deep South, reported that Secretary of the Treasury Foster favored an educational test and would recommend that measure to Congress.⁵⁸ However, if Foster did favor the test, he never made it known to Congress in any of his official communications.

Important support for the test was now received from an individual who had recently opposed it in his testimony before the Select Committee on Immigration and Naturalization in 1890. Gompers now moved into the camp of the nativists who supported the test, thus allying himself with Henry Cabot Lodge for the only time in his life.⁵⁹ Gompers achieved this switch by coming out in favor of the exclusion of illiterate male adults and illiterate adult females who were unmarried. He made this proposal mainly because of his fear that hordes of illiterate and unskilled laborers would do great injury to the labor movement and because he felt that they could not be Americanized as readily as the old immigrants and therefore would harm America's social fabric.⁶⁰ However, Gompers' change of heart did not bring about an immediate change in official A. F. of L. policy. This did not occur until 1897 and then only after Gompers had led a long, hard struggle during the A. F. of L.'s national convention to secure approval of the measure.⁶¹

⁵⁷Public Opinion, XI (1891), 33-34, 102, 152.

⁵⁸Ibid., p. 151.

⁵⁹Gompers, pp. 158-59, 171.

⁶⁰Public Opinion, XI (1891), 551, from Baltimore Herald; Gompers, pp. 158-60.

⁶¹Arthur Mann, "Gompers and the Irony of Racism," Antioch Review, XIII (1953), 212.

While the majority of the press seemed to approve of Lodge's proposal, a few newspapers protested against the measure. One such paper was the St. Louis Republican, a Democratic organ in an important center of German influence. To the Republican, such proposals were nothing but "vehicles of Puritan know-nothingism."⁶² Two other papers, the Democratic Buffalo Courier and the Republican Omaha Bee, also struck out against the Lodge bill.⁶³

If the reaction of the press to the Lodge bill is summarized, it seems safe to say that opposition to the measure sprang mainly from the Democratic press and from areas of important German influence. On the other hand, the test generally found support in the Republican press and in the Eastern and New England press. This alignment remained quite stable until the twentieth century.

Though neither the Lodge bill nor any of the later literacy test bills up to the one introduced in 1895 was ever brought to a vote in Congress, sentiment favoring the exclusion of ignorant or illiterate immigrants did not flag. Instead, such sentiment increased substantially during the early nineties. A number of magazine articles discussing the immigration problem contained favorable comments on the literacy test. Newspapers too, from time to time, also mentioned the desirability of excluding ignorant immigrants. Moreover, during the early nineties, several incidents occurred which tended to arouse ill feeling toward immigrants and to focus the nation's attention on the immigrant problem, which of course helped the restrictionist cause a great deal. These events were the Mafia Incident of 1891, the cholera scare of 1892-93,

⁶²Public Opinion, X (1890), 226.

⁶³Ibid., p. 226.

and the onset of the harsh depression of 1893-97 with its accompanying labor strife.

Before considering the repercussions of the Mafia Incident, a brief description of the affair itself seems necessary. In 1891, the New Orleans superintendent of police was murdered under circumstances that pointed to the local Sicilian population. Wholesale arrests were made and a trial of the suspects quickly took place. However, the jury refused to convict, and so while as officials stood by, the eleven defendants were taken from the prison and lynched by a mob bent on seeing justice done. This action was approved by the local papers and business leaders.⁶⁴

Because it occurred in 1891, the Mafia Incident had a beneficial effect on the reception of Lodge's literacy test bill of that year, however, it also had a more lasting effect. It tended to fix the stereotype of the blood-thirsty Italian immigrant in the minds of a good many Americans, a stereotype that was to be re-enforced by later incidents of violence involving Italians. Judging by the press, people became especially prejudiced against Sicilians and Southern Italians and since these areas also had a notoriously high rate of illiteracy, it was natural that many people looked on the literacy test as an effective means of restricting immigration from these areas. Newspaper opinion was unanimous in agreeing that "immigration laws should be strengthened and rigidly enforced."⁶⁵

⁶⁴Higham, p. 91.

⁶⁵Quoted in J. A. Karlin, "Some Repercussions of the New Orleans Mafia Incident of 1891," Washington State College, Research Studies, XI (1943), 280.

Although little specific mention of the literacy test seems to have appeared in the newspapers during the early 1890's besides the comment on the first Lodge bill, several magazine articles, including one by Lodge, did commend it.⁶⁶ One of these was quite specific in recommending qualifications for prospective immigrants. Its author asked for "An act of Congress requiring all immigrants over fifteen years of age, as a condition before embarking for the United States, to appear before the American consul and receive from him a certificate, to be presented on arrival, that the party intending to emigrate to the United States could read and write his native language." This, he explained, "would be of itself to some extent a guaranty of character. It would naturally restrict the number of immigrants, but it would improve their quality and furnish fewer inmates for our prisons and poorhouses."⁶⁷

Senator William E. Chandler, of New Hampshire, who was at this time the Chairman of the Senate Committee on Immigration, was one of the early and staunch champions of the literacy test. In an article published in the North American Review, he insisted that the advocates of the test intended no discrimination against the "new immigration." However, his bias against the new immigrants was revealed in his assertion that "Our present foreign born citizens of European extraction, not including these importations of recent years are among the best of Americans."⁶⁸ Chandler's prejudice against these new immigrants is still more clearly indicated in a subsequent statement to the effect that the arguments for restricting

⁶⁶Henry Cabot Lodge, "Lynch Law and Unrestricted Immigration," North American Review, CLII (1891), 602-12.

⁶⁷Smith, p. 438.

⁶⁸W. E. Chandler, "Shall Immigration Be Suspended?" North American Review, CLVI (1893), 8.

immigration are based "largely upon the evils which have been made apparent by the vast increase, within recent years of degraded immigrants from Italy, Turkey, Hungary, Poland and Russia proper."⁶⁹ Continuing in the same vein, Chandler contended that the "evils are crying and intolerable, we cannot safely undertake the assimilation of the ignorant and debased human beings who are tending toward us from such sources."⁷⁰ Furthermore, he saw that it was in the interest of the laboring man and in the interest of maintaining a high degree of American civilization, that the admission of immigrants from the above mentioned countries be restricted.⁷¹

Opposition to the test appeared almost as frequently in the press during the early nineties as did demands for it. One such opponent of the test contended that a literacy test "would have little effect on German and Scandinavian immigrants, but would shut out many other nationalities who were still needed for coarse labor material."⁷² Another opponent of the test pointed out that it was not the only, nor the best criteria by which to judge a man. Scoundrels usually possess a fair education this writer declared. Furthermore, the present immigration laws "amended and improved as experience may make it appear advisable, if they are rigidly, conscientiously, and impartially enforced, are sufficient to prevent, if not all, at least most of the evils that are complained of."⁷³

⁶⁹Ibid., p. 7.

⁷⁰Ibid., p. 7.

⁷¹Ibid., pp. 7-8.

⁷²G. H. Schwab, "Practical Remedy For The Evils of Immigration," Forum, XIV (1893), 811.

⁷³Ottendorfer, "Are Our Immigrants To Blame?" Forum, XI (1891), 549.

In a newspaper article appearing in 1892, Henry Cabot Lodge advocated a literacy test and indicated that he had once again introduced into Congress a bill containing a test proviso.⁷⁴ He introduced this bill early in January of 1892, but it was never reported from the Senate Committee on Immigration.⁷⁵ Lodge's feelings about the proposed test are indicate in the following quotation from that article. "I think the time has come to go a step further and that we ought to shut out the illiterate! I do not mean to say that this might not work injustice in some cases, but as a rule I believe the exclusion of illiteracy would keep out merely the undesirable part of our immigration."⁷⁶

By 1893 there was another bill before Congress embodying a literacy test. This bill was reported by Senator Chandler from the Committee on Immigration as a substitute for another immigration bill then before that committee.⁷⁷ This substitute bill proposed to add to the excluded classes "all persons of twelve years of age who cannot read and write with reasonable facility their own language (excepting such aged persons as are parents or grandparents of admissable immigrants), and persons blind and crippled or otherwise physically imperfect, so as to be wholly or partially disabled from manual labor (except where satisfactorily shown that they are not likely to become a public charge)."⁷⁸

⁷⁴Public Opinion, XIII (1892), 134, from The Age of Labor (Chicago).

⁷⁵Cong. Rec., 52 Cong., 1 Sess., 204.

⁷⁶Quoted in Public Opinion, XIII (1892), 134, from The Age of Labor (Chicago).

⁷⁷Cong. Rec., 52 Cong., 2 Sess., 901.

⁷⁸Literary Digest, XIII (1893), 227.

The cholera scare of 1892-93 lent added strength to the movement to restrict immigration and focused the attention of more people on the problem of immigration in general. Newspapers seemed to be especially concerned about the threat of European immigrants introducing cholera into the United States, for a number of articles discussing the problem and advocating means of dealing with it appeared in their columns.⁷⁹ One prominent New York newspaper contended that the "time has come for dealing with the question of restriction, and the danger of cholera infection from the stream of immigration furnishes the occasion for a temporary stay pending final action."⁸⁰ However, newspapers were not alone in their concern over the threat of a cholera epidemic, action in Congress too, reflected the concern of that body over the same thing.⁸¹

The severe depression of 1893-97 also served as an indirect aid to the proponents of a literacy test. The rising unemployment that accompanied that depression was a factor that connected it most directly and intimately with the whole question of immigration restriction and the literacy test. Numerous persons, both employers and employees included, began to accept and promote the idea that it was the large influx of immigrants that worsened the already serious unemployment situation. Here were people who would compete for jobs with American citizens and especially in the case of the new immigrants would work for lower wages

⁷⁹See Public Opinion, XII-XV.

⁸⁰Quoted in Literary Digest, XII (1892), 216 from New York Times, December 18, 1892.

⁸¹Cong. Rec., 52 Cong., 2 Sess., 77, 126, 357; Danger From The Introduction of Cholera (52 Cong., 2 Sess., Senate Executive Document No. 13, Washington, 1893); Suspension of Immigration (52 Cong., 2 Sess., House Report No. 2197, Washington, 1893); Restricting of Immigration (52 Cong., 2 Sess., Senate Executive Document No. 25, Washington, 1893).

than would most native Americans.⁸² Quite naturally restrictionists began to assert that they hoped to benefit the American workingman and that his welfare was uppermost in their minds when they asked for the restriction of immigration.⁸³ By such an appeal they probably hoped to enlist the aid of both organized and unorganized labor in their fight for the literacy test and other restrictive measures. As the later history of the literacy test will demonstrate, this appeal was very effective, achieving what it was hoped it would.

The strong, organized support needed to insure the eventual success of the literacy test proposal was furnished in 1894 by the formation of the Immigration Restriction League. Throughout the history of the test, this organization was to provide one of the strongest and steadiest forces behind the drive to make the test a part of the national immigration laws.⁸⁴ The League itself was a small organization when it began and was to remain so throughout its life. It was founded by a group of Boston "Bluebloods" led by Robert DeCourcy Ward, professor of climatology at Harvard and Prescott F. Hall, a Boston lawyer, who from the time of the League's inception to its dissolution dominated it.⁸⁵ All of the founders were "practical-minded intellectuals from well-to-do long established families, steeped in Boston ways and ideas. They had all attended Harvard

⁸²Heald, p. 297.

⁸³Literary Digest, XIII (1892), 510, 537; Peri Ander, "Our Immigration: Its Social Aspects," Arena, II (1890), 273; Chandler, p. 7; Arthur Mann, "Frank Parsons: The Professor as Crusader," Mississippi Valley Historical Review, XXXVII (1950-51), 483; Henry Cabot Lodge, "Census and Immigration," Century, XXXXVI (1893), 737.

⁸⁴Higham, p. 102.

⁸⁵Ibid., p. 102.

College in the late 1860's and then done graduate work in the Lawrence Scientific School or the Harvard Law School."⁸⁶ The League was aided in its efforts by several Boston philanthropists "including Joseph Lee, president of the Boston School Committee and the Municipal League of Boston, and Robert T. Paine, Jr., one of the vice-presidents of the last. John Fiske was persuaded to accept a purely honorary presidency of the Immigration Restriction League, and various other names graced its letter-head."⁸⁷

The League's single aim was the implementation of a literacy test, and it spared no effort to achieve this goal. Its agitation took the form of addresses to local Boston groups, distribution of propaganda leaflets throughout the country, as well as "direct legislative lobbying in Washington."⁸⁸ By the time a year had elapsed "the League reported that over five hundred daily newspapers were receiving its literature and that a great bulk of them were reprinting it sometimes in the form of editorials."⁸⁹ The arguments of the League "centered chiefly around data designed to prove that southern and eastern Europe --- in sharp contrast to northeastern Europe --- was dumping on the United States an alarming number of illiterates, paupers, criminals, and madmen who endangered the 'American character' and 'American citizenship.'"⁹⁰

About this time businessmen also began to show more favor toward immigration restriction than they had previously shown. "Proposals for

⁸⁶Ibid., p. 102.

⁸⁷Ibid., pp. 102-03.

⁸⁸Ibid., p. 103.

⁸⁹Ibid., p. 103.

⁹⁰Ibid., p. 103.

a literacy test and for consular inspection of immigrants in their own countries were advanced before the National Board of Trade by Boston, New York, Chicago, and St. Louis businessmen in 1893 and 1894."⁹¹ For that matter one authority thinks that the attitude of businessmen began to change with the advent of the Panic of 1873. For "the Panic of 1873 and its aftermath awakened doubts. Businessmen were impressed by the numbers and the plight of the unemployed laborers crowding the cities. The proportion of foreign-born among the jobless aroused particular concern. Some businessmen succumbed to the growing tendency to place the blame on the immigrants themselves, while others held the presence of European workers raised in foreign traditions, responsible for industrial unrest and trade union activity."⁹² However, it was during the 1880's and 1890's that anti-immigrant sentiment flourished the most among American businessmen. Heald points out that during this period "while labor leaders protested the competition of alien workers, business publications were criticizing no less bitterly the impact of immigration upon American society. When Nativists sought financial support for their efforts to restrict immigration they found many businessmen in sympathy with their aims. Measures presented in Congress for regulating and limiting the admission of aliens were frequently concurred in by prominent business leaders. Indeed, a notable development in American business thought after 1880 was the rise of hostility toward the swarms of cheap foreign laborers which employers had long considered essential to their own, and the nation's prosperity."⁹³

⁹¹Heald, p. 293.

⁹²Ibid., p. 293.

⁹³Ibid., p. 291.

Chapter II

Congress Passes The First Literacy Test Bill

The efforts of the Immigration Restriction League to secure the introduction of a literacy test bill into Congress, first bore fruit during the first session of the fifty-fourth Congress late in 1895. The Republican party, the party which had most consistently supported legislation aimed at restricting immigration, controlled the fifty-fourth Congress and by now the Immigration Restriction League had established "working relations with its nativist leaders."¹ As a result of this relationship, Henry Cabot Lodge introduced a literacy test bill prepared by the League into the Senate on December 4, 1895.² On the previous day Representative McCall, of Massachusetts, had introduced the same bill in the House.³ The League's bill was a very strict one in comparison with Guenther's earlier proposal, for it excluded both males and females over fourteen years of age who could not read and write in some language.⁴

After considering the Lodge bill for some time, the Senate Committee on Immigration headed by Lodge, reported a substitute bill in lieu of the original bill drawn up by the League.⁵ The report strongly recommended the passage of this new literacy test bill and presented evidence to substantiate its recommendation. The evidence came in the

¹Higham, p. 103.

²Cong. Rec., 54 Cong., 1 Sess., 33.

³Ibid., p. 26.

⁴New York Times, December 4, 1895, p. 4, c. 6.

⁵Cong. Rec., 54 Cong., 1 Sess., 1626.

form of replies to letters sent out by the Immigration Restriction League to the governors of the several States, "asking whether immigration was desired in their respective states; and, if so from what races."⁶ Out of the twenty-six governors who replied, only two showed a desire for a national group (Italian) that would have been seriously restricted by a literacy test.⁷ In the committee's report an attempt was also made to prove that there was a definite relationship between the rate of illiteracy in a national group and the coincidence of commitment of members of that group to penal institutions.⁸

In the meantime in the House, the League's bill had also been dropped and another bill substituted for it.⁹ By the provisions of the substitute "no male person unable to read and write in his own language shall be admitted to the United States, excepting children under the age of 16 years and parents of persons now living or hereafter admitted to this country."¹⁰ As to the committee's reasons for favoring a literacy test, their report stated that "While the committee is unanimously of the opinion that good immigration is still beneficial and necessary for the development of the vast resources of our country, a regard for public sentiment as to the desirability of certain classes promoted them to favor the addition of the so called illiterates . . . to the classes excluded under existing laws."¹¹ The League's bill had provided for the

⁶Senate Report No. 290 (54 Cong., 1 Sess., Washington, February, 1896), 1.

⁷Ibid., p. 22.

⁸Ibid., p. 22.

⁹House Report No. 1079 (54 Cong., 1 Sess., Washington, 1896), 1.

¹⁰Ibid., p. 1.

¹¹Ibid., p. 1.

exclusion of both male and female illiterates, but the committee decided that "in view of the conceded scarcity of female white servants in nearly all parts of the country, the committee deemed it wise to exempt females from the illiteracy test. . . ."¹² More important than this, although it was not mentioned by the committee, such an exception would forestall the possibility of a brutal separation of husband and wife, or more likely the failure of a whole family to realize their ambition because of the mother's illiteracy.

On March 16, 1896 the debate on the literacy test bill in the Senate was opened with an emotional and nativistic speech by the bill's sponsor, Henry Cabot Lodge. Senator Lodge's entire speech was directed toward pointing out the dangers threatening America's racial foundations as a result of the influx of the new immigrants. Lodge called particular attention to England as an example of what a closely knit homogeneous people could accomplish, inferring of course that America too could do likewise, if she only woke up to the dangers of unrestricted immigration before it was too late. To demonstrate the very real existence of this danger, Lodge quoted from the testimony of foreign observers who saw that a class war as well as the degradation of American civilization was forthcoming if unrestricted immigration was allowed to continue unabated.¹³ In the course of this speech, Lodge did not forget to make an appeal to the American workman for support of his proposal. "There is an appalling danger to the American wage earner," he warned, "from the flood of low, unskilled, ignorant, foreign labor which has poured into the country for some years past, and which not only takes lower wages, but accepts a

¹²Ibid., p. 2.

¹³Cong. Rec., 54 Cong., 1 Sess., 2818.

standard of living so low that the American workman cannot compete with it."¹⁴ Lodge's racism manifested itself most vividly in the closing passage of the speech.

Mr. President, more precious even than forms of government are the mental and moral qualities, which make what we call our race. While these stand unimpaired all is safe. When those decline all is imperiled. They are exposed but to a single danger and that is by changing the quality of our race and citizenship through the wholesale infusion of races whose traditions and inheritances, whose thoughts and beliefs are wholly alien to ours and with whom we have never assimilated or even been associated in the past. The danger has begun. It is small as yet, comparatively speaking, but it is large enough to warn us to act while there is yet time and while it can be done easily and effectively.¹⁵

A short time after Lodge had made his speech, McCall addressed his colleagues in the House on behalf of the House's version of the literacy test bill. During the course of this speech McCall made his racism and partiality to the Anglo-Saxon peoples especially evident. After contrasting the illiteracy rates for the countries represented by the new immigration with those countries represented by the old immigration, he declared

So we see a clear line of demarcation between these peoples (those from northern Europe and those from southern and eastern Europe). We see that the Anglo-Saxon races are able to read and write, and that this bill will practically not apply to them. We know that they are the people out of whose laws this nation sprang; that our institutions will be adapted to them, and that they will be the supports to uphold it. On the other, we see that the immigration from the Mediterranean parts and from those nations which, however excellent their characteristics may be, have yet peculiarities very different from ours, is in the main illiterate, and that this bill will especially apply to them.¹⁶

¹⁴Ibid., p. 2818.

¹⁵Ibid., p. 2820.

¹⁶Cong. Rec., 54 Cong., 1 Sess., 5477.

Thus McCall makes it very clear that the test is not designed as a selective measure, but as a restrictive measure, aimed specifically at the new immigration. Continuing his speech, McCall followed the lead of Lodge and to a large degree the pattern of argument used by most nineteenth and twentieth century nativists by making his appeal to the American workman. He called upon Congress to take note of the thousands of unemployed and the thousands more who were added through the competition of immigrants in the oversupplied labor market, immigrants who would work for wages on which an American laborer could not subsist. Growing quite emotional McCall carried his appeal further, contending "that it is the duty of the men responsible for the government of this country to protect our civilization against any such destructive competition, and if we shut our eyes to this condition and permit the degradation of those millions of our fellow citizens who labor with their hands, and are today the pillars upon which our institutions rest, then I say we are false to our trust."¹⁷

Not wishing to leave any emotional appeal unused, McCall, in the manner of a typical nativist, played upon the American fear of radicalism and class war; offering the literacy test as a panacea for these threats. He presented statistics which he assured his listeners demonstrated without a doubt "that the immigration that this bill would keep out congregates in the slums of our great cities, where resort those dangerous, festering, and explosive elements which more than anything else threaten the destruction of our whole social fabric."¹⁸ Still using the same appeal, McCall contended that "in the slums of

¹⁷Ibid., pp. 5477-78.

¹⁸Ibid., p. 5477.

our great cities can be found hundreds of thousands of people of alien races who settled there with no intention of becoming American citizens, who maintain separate and apart their habits of life, and so far as possible their laws and institutions, and who constitute a great menace to our civilization."¹⁹

The day before McCall made his speech, a vigorous debate had taken place in the House between the opponents and the exponents of the test bill. Some idea of the pressure then being exerted on Congress to pass the bill can be gained from the following statement made by one of the measure's friends. "This Congress has been flooded with petitions from every section of the country demanding the passage of legislation of this character, in fact, more petitions have been presented on this one subject than all the other matters pending before Congress."²⁰

At least one of the opponents of the bill during this debate found his remarks well received. This critic was Representative Buck, of Louisiana, who styled himself a German-American Democrat and who was the chief opponent of the bill in the House. His impressive speech in opposition to the bill was met with "loud and long continued applause" indicating that he was not alone in his dislike of the measure.²¹ However, though opposition to the bill did exist in the House, it was never to become a real threat to the bill's passage.

During this same debate, an amendment was made to the bill which was destined to have no little influence on its eventual fate. This was a provision aimed mainly at preventing so-called birds of passage from entering the United States. Specifically, this amendment declared

¹⁹Ibid., p. 5477.

²⁰Ibid., p. 5425.

²¹Ibid., p. 5436.

"That it shall be unlawful for any alien who resides or retains his home in a foreign country to enter the United States for the purpose of engaging in any mechanical trade or manual labor within the borders thereof while residing or retaining a home in a foreign country . . ."²² Although this amendment was not aimed solely at migratory Canadian laborers, they did constitute one of its main objectives. This was clearly revealed in a speech made by the amendment's sponsor, Representative Corliss, of Michigan. As evidence on the bill's behalf, Corliss presented "copies of resolutions certified to by the president and secretary of every labor organization in my city [Detroit], embracing a membership of 15,000 citizens who have asked Congress to adopt this particular measure for their protection."²³

After another day of spirited debate the literacy test bill was brought to a vote. Before it was passed however, the Corliss amendment was made a part of the measure by a vote of 121 to 45. The bill as amended was then passed by an even more lopsided vote of 195 to 26 and sent on to the Senate.²⁴

In the meantime, the Senate continued to debate the Lodge bill, with Senator Gibson, of Maryland emerging as the most persistent and vociferous foe of the proposal.²⁵ However, the Senate did not deal with this particular bill for long once the House had passed its literacy test bill. Early in June, on the motion of Senator Lodge, the Senate proceeded to consider the House bill, dropping the Senate bill for the time being.²⁶

²²Ibid., p. 5418.

²³Ibid., p. 5432.

²⁴Ibid., pp. 5484-85.

²⁵Ibid., pp. 5212-20.

²⁶Ibid., pp. 5212-20.

When the Senate began its consideration of the House bill, on June 5, Senator Morgan, of Alabama, used the occasion to offer an amendment to the measure. Reflecting the impact of the Cuban Insurrection on American politics, this amendment proposed to exempt from the provisions of the bill all "persons arriving in the United States from any port or place in the Island of Cuba."²⁷ Though this amendment was discussed at some length, no vote was taken on it at this time.

Although the test bill had passed quickly and easily through the House, it was due for less hospitable treatment in the Senate. First, the bill was temporarily laid aside, then after being taken up again and again laid aside, it was finally put over as unfinished business for the next session. This last action was taken after Lodge had indicated that he did not intend to press the bill that session.²⁸ What lay behind Lodge's decision is a matter of question. Perhaps he hesitated to push the bill to a vote at this time because he feared its defeat. On the other hand, he as well as other supporters of the measure, may have wanted to wait for the November elections to pass before dealing with this controversial proposal. Certainly this was the reason for similar Congressional hesitancy in acting on later literacy test bills.²⁹

It was obvious that the Immigration Restriction League was still vitally interested in the passage of what was now called the Lodge-Corliss bill, when that measure came up for consideration early in the second session of the fifty-fourth Congress, which met in December of 1896.

²⁷ Ibid., p. 6149.

²⁸ Ibid., pp. 6185, 6243-49, 6264.

²⁹ Higham, pp. 189, 192, 203; New York Times, August 8, 1912, p. 7, c. 6; New York Times, August 22, 1916, p. 1, c. 6.

Prescott F. Hall, secretary of the League and John F. More, a member of the League's Executive Committee, were both in Washington to lobby for Senate approval of the bill.³⁰ The fear engendered by the recent increase in the number of immigrants, particularly the increase in the proportion of new immigrants (especially Italians) was reflected in the following statement made by Hall while in Washington.³¹ "Immigration which fell off during the depression of 1893-4 is rapidly increasing, the number for the fiscal year of 1896 being 343,267 or one-third larger than last year. The proportional increase of immigrants from the illiterate countries of southern and Eastern Europe is startling. It was less than 1 per cent in 1886 and 52 per cent in 1896."³² Continuing, Hall expressed what he considered to be the theory behind the literacy test. "The theory of the reading and writing test," he observed, "is not that an illiterate person may not be moral and industrious in particular cases, but that, in general illiterates are least desirable for these reasons. Statistics show that the countries sending us the most illiterates send also the largest number of those ignorant of any occupation and those who drift into our city slums and fill our poorhouses and jails."³³ This line of reasoning is typical of that used by both nineteenth and twentieth century restrictionists.

The Lodge-Corliss bill met with opposition from an old enemy as soon as it was again brought before the Senate. As in the first session, it was Senator Gibson, the Maryland Democrat, who again opposed the measure. Seeking to delay action on the bill, he suggested that the bill be laid

³⁰New York Times, December 6, 1896, p. 16, c. 2.

³¹Ibid., p. 16, c. 2.

³²Ibid., p. 16, c. 2.

³³Ibid., p. 16, c. 2.

aside until after the holiday recess. Lodge naturally opposed such a delay, arguing that the bill was a moderate one which only the steamship lines opposed. Gibson then moved that the bill be postponed until the first Monday in January, adding that he did not represent the interests of the steamship companies, whatever they might be, but that he did represent the State of Maryland, which never before in its history was more opposed to immigration restriction. After Senator Chandler had spoken against Gibson's proposal, the vote on the motion was taken and it was defeated by a substantial margin. With the threat of delay removed for the time being, the sponsors of the bill moved to secure the Senate's approval of the Senate substitute for the House bill.³⁴

After the Senate had approved the substitute bill, it was opened to amendments. One of the proposed amendments was presented by Senator Vest, a Democrat from Missouri. He complained against the application of the test to women and girls, and offered an amendment exempting them from it. Vest then went on to criticize the motives of many of those who advocated the test. As he saw it, the restriction of immigrant voters was the real motive behind their advocacy of the test, for how could the illiteracy of one man debase the labor or workmanship of another. What was even more fallacious, he contended, was their attempt to apply this argument against illiterate immigrants to domestic servants.³⁵ Lodge was quick to reply to Vest's criticisms. "There was no question," he insisted, "that all the workingmen of the cities were today united in feeling that the unrestricted competition of the unemployed of other lands should be

³⁴Cong. Rec., 54 Cong., 2 Sess., 67-68, 71-72.

³⁵Ibid., p. 72.

prevented."³⁶ He therefore opposed Vest's amendment on the basis that it would weaken an already mild measure. Senator Chandler then joined Lodge in opposing the amendment, asserting that there was more danger in the illiteracy of females than in the illiteracy of males. Finally, as a reminder to the anti-restrictionists in the body, Chandler called to their attention the fact that the national conventions of both major political parties had voted in favor of restricting immigration. Then without acting on any of the pending amendments, the Senate moved on to other business.³⁷

On December 17th, the Senate again took up the Lodge bill, the name by which the substitute now went and the measure underwent some modification. The test was still to be applied to both men and women, but now all persons under sixteen years of age instead of the previous fourteen years of age were exempted from the test and the class of illiterate relatives an admissible immigrant could send for or bring with him was expanded.³⁸ Mr. Morgan again offered his amendment asking that Cuban immigrants be freed from the provisions of the test.³⁹ During the long discussion that followed, Morgan's amendment was itself amended so that in its final form it read: "This act shall not apply to persons arriving in the United States from any port or place in the Island of Cuba during the continuance of the present disorder there: Provided, that such persons have heretofore been inhabitants of that island."⁴⁰

³⁶Ibid., p. 72.

³⁷Ibid., pp. 72-75.

³⁸Ibid., pp. 233-35.

³⁹Ibid., p. 235.

⁴⁰Ibid., pp. 240-41.

The amendment was then agreed to by a vote of 47 to 6, which probably reflected to some extent the growing sympathy of Congressmen for the Cuban cause.⁴¹

After rejecting a head tax amendment to the bill, the Senate voted on the Lodge bill as amended. The roll call vote resulted in the passage of the bill by the overwhelming margin of 52 to 10, in a mainly partisan vote.⁴² A breakdown of the vote shows that thirty-five Republicans, thirteen Democrats and four Populists voted for the measure, while all ten opposing votes came from Democrats.⁴³ Of these ten votes, six came from the South, three from the Midwest, and one from the East.⁴⁴

If this bill as passed by the Senate had become a law, what effect would it have had on immigration? An answer to this speculation is provided for us in the statement of Dr. Joseph H. Senner, Commissioner of Immigration at the port of New York, when he was asked to comment concerning the probable effect of the bill should it become a law. "I should say," answered Dr. Senner, "that had such a law as is now proposed been in force during the past year 12,500 Italian immigrants would have been excluded from the country, instead of the 1,300 that were deported. Of the entire 200,000 immigrants who arrived during the last fiscal year, 3,000 were returned. Had this act been a law, I think we would have sent back 23,000 or at least ten per cent of the entire number."⁴⁵

⁴¹Ibid., p. 241.

⁴²Ibid., pp. 245-47.

⁴³Ibid., p. 247; Congressional Directory (54 Cong., 2 Sess., Senate Doc. No. 16), 315-16.

⁴⁴Ibid., p. 247; Congressional Directory, pp. 315-16.

⁴⁵New York Times, December 19, 1896, p. 9, c. 6.

Such results would certainly have pleased the test's proponents and made good their predictions as to the test's restrictive capacity, since most of the twenty-eight thousand would have come from the somewhat over one hundred thousand new immigrants arriving that year.

Since the literacy test bill as amended and passed by the Senate was substantially different than the one passed by the House during the previous session, a conference between the two Houses became necessary.⁴⁶ The conferees from the two Houses quickly compromised their differences however, and made their report.⁴⁷ On February 2nd, this conference report was called up for consideration in the Senate.⁴⁸ By this time President Cleveland had bitterly denounced the bill and announced that it was his intention to veto the measure if it came to him.⁴⁹ This information gave encouragement to the opponents of the bill and they were quick to attack the conference report. Its old enemy Senator Gibson, immediately raised a point of order against the report, claiming that the committee had exceeded its powers and had injected new matter into the bill.⁵⁰ This was true, for the bill now excluded the wife of an admissible immigrant if she too were illiterate.⁵¹ Finally, after two days of heated debate, during which numerous objections were made to the

⁴⁶Cong. Rec., 54 Cong., 1 Sess., 5405; Cong. Rec., 54 Cong., 2 Sess., 232-47.

⁴⁷Cong. Rec., 54 Cong., 2 Sess., 394.

⁴⁸Ibid., p. 1423.

⁴⁹New York Times, February 2, 1897, p. 3, c. 2.

⁵⁰Cong. Rec., 54 Cong., 2 Sess., 1424.

⁵¹Ibid., p. 1423.

report, the Senate agreed to a motion to nonconcur in the report of the conference committee and request a further conference.⁵²

During the preceding debate, the North German Lloyd Steamship Company and its Chicago agent had come under strong attack from Senator Lodge for what he claimed was their part in opposing the test bill.⁵³ Lodge even went so far as to say that if the bill were defeated, the defeat would be taken as an example of the "victory of a corporation on a great question of public policy."⁵⁴ Lodge did not make these accusations without having some support for them. About a week before this debate, he had announced to the press that members of Congress, especially its Western members, were being showered with mail appealing to them to vote against the literacy test bill.⁵⁵ Lodge even produced information showing how this campaign had been started and who was behind it. His information came from a prominent South Dakota citizen who had enclosed a copy of the telegram he had recently received. It read as follows: "Immigration bill comes up in House Wednesday. Wire your Congressman, our expense, protesting against proposed exclusion, informing him that a vote in favor means defeat next election."⁵⁶ The dispatch was signed by Claussenius & Co., Chicago agents of the North German Lloyd Steamship Company. The Western part of the United States, according to Lodge, was flooded with such dispatches.⁵⁷ A few days later Lodge resumed his expose

⁵² Ibid., pp. 1424-33, 1513-23.

⁵³ Ibid., pp. 1431-32, 1522.

⁵⁴ Ibid., p. 1432.

⁵⁵ New York Times, January 27, 1897, p. 2, c. 4.

⁵⁶ Ibid., p. 2, c. 4.

⁵⁷ Ibid., p. 2, c. 4.

by presenting the press with a copy of a circular being sent out by H. Claussenius & Co. This circular also requested the recipient to wire his Congressman asking him to vote against the test bill, reminding him that he would be unseated at the next election if he failed to do so.⁵⁸

When a representative of the North German Lloyd Steamship Company was sought out and questioned about this circular, he repeated a statement he had made earlier in regard to the telegram first presented by Lodge. That is, that the North German Lloyd Company had "nothing whatever to do with the matter, and the Chicago firm was acting individually and not as the company's agent."⁵⁹ However, although he assured the press that "any necessary immigration measure would be heartily endorsed by the steamship companies," he added, perhaps unwisely, that personally he considered the proposed measure "unworkable, impracticable, inconsistent, and cruel."⁶⁰

When the next conference report on the test bill was taken up by the Senate, a few changes were suggested, with Senator Gorman, Democrat of Maryland, warning Lodge that "unless the bill came back from the conference committee applying only to males and with a provision for the admission of the ignorant wife, the antagonisms to it would continue till the end of the session."⁶¹ This opposition arose mainly over provisions in the bill that might possibly have brought about the separation of families because of the language of the test provision. The language

⁵⁸New York Times, February 1, 1897, p. 4, c. 3.

⁵⁹New York Times, February 2, 1897, p. 2, c. 2.

⁶⁰Ibid., p. 2, c. 2.

⁶¹Cong. Rec., 54 Cong., 2 Sess., 1521.

requirement of the test provision was also felt to be too broad, threatening to exclude certain immigrants whose exclusion was not desired.⁶² Opposition to such exclusion grew so strong that the conference committee was virtually instructed to change the section to conform to the wishes of the opposition.⁶³

The next conference committee gave into the demands of the opposition, with the result that their report was more favorably received than the previous ones.⁶⁴ In the House after a short debate the report was agreed to by the overwhelming vote of 217 to 36.⁶⁵ A breakdown of the nay vote shows that twenty-seven negative votes were cast by Democrats, twenty-five of them Southern Democrats.⁶⁶ Nine of the nay votes came from Republicans, two of these were Southern Republicans, four came from congressmen representing constituencies containing large numbers of Germans, and one vote came from a New York Representative who was himself an immigrant.⁶⁷ The fact that most of the opposition votes came from the South only reflects the general antipathy of that area toward immigration restriction during this period.⁶⁸ This vote also showed the Republican party to still be the main vehicle of immigration restriction.

⁶²Ibid., pp. 1424-25, 1427-31, 1521-22.

⁶³Ibid., pp. 1521-23.

⁶⁴Ibid., pp. 1673-77.

⁶⁵Ibid., p. 1677.

⁶⁶Ibid., p. 1677; Congressional Directory, pp. 315-16.

⁶⁷Ibid., p. 1677; Congressional Directory, pp. 315-16; Biographical Directory of the American Congress, 1776-1949, (Washington, Government Printing Office, 1950).

The Senate too, agreed to the report, but only after a protracted and heated debate.⁶⁹ Senator Palmer, Illinois Democrat began the attack on the measure, condemning it as an offspring of nativism, which indeed it was. Moreover, Palmer predicted that the test would be useless for it would shut out a good and useful class while letting in the literate anarchist.⁷⁰ The Corliss amendment to the bill also came under the fire of the anti-restrictionists. In Palmer's opinion this provision was a "miserable and narrow example," which Canada and Mexico would probably follow.⁷¹ If retaliatory legislation did come, American workers in Mexican mines and Canadian forests would certainly suffer, continued Palmer.⁷² Later in the debate, Senator Gibson presented excerpts from the Detroit Free Press and the Detroit Evening News which expressed much hostility toward the provision, both claiming that there were quite as many American citizens who crossed daily into Canada to work as there were Canadians who crossed into the United States to earn a living.⁷³ Senator Carter, a Republican from Montana, also attacked the bill and especially the Corliss amendment. Such legislation, Carter warned, could result in nothing but a similar Canadian law. Retaliation of this sort, he further warned, would hurt America much more than the present proposal would Canada, because for every Canadian citizen working in America there were at least a dozen Americans holding good jobs in Canada.⁷⁴

⁶⁹Ibid., pp. 1922-24.

⁷⁰Ibid., p. 1922.

⁷¹Ibid., p. 1922.

⁷²Ibid., p. 1922.

⁷³Ibid., pp. 1931-32.

⁷⁴Ibid., pp. 1924-25.

Others criticized the Corliss amendment in a similar fashion. The Democratic Senator from Delaware, Mr. Gray, criticized the bill as being a departure from time honored United States policy and assured the Senate that the President would veto it.⁷⁵ The bill's most adamant foe, Senator Gibson, predicted that the bill's inhumanity would shock the citizenry, while Senator Blanchard, of Louisiana, reflected the attitude of the South when he suggested that immigration should be encouraged so that America's waste places could be built up. However, the South was by no means unanimous in its anti-restrictionist feeling. Although from about 1865 to 1907, planters, land speculators, railroads, industrialists, and State governments tried to lure immigrants to the South, popular sentiment was hostile toward immigrants, especially after 1880. This hostility was especially marked among labor and farm organizations. Although few of the new immigrants came South, they became the target of Southern animosity seemingly for the lack of a more relevant scapegoat. Even the promoters of the immigration in the South tended to share the bias against the new immigrants.⁷⁶ The debate closed with a speech by the bill's sponsor, Henry Cabot Lodge. In his speech he was unable to effectively answer the critics of the Corliss amendment, replying only that he could not see how Congress could legislate on the basis of the probability of retaliatory legislation by another country. His main talking point seems to have been the

⁷⁵Ibid., pp. 1926, 1928.

⁷⁶Ibid., pp. 1929-37; Rowland T. Berthoff, "Southern Attitudes Toward Immigration, 1865-1914," Journal of Southern History, XVII (1951), 328, 345-50, 353-59.

unemployment situation, which he warned must be solved before Congress could consider foregoing the further restriction of immigration.⁷⁷

The vote on the conference report resulted in a victory for the bill's supporters, but only by the narrow margin of 34 to 31.⁷⁸ A breakdown of the vote shows that it was again mainly partisan, but to a considerable degree sectional too. Of the thirty-four yes votes cast, twenty-six came from Republican Senators. Eleven of the twenty-six came from Eastern Senators, with the remainder scattered throughout the country. Only four Democrats voted in the affirmative, three of these were Southerners and one was an Easterner. The Silverites and the Populists in the Senate added two votes apiece. The bulk of the nay votes, twenty-five, came from Democrats and of these, thirteen were votes of Southern Senators and five were votes of Midwest Senators. Only four Republicans voted with the opposition and three of them represented North Central States, all of which had sizeable numbers of foreign-born residents. The opposition only picked up one vote apiece from the Silverites and the Populists. The closeness of the vote as compared with the earlier Senate vote on the bill is significant in view of the assured presidential veto, for it precluded any possibility of overriding such a veto unless restrictionist feeling in the Senate became much stronger.⁷⁹

Prescott Hall, secretary and one of the pillars of the Immigration Restriction League, explained that the closeness of this vote was due to the efforts of the "steamship companies and their sympathizers to defeat the measure."⁸⁰ As a basis for his assertion Hall cited the

⁷⁷Ibid., p. 1937.

⁷⁸Ibid., p. 1937.

⁷⁹New York Times, February 18, 1897, p. 4, c. 1-2.

⁸⁰Hall, p. 265.

communications of Claussenius & Co. which have already been quoted. Another possible explanation for the closeness of the vote may be that the Senate Republicans appreciating what the foreign vote had reputedly done for them in the recent election, had become more hesitant to offend that section of the electorate with such a measure. Another factor, probably the most important one, was the general decline at this time of the whole nativist movement which had sparked the drive for the literacy test. The year 1897 saw the beginning of a period of virtual hibernation for the literacy test movement and the nativist spirit that underlay the whole campaign for the restriction of immigration.⁸¹

The literacy test bill as agreed to by the two Houses now excluded

All persons physically capable and over sixteen years of age who cannot read and write the English language or some other language, but a person not so able to read and write who is over fifty years of age and who is the parent or grandparent of a qualified immigrant over twenty-one years of age and capable of supporting such parent or grandparent may accompany such immigrant, or such a parent or grandparent may be sent for and come and join the family of the child or grandchild over twenty-one years of age and similarly qualified and capable, and a wife or minor child not so able to read and write, may accompany or be sent for and come and join husband or parent similarly qualified and capable.⁸²

The bill also contained a provision making it unlawful for any alien to perform labor in this country while a resident in a foreign country, or to come in and work daily in the United States. This was the Corliss amendment. Cuban residents arriving from that island during the continuance of the disorders there were to be exempted from the literacy test provision in the measure.⁸³ In this form the bill was sent on to President Cleveland during the last days of his administration.

⁸¹Higham, pp. 104-05.

⁸²Cong. Rec., 54 Cong., 2 Sess., 1921.

⁸³Ibid., p. 1921.

J. H. Senner, who had had intimate contacts with immigrants as Commissioner of the port of New York, made some comments on the literacy test and Italian immigrants while the Lodge bill was before Congress. He pointed out that the press comment on Italian immigration of the last few weeks had been most unfavorable and that as a result the readers must be led to believe that "heroic measures were demanded by the public welfare."⁸⁴ Senner himself believed that a "moderate educational test would remove the remotest apprehension of danger from Italian immigration."⁸⁵ However, Senner hastened to point out that although he favored an educational test, he did "not share the apprehension of a perilous change in the very fabric of our race impending from further immigration."⁸⁶ Senner echoed the reasoning of the nativists though, when he stated as his reason for favoring a literacy test "the obvious fact that illiteracy is invariably coupled with a low standard of living which leads to a lowering of wages."⁸⁷

Several newspapers spoke approvingly of the literacy test proposal while it was before Congress. One of these was the Springfield Republican which felt that a literacy test would exclude many who would be a definite asset to the country though "it seemed to be the only test possible to apply" and would, to the Republican's great satisfaction, hit the immigrants from Southeastern Europe the hardest.⁸⁸

⁸⁴J. H. Senner, "Immigration From Italy," North American Review, CLXII (1896), 649.

⁸⁵Ibid., p. 654.

⁸⁶Ibid., p. 654.

⁸⁷Ibid., p. 655.

⁸⁸Literary Digest, February 27, 1896, 516.

The Minneapolis Journal (independent Republican) and the Jersey City Evening Journal (Republican) also approved of the Lodge bill and called for its passage.⁸⁹ Another paper pointed out that the Republican party had committed itself to the literacy test in its 1896 national party platform and therefore should act accordingly.⁹⁰ Several other papers also commented on the bill only a short time after it had been introduced into Congress. One of these was the Chicago Scandinavian (Republican), whose editor thought the recommendation of a literacy test by the Immigration Restriction League was "well advised" and that it ought to have been enforced long ago.⁹¹ Continuing its commentary, this paper boldly asserted that "All foreign-born citizens of the better sort will favor the adoption of a law imposing an educational test upon intending immigrants."⁹² The Detroit Patriotic American (A. P. A.) was naturally in favor of the test, while the Boston Commonwealth desired such a barrier against ignorant immigrants so America would get "the best, and only the best" in the way of immigrants.⁹³

After the Lodge bill had finally won the approval of both Houses of Congress, press comment seems to have become more frequent, judging from the excerpts found in Public Opinion. The San Francisco Call, an avowedly Republican newspaper, declared that the Lodge bill, so far as it went was "good enough" and that "The people desire to see it enacted without further delay."⁹⁴ At the same time the Republican Chicago

⁸⁹Literary Digest, June 6, 1896, 161.

⁹⁰Literary Digest, December 19, 1896, 199.

⁹¹Public Opinion, XIX (1895), 735.

⁹²Ibid., p. 735.

⁹³Ibid., p. 736.

⁹⁴Public Opinion XXIII (1897), 232.

Tribune lauded the Lodge bill as being in "strict accord with public sentiment. . . ." ⁹⁵ The Tribune saw the literacy test as the means by which the American workman would be saved from "the scum of Europe" which had been crowding him out of his legitimate place. ⁹⁶ The Tribune, however, was not critical of all immigrants to America, for while they spoke degradingly of the immigrants from Southeastern Europe, they hastened to point out that German, Scandinavian and English immigrants were entirely welcome. As a final testimonial to the popularity of the literacy test the Tribune asserted that probably 95 per cent of the working people of the country would favor barring all illiterates. ⁹⁷ Another Midwestern newspaper also cited the threat to American labor resulting from the influx of immigrants, especially those coming from Hungary and Italy and called for a stronger bill if this one did not do the job. ⁹⁸

Opposition to the literacy test in the Lodge bill seems to have been more infrequent than praise of it if Literary Digest and Public Opinion are used as the criteria for judgement. However, a few papers did oppose the bill. One of these was the Democratic Brooklyn Citizen, which called upon President Cleveland to veto the bill or "disappoint a very large number of citizens who know anything about it." ⁹⁹ Continuing, the Citizen contended that the bill would cause bad feelings between the United States and Canada, and certainly would not pave the

⁹⁵Ibid., p. 232.

⁹⁶Ibid., p. 231.

⁹⁷Ibid., p. 231.

⁹⁸Ibid., p. 232, from Minneapolis Journal.

⁹⁹Ibid., p. 232.

way for a union with Canada as should be the case.¹⁰⁰ The St. Louis Republic (Democratic), considered education a poor criterion by which to judge a man and so opposed the test proposal.¹⁰¹ The Omaha Bee (Republican), contended that the present laws, properly enforced, were quite sufficient and that nothing would be gained by making further restrictions.¹⁰²

Quite an impressive array of German-American newspapers unanimously opposed "all efforts to restrict immigration" which would of course include the literary test.¹⁰³ The papers expressing such opposition were the New York Staats-Zeitung, the Cincinnati Volksblatt, the Chicago Staats-Zeitung, the St. Louis Westliche Post, the Milwaukee Freidenker, the Milwaukee Seebate and the Chicago Freie Press. The stand taken by these papers probably represented the "vociferous immigrant opposition to the literacy test" that was "crystallizing" at that time.¹⁰⁴ Moreover, although the German press was especially outspoken against the test, "the federal immigration commissioner reported that the entire foreign-language press condemned it."¹⁰⁵

The climax of the struggle for the Lodge-Corliss bill came on March 2, 1897. On this day President Cleveland returned the bill to Congress without his signature.¹⁰⁶ This decisive step was taken by Cleveland

¹⁰⁰Ibid., p. 232.

¹⁰¹Literary Digest, June 6, 1896, 162.

¹⁰²Literary Digest, December 19, 1896, 199.

¹⁰³Ibid., p. 637.

¹⁰⁴Higham, p. 104.

¹⁰⁵Ibid., p. 104.

¹⁰⁶Cong. Rec., 54 Cong., 2 Sess., 2667.

only after he had carefully weighed and considered the merits of the bill. President Cleveland's veto message emphasized the fact that this was a "radical departure from our national policy relating to immigration.

. . .¹⁰⁷ Furthermore, he pointed out that it seemed needlessly harsh and oppressive and that the literacy test was an inadequate test of the desirability of an immigrant. Cleveland saw no need for an alteration of our immigration policy. In addition to these objections, Cleveland condemned in no uncertain terms the amendment to the bill made by Representative Corliss.¹⁰⁸ Concerning the effect of this provision on Cleveland's decision to veto the bill, Prescott Hall stated later that:

It has been said, however, on apparently good authority, that in view of the very large vote by which the illiteracy test had passed both Houses twice, the President would not have interposed his veto but for the provisions affecting the border immigration from Canada. It must be remembered that there were many questions of grave importance pending between the United States and Canada, such as the question of the seal fisheries and the Alaskan boundary. In addition to the general desirability of avoiding trouble with a near neighbor, with whom the United States had hitherto been on friendly terms, it was of the greatest consequence for the successful adjustment of the various matters in controversy that friction should not be created and bad feeling engendered by the passage of a measure containing such irritating and vexatious clauses as those of the Corliss amendment; and on this account the veto can be supported even by friends of the illiteracy test.¹⁰⁹

The reaction of the two Houses to the veto was considerably different. Action by the House of Representatives on the veto was delayed until March 3rd. At this time the House, without any debate, quickly repassed the measure over Cleveland's veto by a vote of 195 to 37.¹¹⁰

¹⁰⁷ Ibid., p. 2667.

¹⁰⁸ Ibid., p. 2667.

¹⁰⁹ Hall, pp. 266-67.

¹¹⁰ Cong. Rec., 54 Cong., 2 Sess., 2967.

Meanwhile, in the Senate, the vetoed bill was faring somewhat differently. After hearing the veto message read, the bill was referred to the Committee on Immigration on the motion of Senator Lodge.¹¹¹ With this action taken, the bill died, for although the "Republican leaders who had pressed the measure . . . were wrath" the Senate failed to take any further action on the bill.¹¹²

The reasons for the Senate's failure to act are probably about the same as those which caused the earlier vote on the conference report to be so close. It can also be assured with some safety that the lobbyists representing the steamship lines played quite an important part killing the bill. For that matter, Lodge even went so far as to say later, that he had heard that Cleveland himself spoke of the veto with regret and that he had been influenced by the misrepresentations of the German steamship offices in New York. Nevertheless, the end of one period in the campaign for a literacy test had come to an end and it was destined to be another ten years before both Houses of Congress would again pass a measure containing a test proviso.

¹¹¹Ibid., p. 2729.

¹¹²Allan Nevins, Grover Cleveland: A Study in Courage (New York, 1932), p. 726.

Chapter III

The Campaign For The Test Continues; Another Veto

Undaunted by his recent setback, Henry Cabot Lodge once again set out to secure Congressional approval of a literacy test. Therefore, on March 16, 1897 he once more introduced the Immigration Restriction League's bill into the Senate.¹ The measure was quickly reported from the Senate Committee on Immigration, but after some discussion of the bill it was passed over.² The bill fared better during the second session of the fifty-fifth Congress where after being debated at some length it was voted on and passed on January 17, 1898. The vote of 55 to 28 was mainly partisan with only one Republican voting against the measure and but few Democrats voting for it.³

As a result of the election of William McKinley, Lodge and the other proponents of the test had gained some valuable support for their measure. President McKinley in his inaugural address had voiced his approval of an educational test as an addition to our immigration laws.⁴ Additional support came from the A. F. of L. which had gone on record as approving of the test by a vote of 1858 to 352 at its national convention held in December of 1897. The Immigration Restriction League took particular care to point out this fact to every member of Congress.⁵ Other

¹Cong. Rec., 55 Cong., 1 Sess., 38.

²Ibid., pp. 116, 263, 1042.

³Ibid., pp. 683-89.

⁴Ibid., p. 4.

⁵Higham, pp. 106-07.

labor support came from the General Assembly of the Knights of Labor which endorsed the proposal in late 1897.⁶ In Lodge's home State of Massachusetts where restrictionist sentiment was still strong, the State Republican party platform endorsed the test.⁷ The proposal was also bolstered by the more than one hundred and sixty petitions presented in the Senate which called for the enactment of the literacy test.⁸

However, there were also many influential voices being raised against the test. Some examples of this were the numerous petitions that flowed from such hyphenate organizations as the Polish Catholic Union of Chicago, the Polish Alliance of the United States, the Roman Union of the United States and the United Italian Societies.⁹ A memorial from five hundred and twelve German-Catholic Societies was also among the mail that protested against the literacy test.¹⁰

It was during this same period that several national groups joined together to form the Immigrant Protective League, for the purpose of defeating nativistic legislation and counterbalancing the efforts of the Immigration Restriction League. The primary work of the League consisted of the dissemination of circular letters printed in the German language to German language newspapers and to various German societies in America. These circulars stressed particularly the detrimental effect nativistic legislation would have on German immigration and German culture in America.

⁶Cong. Rec., 55 Cong., 2 Sess., 627.

⁷Hall, p. 276.

⁸House Journal Index, 55 Cong., 2 Sess.

⁹Senate Journal, 55 Cong., 2 Sess., 149, 160, 204, 235.

¹⁰Ibid., p. 53.

Oddly enough, the promoter and secretary of the League was Dr. Joseph H. Senner, who while he was Commissioner of Immigration at the port of New York, had favored a literacy test because he believed that illiteracy was consistently accompanied by a low standard of living.¹¹

The literacy test bill passed by the Senate did not meet with a very friendly reception in the House. For that matter this might have been expected, since McCall had introduced the same bill as Lodge had in the Senate and had seen it die in committee.¹² When the Lodge bill arrived in the House, the same committee tied it up until mid-December of 1898. At this time the bill was finally brought before the House which then refused to consider the measure by a vote of 104 to 101.¹³ Although the restrictionists were again unsuccessful in their efforts, the closeness of the vote indicated that there was still a substantial majority in the House in favor of the literacy test.

There are several possible reasons for the refusal of the House to consider the test bill. One of these is that the press of business, especially that resulting from the Spanish-American War pushed the matter aside. The vigorous fight against the bill put up by immigrants already in America might also go far toward explaining the reluctance of the House to act. In all likelihood such opposition worried those Congressmen whose constituencies contained large numbers of immigrant voters. One other factor that should not be overlooked, was the reviving prosperity and expanding industrial activity of this period which called for more labor,

¹¹North American Review, CLXII (1896), 655; Annals of the American Academy, X (1897), 15.

¹²Cong. Rec., 55 Cong., 1 Sess., 20.

¹³Ibid., p. 196.

especially cheap immigrant labor. Probably this was also on the minds of many Congressmen when they voted not to take up the bill.

Although their efforts had once more been crowned with defeat, the proponents of the test did not give up the fight. During the first session of the fifty-sixth Congress a bill containing the test was once again introduced into the Senate. Fated to be even more short-lived than its predecessor, this bill, although reported from committee in January of 1900, was never called up for consideration by the Senate.¹⁴

When the first session of the fifty-seventh Congress met in December 1900, the Immigration Restriction League which by 1900 had sent out some one hundred and fifty thousand restrictionist pamphlets and documents, was again able to secure the introduction of its bill into both Houses.¹⁵ Neither of these bills were ever voted on although Congress was flooded with over four thousand petitions endorsing the educational test and asking for its passage. For the most part, these petitions emanated from skilled-trade unions, locals of the United Mine Workers and the United Order of Junior Mechanics, however, petitions also came from the State legislatures of California, Wyoming, Washington and Arkansas, a forewarning of the strength restrictionism would soon gain in these areas.¹⁶

During this same session an attempt was made to secure the enactment of a literacy test by attaching it to an immigration bill in the form of an amendment. Senator Underwood of Alabama, representing the beginnings of the Southern shift toward restrictionism, proposed this amendment to

¹⁴Cong. Rec., 56 Cong., 1 Sess., 89, 799, 1651.

¹⁵Cong. Rec., 57 Cong., 1 Sess., 94, 123; Prescott F. Hall, "Present Status of Immigration Restriction," Ganton's Magazine, XVIII (1900), 305.

¹⁶House Journal, 57 Cong., 1 Sess.

an immigration bill which had been framed in accordance with the recommendations of the Industrial Commission and the Commissioners of Immigration at several United States ports.¹⁷ The amendment was approved in the Senate by a vote of 86 to 7.¹⁸ President McKinley's assassination by an anarchist had intensified restrictionist feeling and the test's chances of passing in the form of this amendment appeared great until unforeseen circumstances made the dropping of it imperative. For although a majority of the Senators favored the test, a few Senators disliked it so intensely that they became determined to defeat the whole measure if the test proviso was retained. Therefore, in order to save the rest of the bill, the Senators in charge of the measure dropped the literacy test proviso from the general bill.¹⁹

Again during the first session of the fifty-eighth Congress in 1903, test bills were introduced into both the Senate and the House.²⁰ The restrictionists were again stymied when both of the bills died in committee.²¹ Prescott Hall, who as secretary of the Immigration Restriction League was close to the situation as well as vitally concerned with the test's success, explained that the bill's failure "was owing partly to the great pressure of other matters, partly to the great increase in industrial activity which created a temporary demand for unskilled labor, and partly to a desire to see the practical operation of the Act of March 3, 1903,

¹⁷Cong. Rec., 57 Cong., 1 Sess., 5768.

¹⁸Ibid., p. 5833.

¹⁹Hall, p. 271.

²⁰Cong. Rec., 58 Cong., 1 Sess., 165, 175.

²¹Cong. Rec. Index, 58 Cong., 1 Sess.

before undertaking further legislation."²² Furthermore, Southern members probably opposed the test because of the organized efforts now being made to entice immigrants into the South.²³

Seemingly undiscouraged by the repeated failure of their efforts to gain Congressional approval of the literacy test, the Immigration Restriction League once again had its bill placed before Congress.²⁴ This time the test bill was introduced into both Houses of the fifty-ninth Congress in March, 1905.²⁵ Then with the aid, through the more circumspect aid of Henry Cabot Lodge who had growing numbers of immigrant voters in his own State, the bill was pushed through the Senate and passed on a non-roll call vote.²⁶ This was done despite the protests of several foreign groups including the Jews who were by far the most vociferous in their remonstrances against such action.²⁷

In the House the test's proponents, led by Lodge's fiery son-in-law, Augustus P. Gardner, perhaps motivated by the large increase in the volume of new immigrants, quickly obtained a favorable report of the bill from the Committee on Immigration and Naturalization.²⁸ However, the restrictionists were now faced with a mounting wave of opposition to their pet plan. Just before the bill had passed through the Senate, the National

²²Hall, p. 271.

²³Berthoff, pp. 331, 334, 339-40, 357.

²⁴Cong. Rec., 59 Cong., 1 Sess., 202, 221.

²⁵Ibid., pp. 202, 231.

²⁶Ibid., p. 7298.

²⁷Higham, p. 128.

²⁸Ibid., p. 7643; Historical Statistics of the United States: 1789-1945 (Washington, 1949), p. 33.

Liberal Immigration League had been organized for the single purpose of defeating restrictionist legislation. The stature and reputation of the man who became its president, as well as that of many of its members, lent "an air of altruism" to the organization.²⁹ Soon the League was staging meetings in large cities and showering Congressmen with resolutions protesting against the literacy test. Meanwhile, Oscar Strauss, the Secretary of Commerce and Labor and the first Jewish Cabinet member, was warning that if the test bill was passed, the Republican party would lose its increasing support among the urban foreign voters. Strauss also induced the very influential Cardinal Gibbons to write President Roosevelt a letter protesting against the test.³⁰ However, despite all this mounting opposition to the literacy test outside of Congress, it was within the House of Representatives that the restrictionists met their most formidable foe; the very powerful Speaker of the House, Joe Cannon. Cannon's militant opposition was caused by a combination of several factors. One was his enmity toward organized labor (now crying for restriction) and his definite pro-business sympathies. Another was the fact that he and other party leaders saw that the passage of a literacy test would imperil the party's power among the immigrant voters. Besides this, Cannon represented a coal mining district that depended heavily on immigrant labor. Thus he represented the two interests then most hostile to immigration restriction and even President Roosevelt's personal plea that he support the test was to no avail.³¹

²⁹Higham, p. 128.

³⁰Ibid., p. 128.

³¹Blair Bolles, Tyrant From Illinois: Uncle Joe Cannon's Experiment With Personal Power (New York, 1951), p. 72; Elting E. Morison, Ed., The Letters of Theodore Roosevelt (Cambridge, 1951-54), V, pp. 285-86.

The first move Cannon made in his campaign against the test was to secure a non-record vote on the immigration bill. This maneuver was calculated to gain the support of some of the irresolute Representatives who were subject to pressure from organized labor and the various restrictionist and nativist organizations. Cannon was assured of this kind of a vote by his cohorts on the Rules Committee who adopted a special rule making a roll call vote on the literacy test proviso impossible. The same faithful committee also limited the debate on the measure to three hours and the number of amendments allowable to one for each section of the bill. Then, in spite of the bitter complaints of the restrictionists who contended that they needed more time to present their arguments, the House approved the resolutions of the Rules Committee.³²

When the House did take up the immigration bill, Cannon set in motion the plan of action by which he hoped to kill the literacy test proviso. Before the debate commenced, Cannon left the Speaker's chair, handing over his gavel to Jim Watson, so that he might take personal leadership on the floor. Augustus Gardner opened the debate by reading a letter from Samuel Compers who strongly favored the test and was working hard to secure its passage. Gardner then reviewed the unionist and biological arguments for the test which had been piling up for more than a decade. Other speakers, both restrictionists and anti-restrictionists followed and the debate was moving into the late afternoon when bearded and distinguished looking Charles Grosvenor arose to offer an amendment. Grosvenor had voted for the literacy test in 1896, but nevertheless, as an ally of Cannon, he now presented a substitute for the test. "A Commission

³²Cong. Rec., 59 Cong., 1 Sess., 9152-57.

is hereby created," the substitute ran, "consisting of two Senators and three members of the House of Representatives . . . and two citizen members. Said commission shall make a full inquiry, examine and investigate into the subject of immigration." As soon as the amendment had been read, Gardner arose and making a point of order objected that the amendment was not germane. An impartial Speaker probably would have upheld Gardner's objection, but as Cannon's henchman, Watson was far from impartial. Thus when Watson declared that the amendment was germane, the decision came as no surprise to veteran House members.³³

Thus far Cannon's plan was working smoothly, but it was soon to hit a snag. The first vote on Grosvenor's amendment was a voice vote and it resulted in the defeat of the amendment by a vote of 123 to 136.³⁴ Cannon moved quickly to save his plan from defeat, a recount was called for and tellers were appointed. Cannon was almost the first to vote. Then he hastily began enlisting more support and by "strenuous application he persuaded five men to vote for the amendment" so that the yea vote now totaled one hundred and twenty-eight.³⁵ When the negative vote was taken he "went among the men crowded in the well and the negative vote was cut an even score, falling to 116."³⁶ The bill in its new form was then quickly agreed to by the House.

The next obstacle in Cannon's path was the Senate, where the bill had originated. They were as determined to retain the test in the bill

³³Ibid., pp. 9150-66. As finally constituted the commission was composed of nine members.

³⁴Ibid., p. 9195.

³⁵New York Times, June 26, 1906, p. 7, c. 1.

³⁶Ibid., p. 7, c. 1.

as Cannon was to keep it removed. Therefore, when Cannon appointed the conferees on the part of the House, he snubbed Gardner, the test's chief supporter, by passing over him in favor of others who would obey his wishes. He chose the two lone dissenters on the House Committee on Immigration when it had favorably reported the bill, William Bennet and Jacob Rupert. Benjamin F. Howell was named as chairman of the committee.³⁷ These gentlemen were selected especially for their defensive abilities, which assured Cannon that they would not give into the Senators' pleas to restore the literacy test.³⁸

Bennet, Howell and Rupert proved themselves to be fully up to Cannon's expectations, for when Congress adjourned in June the conferees were still in disagreement over the test.³⁹ Cannon had fully anticipated an endless deadlock between the conferees, terminating in the death of the entire bill, however his most bitter opponent in the controversy had not yet given up the fight. When the lame duck session arrived, the House conferees were still under the same instructions, nevertheless, Gardner was resolved to get some action. Therefore, on February 2, 1907, he introduced a resolution calling for the acceptance of the Senate's version of the bill. Cannon parried this thrust easily by hustling the resolution off to the Rules Committee for a quick death.⁴⁰ By now even Lodge and Dillingham, the Senate conferees, had about given up all hope of ever breaking the deadlock without sacrificing the literacy test.⁴¹

³⁷Cong. Rec., 59 Cong., 1 Sess., 9195.

³⁸Bolles, p. 74.

³⁹Bolles, p. 75.

⁴⁰Cong. Rec., 59 Cong., 1 Sess., 2185.

⁴¹Bolles, p. 75.

Soon after Gardner's futile resolution had been introduced, President Theodore Roosevelt dispatched his Secretary of State, Elihu Root on a mission to Speaker Cannon to discuss the deadlocked immigration bill. Roosevelt's occasion for doing this grew out of the decision of the San Francisco Board of Education requiring all Oriental students to attend a public school specially set aside for them. The Board took this action on the grounds that the Japanese children were crowding the whites out of the schools. Japanese-American relations were growing tense as a result of this action and there was even a hint of the possibility of war between the two powers. Roosevelt sought a solution to this crisis via a conference at Washington with Mayor Schnitz of San Francisco. It was decided during this conference that San Francisco would admit Japanese children into classes with whites if Roosevelt could secure the passage of the immigration bill then languishing in conference with an added amendment. This amendment would prohibit Japanese from entering the continental United States from the Hawaiian Islands.⁴²

Expedient and acceptable as this plan was, to carry it through would be a difficult matter. To accomplish this Roosevelt had to obtain Cannon's agreement to an immigration bill with a literacy test proviso as well as the proposed amendment. Root's mission was to gain this approval. However, despite Root's warning that Japan might go to war over this controversy and that our national security was at stake, Cannon stood firm. He refused to accede to Roosevelt's proposition unless the Senate would agree to the immigration bill as it was passed by the House.⁴³

⁴²Thomas A. Bailey, Theodore Roosevelt And The Japanese-American (Stanford University, 1934), pp. 28-146.

⁴³Bolles, p. 77.

Having failed in his efforts to sway Cannon, Root next visited Henry Cabot Lodge. Roosevelt was now ready to give up the literacy test because of the urgency of the Japanese situation. So, with Cannon standing like a rock, Lodge would have to yield. Lodge did just that and as a result had to give up what he had sought for since 1891. Chairman Howell followed Cannon's bidding and the bill became a law in the form desired by the Representative from Dansville.⁴⁴

Commenting on the literacy test and Cannon's opposition to it, the New York Times editorialized that it was probably the coming fall elections that had moved Cannon to his actions more than anything else. Continuing, the Times expressed its approval of the test, but cautioned that its worth was still a matter of some doubt. Public opinion was divided on the question, therefore an intelligent and impartial investigation of the immigration was a sound move.⁴⁵

During the time Congress had had the immigration bill under consideration it had received many petitions and memorials both favoring and opposing the measure. Communications asking for favorable action on the literacy test were received from the National Consumer's League, The Federation of Patriotic Societies, numerous lodges of the Brotherhood of Locomotive Firemen and the Brotherhood of Railway Trainmen, the secretary of the Patriotic Order of Sons of America, the Immigration Restriction League, and Samuel Gompers. Groups who opposed the test included the National German-American Alliance, the Liberal Immigration League, the

⁴⁴Cong. Rec., 59 Cong., 2 Sess., 2808, 3099, 3232, 3514.

⁴⁵New York Times, June 27, 1906, p. 6, c. 2.

New Immigrants Protective League and various Jewish organizations. Some of the preceding also supported Grosvenor's amendment.⁴⁶

The issue of the passage of a literacy test by Congress hung fire until 1911, the year when the Immigration Commission created by Representative Grosvenor's amendment made its voluminous report. However, while that body was carrying out its extensive investigation, restrictionists were still arguing for the test before the public. For example, on March 20th, 1903, Henry Cabot Lodge discussed the plan he had been forwarding for almost two decades in Congress, before the Boston City Club.⁴⁷ Dwelling on the restrictive effect the literacy test could have had had it been made a law years ago, he pointed out that by now a million immigrants could have been excluded by its provisions. Then as if attempting to exonerate himself as well as other restrictionists from the charge of racism, Lodge stated emphatically that the literacy test was aimed solely at the ignorant and not at any race or class. Earlier in his talk, Lodge had attempted to mollify a segment of the new immigration who had long opposed the literacy test, the Italians. This represented a major switch for Lodge, who had so often attacked the quality of Italian immigrants. But now Lodge had this to say:

The great growth in recent years in our immigration has been from Italy, from Poland, Hungary, and Russia, from eastern Europe, from subjects of the Sultan, and extending to inhabitants of Asia Minor. With the exception of the Italians, these people have never been amalgamated with, or brought into contact with the English-speaking people or with those of France, Germany, or Holland, and Scandinavia, who have built up the United States. I exclude the Italians, not merely because of their noble literature

⁴⁶House Journal, 59 Cong., 1 Sess., 1148, 1202, 1214; Senate Journal, 59 Cong., 1 Sess., 297, 309, 319, 362.

⁴⁷Senate Document No. 423 (60 Cong., 1 Sess., Washington, 1908), 9.

and splendid art are a part of our common inheritance, but because they are conspicuously one of the countries which belong to what is known as western civilization. They, like ourselves are the heirs of the civilization of ancient Rome, and until one has travelled in Eastern Europe and studied the people one does not realize how much this signifies.⁴⁸

In the preceding quotation Lodge evidently makes an appeal to another national group for support in his endeavor. These are the German-Americans who since the early 1890's had vociferously opposed the literacy test when it was before Congress. In this speech however, Lodge is careful to praise them as one of the national groups "who have built up the United States." Lodge's failure to specifically cite the Jews as one of the undesirable peoples among the new immigrants may also have had some significance since the Jews in America had been the most outspoken and militant foes of the 1907 literacy test bill.

While the Immigration Commission was engaged in its investigation, the immigrants who opposed immigration restriction were also busy. These immigrants executed their anti-restrictionist campaign mainly through their numerous and widespread societies. These bodies sent spokesmen by the dozens to testify before Congressional committees, they organized rallies in big cities and ceaselessly circulated petitions with which to pelt members of Congress. Societies of many different national groups participated in this action, although those of the Germans, the Poles, the Jews, and the Italians took predominance. During this same period, the foreign press in America was waging a vigorous campaign against restriction in hundreds of papers across the land and through the American Association of Foreign Language Newspapers was attempting to keep Republican leaders faithful to the immigrant cause.⁴⁹

⁴⁸Ibid., p. 4.

⁴⁹Higham, p. 128.

Although the anti-restrictionists were pleased over the pause in the Congressional battle for a literacy test given them by the prolonged investigations of the Immigration Commission, the restrictionists were impatient and angry at the delay. "At first they used the legislative lull to try to secure more drastic administration of existing statutes. The Immigration Restriction League directed its fire at Oscar Strauss, Roosevelt's Secretary of Commerce and Labor, who frequently exercised his authority to overrule harsh decisions which the Commissioner of Immigration, a former labor leader [T. V. Powderly], made in cases of individual immigrants. But with Roosevelt's support, Strauss continued to administer the law with humanity. His successor in Taft's administration, Secretary Charles Nagel, was another second-generation immigrant who followed a similar course."⁵⁰ In the meantime, the A. F. of L. in the person of its president Samuel Gompers was assailing the Bureau of Immigration's recently established Division of Information. The Department of Information was at this time acting to a limited degree as an employment agency for recently arrived immigrants, but Gompers as well as other labor leaders charged that it was merely a strike breaking agency. Gompers also presented resolutions from the National Farmers Union protesting against the administration of the Division and asking for its abolition, a request that was not fulfilled.⁵¹ Failing thus far in their efforts, the restrictionists next focused their attack on the Immigration Commission itself. Congressional restrictionists endeavored to suspend its appropriations in

⁵⁰Higham, pp. 138-89.

⁵¹Gompers, pp. 167-68.

an attempt to drive the commission to make its report prematurely, but again their efforts met with failure.⁵²

In 1911 the United States Immigration Commission finally published the findings of its long investigation in forty-seven information packed volumes. With the publication of this report, which ironically recommended a literacy test, the legislative campaign for a literacy test immediately resumed.⁵³ Now with a new authority from which they could appeal, the restrictionists began a drive for the passage of test bills in both the Senate and the House.

In the Senate, Mr. Dillingham, of Vermont, introduced an immigration bill which though it contained a literacy test, had as its main purpose the revision and codification of the existing immigration laws.⁵⁴ In the Senate Committee on Immigration the literacy test provision was dropped because the Committee felt that it was "a change of such importance that it ought to be considered as a separate measure and not as a part of this bill."⁵⁵ However, not all the Senate restrictionists felt this way and Mr. Simmons, of North Carolina was one of them. Reflecting the shift in Southern attitude toward immigration, he proposed a literacy test amendment to the bill shortly after it was reported. Debate on this amendment was delayed, once on the request of Senator Lodge, who although he still favored the test, had become more cautious about advocating it, perhaps because of the increasing number of immigrants in his State.⁵⁶ When the amendment was taken up, Simmons opened the debate on it with a lengthy

⁵²Cong. Rec., 61 Cong., 2 Sess., 929-40, 963-70, 1469-71.

⁵³Abstracts of the Reports of Immigration Commission, Vol. I (61 Cong., 3 Sess., Senate Document No. 747, Washington, 1911), 48.

⁵⁴Cong. Rec., 62 Cong., 1 Sess., 3669.

⁵⁵Regulation of Immigration, (62 Cong., 2 Sess., Senate Report No. 203, Washington, 1912), 1-2.

⁵⁶Cong. Rec., 62 Cong., 2 Sess., 4477, 4537, 4731.

and citation-filled speech, which was typical of those delivered by restrictionists in both Houses. He began by referring to President Theodore Roosevelt's recommendations of the test in his messages to Congress in 1901 and in 1902 and then moved on to cite the recommendation of the same by the Immigration Commission in its recently published report. Simmons then called attention to the hundreds of petitions calling for the test that recently had been received from such organizations as the Farmers' Union, the Farmers' National Congress, the A. F. of L., the several employees unions, the Junior Order of United Mechanics, the Patriotic Order of Sons of America and the Knights of Labor. Taking up the opposition to the test, Simmons accused the railroads, the steamship lines and the employers of cheap labor of being the chief enemies of the literacy test as well as other restrictive measures. Finally, he launched into a lengthy discussion of the difference between the old and the new immigration, which he contended was lowering the American standard of living. However, Simmons hastened to point out that he felt the present immigrants from Southeastern Europe were not true representatives of the peoples of this area against whom he harbored no animosity. Neither was he against illiterates in general he contended, but no one wanted "this ignorant horde except the big corporations, steamship lines, and railroads."⁵⁷ The debate on the amendment and the general bill continued into the following month when despite the protests of a handful of staunch anti-restrictionists, the amendment was approved by the one-sided vote of 56 to 9.⁵⁸ The Dillingham bill as amended then passed by the even more overwhelming margin of 57 to 2.⁵⁹

⁵⁷Cong. Rec., 62 Cong., 2 Sess., 3543.

⁵⁸Ibid., p. 5073.

⁵⁹Ibid., pp. 5074-75.

Meanwhile, the restrictionists in the House were also busy. Mr. Burnett, of Alabama, Chairman of the House Committee on Immigration and Naturalization, reported a simple literacy test bill in lieu of the two test bills then before the Committee. In the majority report accompanying the bill, the Committee cited the recommendations of the Immigration Commission of 1911 and a letter from the secretary of the American Federation of Labor again showing that organization to be wholeheartedly behind the test. Five members of the Committee dissented from the report of the majority on the grounds that the bill would "not serve to keep out the viciously inclined, the criminal, and the otherwise really undesirable alien."⁶⁰ Among the members who signed the minority report were three who fought very actively against the test in later debates on it, Adolph J. Sabath, an immigrant himself representing an immigrant district in Chicago, Henry M. Goldfogle of New York City, a leader among the Jewish anti-restrictionists outside of Congress and James M. Curley who stood to gain much from the Boston immigrant voters he represented.⁶¹

When the debate on the Burnett bill opened, the anti-restrictionists countered the efforts of the restrictionists by the use of delaying tactics. The Burnett bill and the Hillingham bill were tied up in the House Rules Committee until after the November election by anti-restrictionist Democrats.⁶² Southern Democrats had now assumed an important role in the movement for the test, a movement which had previously been dominated by Eastern Republican. Up to about 1907, Southern congressmen had opposed

⁶⁰Immigration of Aliens Into The United States (62 Cong., 2 Sess., House Report No. 851, prt. 2, Washington, 1912), 1.

⁶¹Ibid., p.

⁶²Cong. Rec., 62 Cong., 2 Sess., 10410-420, 11883-890.

restrictionist legislation and attempts to check state-assisted immigration while supporting plans for federal distribution of immigrants. However, after "their efforts to obtain acceptable aliens collapsed in 1907" Southern congressmen "became solidly restrictionist."⁶³

Now they were furious at the delaying tactics being used and they pulled no punches in flaying their party leaders and the Rules Committee for their actions. Representative Roddenbury, Georgia Democrat, charged that these two were practicing deception by postponing action. He became quite caustic in a rapid fire exchange between himself, Goldfogle, and Curley, charging that a recent sensational murder in New York City was a direct result of the country's too lax immigration laws. The type of vermin that participated in this slaying, contended Roddenbury, would have been shut out by a restrictive measure like the one contained in the bills then hamstringed in committee.⁶⁴ However, with a Presidential election just around the corner and petitions against the test from various immigrant groups raining down upon Congress, the Democratic-controlled Rules Committee, afraid of alienating the immigrant vote, refused to report either immigration bill.⁶⁵

When the lame duck session of the sixty-second Congress met in December of 1912, the immigration bills were finally released from the Rules Committee. This was what the restrictionists had been waiting for and they quickly set to work. The Committee on Immigration and Naturalization swiftly reported the Dillingham bill with a recommended amendment, the Burnett amendment. In actuality the amendment was the Burnett bill

⁶³Berthoff, p. 357.

⁶⁴Ibid., p. 11412.

⁶⁵Ibid., p. 10418.

itself, for it struck out all of the Dillingham bill but its enacting clause.⁶⁶ The debate on the Dillingham bill and this amendment raged for two days and was marked by the use of impassioned oratory by both sides. The anti-restrictionists who refused to give up what was by now an obviously hopeless cause, used almost "every method of obstruction known to experts on parliamentary technicalities . . . ," to delay action on the measure, but to no avail.⁶⁷ On December 17, 1912, the Burnett amendment was brought to a vote and adopted by an overwhelming margin.⁶⁸

Since the House and Senate versions of the Dillingham bill differed very substantially, a conference between the two Houses was necessitated. Although the major differences between the two versions presaged a long conference, the conferees quickly compromised their differences and made their report.⁶⁹ On January 17th after "a hard-fought, all-day filibuster" the House adopted this conference report by a vote of 149 to 70.⁷⁰ The Senate was expected to quickly follow suit, but another problem arose for the restrictionists. "In the conference the Senate conferees had added a provision recommended by the commissioner general, requiring aliens coming from countries like Italy; which issue police certificates of character, to produce such certificates. This provision aroused intense opposition among the Jews, who urged that Russia might adopt such a system and refuse certificates to Hebrews."⁷¹ As a result of this protest,

⁶⁶Cong. Rec., 62 Cong., 3 Sess., 650-56.

⁶⁷New York Times, December 18, 1912, p. 7, c. 7.

⁶⁸Cong. Rec., 62 Cong., 2 Sess., 822.

⁶⁹Ibid., p. 1645.

⁷⁰New York Times, January 18, 1913, p. 8, c. 4; Cong. Rec., 62 Cong., 3 Sess., 1694.

⁷¹New York Times, January 23, 1913, p. 6, c. 3.

the bill was sent back to conference where the objectionable clause was removed. Again the House adopted the conference report, but again an undesirable provision had turned up in the bill. Thus a third conference was called for to settle this problem. This conference quickly rectified the error in the bill and its report was adopted by both Houses without a division.⁷² The next decision on the bill was up to President Taft.

Despite the campaign promise of the chairman of the Republican National Committee that Taft would veto the literacy test if it came to him, the President seems to have been genuinely undecided as to what his course of action should be. Therefore, he utilized the full period of time allowed him by the Constitution to seek aid in arriving at a decision. Shortly after he had received the bill, Taft held a conference at which he heard the arguments of two opponent and two proponents of the bill. The friends of the bill he heard were Samuel Gompers of the A. F. of L. and William Williams, Commissioner of Immigration in New York. Gompers of course strongly favored the general bill and especially the literacy test proviso, but Williams only endorsed the administrative features of the bill and did not comment at all upon the test. The two persons who spoke against the bill during this three hour conference were Representative Richard Bartholdt, of Missouri and ex-Representative William S. Bennet, of New York. Staunch enemies of the literacy test, both of these men asked Taft to veto the bill. After the conference had ended, Charles Nagel, the Secretary of Commerce and Labor, presented his views on the bill. Nagel was himself a second generation immigrant who had close ties with the German element in St. Louis and although what he said was not divulged

⁷²Cong. Rec., 62 Cong., 3 Sess., 2311, 2428.

to the public, rumor had it that he had recommended the bill be vetoed.⁷³

Taft also sought the council of others while the bill was before him and naturally some came voluntarily to offer their opinions on the merits or defects of the measure. Prior to the above mentioned conference, the bill had been considered at a regular cabinet meeting. However, there was no report of what transpired during this meeting.⁷⁴ On the same day, Representative Scully of New Jersey presented Taft with a magazine article containing facsimilies of signatures of early Virginians. By this article Scully tried to illustrate that "had the illiteracy test been enforced in Colonial days many persons prominent in American history would not have been admitted to the territory of the present United States."⁷⁵ This type of appeal, it should be mentioned, was quite popular with the test's enemies. Taft also received a New York delegation from the powerful National Liberal Immigration League which appealed to him to veto the Dillingham-Burnett bill. League delegations from Philadelphia, Chicago, Boston, Baltimore, Jersey City, and Pittsburgh were also on hand to make similar appeals. These delegations also represented the several national groups in America who were unalterably opposed to the literacy test.⁷⁶

The New York Times, now a pro-immigrant, anti-literacy test paper, made a rather lengthy editorial comment on the bill and its supporters and enemies while the bill was before President Taft. Speaking of the quantity of support given the bill, the Times concluded that if Taft "were to decide according to the number of those who have appeared for and against the bill, he would have to sign the bill."⁷⁷ This statement

⁷³New York Times, February 13, 1913, p. 3, c. 5.

⁷⁴New York Times, February 12, 1913, p. 8, c. 2.

⁷⁵Ibid., p. 8, c. 2.

⁷⁶New York Times, February 6, 1913, p. 7, c. 2.

⁷⁷New York Times, February 14, 1913, p. 14, c. 1.

indicates that more supporters of the measure appeared before Taft than the reports of the press would lead one to believe. The Times next went on to differentiate between the motives of the proponents and opponents of the measure. The supporters it thought, were thinking of the effect of the bill on themselves rather than of its effect upon the country. "The general interest," said the editorial, "is more concerned that the country shall not lack for sturdy laborers than that the wages shall be raised above a fair market rate by artificial limitation of the supply. That competition should be limited in the interests of wage earners is the argument of those who favor the signing of the bill, such as Frank Morrison of the American Federation of Labor, F. S. Katzenbach of the Junior Order of American Mechanics, and others who are within their rights in supporting their own interests."⁷⁸ On the other hand, the editorial called attention to some of the anti-restrictionists, apparently wishing to contrast them favorably with the restrictionists. "Among those urging the President to veto the bill," the editorial declared, "are Chief Justice Olsen of Chicago, Professor Learned of the University of Pennsylvania, Dr. Sutro, President of the German-American Alliance; Representative Goldfogle, representing many Jewish societies of various sorts; Louis Marshall of this city, who has been connected with many labor adjustments, and others of the character indicated by those names."⁷⁹ When this editorial was published, Taft had but a day left in which to come to his decision.

President Taft finally came to his decision in the last few hours of the time allowed him by the Constitution. Up to the last moment none had known what his decision would be, but now it was revealed, the literacy

⁷⁸Ibid., p. 14, c. 1.

⁷⁹Ibid., p. 14, c. 1.

test bill was vetoed. Taft's personal veto message was very brief, totaling only three short paragraphs. He stated his regret at having to veto a bill which contained "many valuable amendments to the present immigration law . . . ," but continued Taft, "I can not make up my mind to sign a bill which in its chief provision violates a principle which ought in my opinion to be upheld in dealing with our immigration."⁸⁰ He of course was referring to the literacy test. As to his reasons for not approving of the test, he referred Congress to the arguments found in a letter Secretary Nagel had written to him and which he included with his veto message. This letter constituted the major part of Taft's criticism of the bill, and can be called with considerable accuracy Taft's veto message.

This letter which brought Taft to his decision, contained a fairly elaborate criticism of the Dillingham-Burnett bill and especially the Bill's most important single provision, the literacy test. Nagel, who before his appointment as Secretary of Commerce and Labor was a well known corporation lawyer, proceeded in a logical fashion to expose what he felt were the shortcomings of the test and the misconceptions of those who framed and forwarded it. In the first place, he predicted that the administration of such a test would be very costly and would result in much delay in the processing of immigrants. The selective merits of the test were overemphasized, he contended, for it would shut out many who were deserving of admittance. Indeed, to him illiteracy meant a lack of opportunity, not of ability. Moreover, the importance of illiteracy was overestimated, for once the immigrant had settled in America statistics showed that he frequently overcame his handicap. The nativists who severely criticized the living

⁸⁰Regulation of the Immigration of Aliens (62 Cong., 3 Sess., Senate Document No. 1087, Washington, 1913), 1.

conditions and standards of immigrants settled in America were making untrue generalizations according to Nagel. There were cases such as they spoke of, but these were the exception and not the rule. Finally he attacked the major premise on which the restrictionists had based their arguments. That is that an oversupply of unskilled labor existed already and that the large influx of immigrants was greatly worsening the unemployment situation. Nagel cited immigration figures to substantiate his contention "that we get substantially what we most need, [servants, skilled laborers and farm laborers] and what we ourselves cannot supply and that we get rid of what we least need, [common laborers] and what seems to furnish in the minds of many, the chief justification for the bill."⁸¹ Closing his letter, Nagel expressed regret that the test provision which he considered was the heart of the bill could not permit a compromise, for the other provisions were in "most respects excellent and in no respect really objectionable."⁸²

Faced now with the barrier of a Presidential veto to overcome, the restrictionists in Congress began their attempt to override this action. Senator Lodge, after a conference with the leaders of both parties in the House and the Senate, declared that as soon as the pending business was finished, he would move to pass the bill over Taft's veto.⁸³ Predictions at that time were that the Senate would easily muster the necessary two-thirds vote, but as to the House there was some doubt. However, two other factors besides the great strength of the restrictionists in Congress worked for the overriding of the veto. It had always

⁸¹Ibid., p. 5.

⁸²Ibid., p. 5.

⁸³Cong. Rec., 62 Cong., 3 Sess., 3156.

been believed that a motion to override a Presidential veto would bring to his aid, members of his party who would otherwise oppose him. However, in the case of Taft this factor would probably not be so important, since he was due to retire very shortly and his influence was at a low point. In addition to this, the veto had greatly angered even some of Taft's supporters in both the House and the Senate. For instance Lodge was a close friend of Taft, as were many of the bill's staunchest supporters in both Houses. Now it would be these same men who would lead the fight to override his veto.⁸⁴

As soon as pending business had been finished, the action on Taft's veto began. On February 19, 1913, Senator Lodge brought his motion to repass the bill over the veto to a vote. On the afternoon of that same day the bill was easily repassed over the veto by a vote of 72 to 18.⁸⁵ Taft, who had been working ardently to garner nay votes, had managed to secure twice as many as he had had on the previous day in the vote to take up Lodge's motion, but his support was still much too slight.⁸⁶

A breakdown of the Senate's vote shows that Taft had gathered support from both parties. Seven Democrats and eleven Republicans voted to sustain his veto. Geographically the vote followed the sectional alignment of nativism that had developed in the twentieth century. That is, Senators from the Northeast, Far West and the South almost unanimously were for the bill, while those from the urban North and the Midwest were split on the issue.⁸⁷

⁸⁴New York Times, February 15, 1913, p. 1, c. 5.

⁸⁵Cong. Rec., 62 Cong., 3 Sess., 3318.

⁸⁶New York Times, February 19, 1913, p. 10, c. 7.

⁸⁷Farnk J. Warne, The Tide of Immigration (New York, 1916), p. 293.

The fate of the measure now rested with the House, which was expected by most observers to also override the veto.⁸⁸ However, those who held this opinion were due for a surprise. The House with a Democratic majority of over fifty, sustained the President's veto. As was expected the attempt to repass the bill foundered on the literacy test provision. Nevertheless, the bill's opponents only won by a narrow margin. A shift of only five votes would have made the bill a law. Again as in the Senate party lines were broken in the vote, with only the Progressives, who voted for the bill, voting as a bloc. Seventy-five Republicans and one hundred and thirty-eight Democrats voted to repass the bill while fifty-seven Republicans and fifty-seven Democrats voted to sustain the veto.⁸⁹ In the House the vote followed even more closely than in the Senate, the geographical alignment of twentieth century nativism. The Far West, Mountain States and the South were strongly in favor of the bill, while the urban North, most of the Midwest and part of the East including Massachusetts were strongly against the measure.⁹⁰

Faced with a defeat by such a narrow margin, the restrictionists in the House were not willing to give up easily. Augustus Gardner, the author of most of the bill, moved that the vote be reconsidered. One of the bill's enemies quickly countered this move. Representative Mann of Illinois, who had as vigorously opposed the bill as Gardner had supported it, made a point of order against Gardner's motion. His objection to the motion was

⁸⁸New York Times, February 19, 1913, p. 10, c.7.

⁸⁹Cong. Rec. 62 Cong., 3 Sess., 3429; New York Times, February 20, 1913, p. 5, c. 2.

⁹⁰Warne, p. 292.

sustained by Speaker Clark thereby squelching the restrictionists hopes of getting another chance to override Taft's veto.⁹¹

Press reaction to Taft's veto seems to have been mainly of a favorable nature, if the papers quoted in the Literary Digest are used as a basis for judgment.⁹² Although some papers, for example the Boston Transcript (Independent Republican), the Boston Journal (Progressive) and the New York Tribune (Republican) disapproved of Taft's action, a much larger number of papers approved of it. Among these were such New York papers as the Times (Independent Democrat), the World (Democratic), the Press (Progressive), the Journal of Commerce (Commercial), the Evening Sun (Independent), and the Evening Post (Independent). Other papers which held the same opinion were the Boston Herald (Independent), the Boston Advertiser, the Philadelphia Record (Democratic), the Philadelphia Public Ledger (Independent), the Chicago Record-Herald (Republican), the Chicago News (Independent), the Washington Star (Independent), the Washington Post (Independent), the Washington Times (Progressive), the Albany Journal (Republican), the Syracuse Post-Standard (Republican), the Louisville Herald (Independent-Republican), the Cincinnati Post (Independent), the Pittsburgh Dispatch (Independent), and the Baltimore News (Independent). Judging by the political partisanship of these papers, it would seem safe to say that Taft received the greatest part of his press support from the Republican, Independent and Progressive press. Perhaps more significant though, is the fact that the papers which favored the veto coincided geographically with the areas containing the most anti-restrictionist sentiment. The presence of a number of Progressive papers in this group

⁹¹Cong. Rec., 62 Cong., 2 Sess., 3430.

⁹²"The Admission of Illiterates," Literary Digest, XLVI (1913), 443.

also seems quite natural in view of that party's special appeal to the urban immigrant vote in the previous election.⁹³ It might be added that in at least one country whose emigrants would have suffered had the literacy test become a law, reaction to the vote was very favorable. In Rome, much satisfaction was expressed over Taft's decision because of its effect on Italian immigration. The semi-official Panala Romano also rejoiced over the event.⁹⁴

⁹³Higham, p. 190.

⁹⁴New York Times, February 21, 1913, p. 4, c. 2.

Chapter IV

The Restrictionists Finally Emerge Victorious

Although their pet restrictive measure had again been defeated, the restrictionists had by no means given up in their efforts to see it become part of our immigration laws. Late in September of 1913, it again became apparent that another attempt would be made to pass a literacy test bill before Congress adjourned. During a meeting of the House Committee on Immigration, the old Burnett-Dillingham bill that Taft had vetoed, was ordered reported. Democrats were reported to have begun working for its endorsement by a party caucus.¹ However, the expectation of its passage before adjournment was ended when President Wilson declared at an interview that rumors to this effect were unfounded.²

When Congress reconvened in December of the same year, the restrictionists immediately reopened the controversy by introducing, with a few additions, the old Dillingham-Burnett bill.³ When this bill was reported from committee in mid-December, Mr. Goldfogle and Mr. Sabath again opposed the test provision in a minority report.⁴ Shortly after this report was made, Italy's Foreign Minister hinted that Italy's participation in the Panama Pacific Exposition would depend on the provisions of this bill.⁵ This statement obviously was a reference to the literacy test proviso, which if enacted might substantially restrict Italian immigration.

¹New York Times, September 27, 1913, p. 3, c. 2.

²New York Times, September 30, 1913, p. 7, c. 7.

³Cong. Rec., 63 Cong., 2 Sess., 938.

⁴Immigration of Aliens into the United States, (63 Cong., 2 Sess., House Report No. 149, Washington, 1913).

⁵New York Times, December 21, 1913, Sec. II, p. 3, c. 6.

Debate on the bill was not begun until January 30, 1914. Then under a special rule giving the bill the right of way, the measure was debated vigorously and at great length.⁶ During this debate Augustus Gardner, John Burnett, and Martin Dier emerged as the bill's principle supporters. The fact that two of these three men were Southerners and only one an Easterner, emphasizes the increasing importance of the South's role in the nativist movement and the declining importance of the East, so long the center of nativism. Leading the opposition to the bill were Adolph Sabath, Henry Goldfogle, W. F. Murray, and James Manahan, all who represented Northern urban constituencies. They, with the aid of several others, bitterly fought the bill every step of the way. The principle argument of these anti-restrictionists was that the proposed test would be unjust, discriminatory, and repugnant to American traditions.⁷

Debate on the measure continued on the next day with no letup in its intensity. Democratic leaders had hoped to push the bill through that day, but the anti-restrictionists, composed of Democrats, Republicans, and Progressives, opposed them energetically as soon as the bill was taken up. Practically the whole debate centered on the literacy test just as it had on the previous day. After nearly eight hours of debate the opposition was still so strong and their arguments so well received that John Burnett who was in charge of the bill and Oscar Underwood the Floor Leader were afraid to chance a vote.⁸ They had good reason to be apprehensive, for a motion by Goldfogle to strike out the test was pending

⁶Cong. Rec., 63 Cong., 2 Sess., 2586.

⁷Ibid., p. 2611.

⁸New York Times, February 1, 1914, p. 9, c. 7.

when Burnett moved that the House adjourn.⁹ During this debate the opposition to the test continued to stem mainly from Congressmen representing the urban North, or the Midwest. Rural members, especially Southern rural members, furnished the bulk of the bill's support. Representative Gardner of Massachusetts was now the only important Republican supporter from New England, quite a contrast to the importance of this section's Representatives in earlier legislative battles over the literacy test.¹⁰

Meanwhile in the Senate, Democratic members had begun to wonder what really was Wilson's attitude toward the Burnett bill. Actually they were most interested in his opinion on a specific part of that bill, the literacy test.¹¹ Rumor had it that Wilson disapproved of the test, but would he veto a bill if it contained that measure? Early in February, Senator Smith of South Carolina, the Chairman of the Senate Committee on Immigration, planned a call on the President to sound him out on the test. Shortly thereafter, Wilson was understood to have hinted broadly to visitors that he would veto a bill containing a literacy test if one ever reached him.¹²

Meanwhile in the House of Representatives, debate on the Burnett bill was coming to an end. After five days of very lively and emotional debates, the Burnett bill with the literacy test intact was passed. The vote was 253 to 126.¹³ The last day of debate had been particularly bitter

⁹Cong. Rec., 63 Cong., 2 Sess., 2703, 2715.

¹⁰Ibid., pp. 2660-2715.

¹¹New York Times, February 2, 1914, p. 2, c. 2.

¹²New York Times, February 3, 1914, p. 2, c. 4.

¹³Cong. Rec., 63 Cong., 2 Sess., 2911.

and exciting. The clash between the restrictionists and the anti-restrictionists coming to a climax in an encounter between James Manahan of Minnesota, one of the chief critics and John Burnett of Alabama and the author of the bill. In the clash, Manahan accused Burnett of "cowardice" and "unfairness" and the latter quickly retaliated by asserting that Manahan "lied." Immediately their demands from Burnett's Southern colleagues that the House compel the Representative from Minnesota to apologize.¹⁴

With the bill safely through the House, it was hurried off to the Senate where its speedy approval was anticipated, however, the bill hit a snag. In his interview with President Wilson, Chairman Smith had found the President definitely unfriendly toward the literacy test.¹⁵ Although anxious to see the bill passed with the test intact, Smith and the other Democratic committee members were in a quandary as to what to do, for they were not at all anxious to defy Wilson who at this time exercised uncommon authority over his party.¹⁶ So the bill languished in committee while Smith and his fellow committee members remained in a state of indecision.

Meanwhile, in fact ever since the bill had first been introduced, the anti-restrictionists as well as the restrictionists had been making their appeals and protests to Congress and the President. The Immigration Restriction League, aided and abetted by the Patriotic Order of Sons of America and the Junior Order United American Mechanics, was maintaining an expensive lobby in the capitol which was working diligently for the

¹⁴New York Times, February 5, 1914, p. 8, c. 8.

¹⁵New York Times, February 21, 1914, p. 4, c. 2.

¹⁶Higham, p. 109

test's passage.¹⁷ Samuel Gompers and A. F. of L. secretary Frank Morrison were also pressing for the bill's approval, indeed, almost every labor union of any consequence was calling for its enactment. Of no small significance to the members of Congress was the fact that the State legislatures of Ohio, Vermont, Tennessee, Virginia, Washington, and Nevada as well as the lower house of the Arkansas legislature had all passed resolutions asking for the passage of the Burnett bill. Several of these resolutions specifically endorsed the literacy test provision in the bill. Rural support for the measure came from the three million member Farmer's Educational and Co-operative Union which was centered in strong restrictionist territory and from the National Grange.¹⁸ As in the previous struggle over the test, the National Liberal Immigration League, now evidently heavily financed by business interests and some steamship companies, led the fight against the bill.¹⁹ Also opposing the measure by resolutions, memorials, and rallies were the two million member German-American Alliance and the several major Jewish societies and organizations. The influential American Association of Foreign Language Newspapers also rallied its forces against the bill. The Federation of Jewish Organizations of the State of New York sent memorials and resolutions to Congress and to President Wilson protesting against the bill.²⁰ The Independent Order of the Free Sons of Israel also sent the same sort of protest to Wilson.²¹

¹⁷Cong. Rec., 63 Cong., 2 Sess., 2599.

¹⁸Cong. Rec., 63 Cong., 2 Sess., 2905-06.

¹⁹Cong. Rec., 63 Cong., 3 Sess., 3044-46.

²⁰Cong. Rec., 63 Cong., 2 Sess., 2635, 2899.

²¹New York Times, March 2, 1914, p. 1, c. 2.

Local chapters of the several Polish societies as well as many lodges of the United Order Sons of Italy showered Congress with protests against the literacy test bill.²² Opposition was also encountered among some State legislatures. The State Assembly of New York and the General Court of Massachusetts both passed resolutions opposing the bill and asking their representatives in Congress to work against the measure.²³ Some criticism of the bill even came from abroad. Vatican authorities expressed indignation at the literacy test in the Burnett bill. The New York Times reported that "The Papal authorities make no secret of their conviction that the bill was conceived from deliberately anti-Catholic motives and it is sincerely hoped the United States Senate will kill it: Cabled reports of President Wilson's opposition to the literacy test evoke much satisfaction at the Vatican. . . ."²⁴ The Vatican was even reported to have been using its influence at Washington against the bill. A few days later the Italian government also expressed its disapproval of the bill, especially its literacy test proviso.²⁵

After more than a month of debate and indecision, the Senate Immigration Committee finally decided to report and recommend the passage of the literacy test bill in the face of Wilson's open disapproval of the measure. Now with the bill favorably reported, its rapid passage by the Senate seemed quite certain. However, action on the bill was delayed through the spring and early summer of 1915 in spite of Senator Smith's attempts to get action on it. By this time Democratic leaders in the

²²Cong. Rec., 63 Cong., 2 Sess., 2829.

²³New York Times, February 4, 1914, p. 2, c. 5; Cong. Rec., 63 Cong., 2 Sess., 6891.

²⁴New York Times, February 17, 1914, p. 3, c. 6.

²⁵New York Times, February 22, 1914, sec. 3, p. 2, c. 4.

Senate had become definitely cool toward any action on the controversial measure before election time. Immigrant reaction to it had been almost universally unfavorable and with their eyes on the upcoming election these leaders felt that this was no time to antagonize the immigrant vote. Thus, despite the threats of a filibuster by Southern Democrats, action on the bill was put off until after November.²⁶

Once the elections had been safely passed, Senator Smith was able to call up the Burnett bill for consideration early in the first session of the sixty-fourth Congress. Smith immediately encountered opposition from Senator O'Gorman of New York, who had opposed the bill ever since it had arrived in the Senate the previous February. O'Gorman was aided by another vigorous anti-restrictionist, Senator Reed of Missouri whose filibustering tactics prevented the debate from progressing very far that day.²⁷

In the face of Wilson's disapproval of the literacy test, Democratic leaders pushed the bill as rapidly as their opponents would allow them to. They still held out hope for Presidential approval of the bill because as yet Wilson had refused to say whether or not he would veto a bill containing a test.²⁸ By mid-December, Reed's filibuster had lost strength and Smith had announced he would press for an early vote on the bill. However, after another day of debate on the literacy test provision, Smith's attempt to gain unanimous consent for a vote on the bill the following day was blocked by O'Gorman.²⁹ President Wilson now stepped into the fray in an attempt to kill the literacy test. In a conference with Senator Lewis, of Illinois,

²⁶Cong. Rec., 63 Cong., 2 Sess., 7614, 10248, 16907.

²⁷Cong. Rec., 63 Cong., 3 Sess., 46-54.

²⁸New York Times, December 16, 1915, p. 10, c. 1.

²⁹Cong. Rec., 63 Cong., 3 Sess., 383.

the Democratic whip in the Senate and a restrictionist, he not only won him over to his way of thinking on the test, but also intimated that he would veto the bill if it came to him with that provision in it.³⁰ Lewis then returned to the Senate and proposed an amendment which would strike the test from the bill, but since to most Congressmen the test was the bill itself, the amendment's failure was a foregone conclusion.³¹

Protracted debate continued to delay a vote on the Burnett bill, although its friends continued to predict that a vote was just around the corner. During one of these debates on the literacy test, the restrictionists made repeated references to the much publicized strike at Lawrence, Massachusetts as a good example of what lax immigration laws brought about. Senator Hardwicke, of Georgia, who led the defense of the literacy test that day, asserted that most of the alien strikers were illiterates.³² On the day following this debate, the restrictionists defeated an amendment striking the literacy test from the bill by a vote of 40 to 12.³³ This amendment was proposed by another of the test's persistent enemies, Senator Martine, of New Jersey. Still unwilling to give up in their attempt to kill the literacy test, the anti-restrictionists tried another maneuver. Senator Reed proposed, and the Senate adopted, an amendment excluding Negro immigrants from the United States.³⁴ Anti-restrictionists

³⁰New York Times, December 22, 1915, p. 9, c. 4.

³¹Cong. Rec., 63 Cong., 2 Sess., 636.

³²Ibid., p. 741.

³³Ibid., p. 803.

³⁴Ibid., pp. 805-07.

hoped that this amendment would alienate enough Republicans who would otherwise have voted for the bill, to enable them to achieve its defeat.³⁵

Nevertheless, on January 2, 1915, notwithstanding all the efforts of its enemies to defeat it, the Burnett bill was approved by the Senate. The approval was gained by the overwhelming vote of 50 to 7. Reed's amendment certainly proved to be embarrassing to many Senators, but it failed in its ultimate aim, because instead of voting against the bill, most of these Senators just abstained from voting at all.³⁶

The bill was next sent to a conference committee to iron out the differences between the Senate and House versions of the bill. The conferees quickly finished their work and made their report. This report was approved by both Houses with no difficulty and the bill was forwarded to the President.³⁷ Most of those who speculated on the President's reaction to the bill predicted that he would veto it. Still, some felt that since the Burnett bill was a recodification of the immigrations laws and was based on the recommendations of the Immigration Commission of 1911, Wilson might approve it on the grounds that its good features outweighed its bad ones.³⁸

Wilson took his time considering the bill and following Taft's example, set aside time for a hearing on the bill at which both sides could enter their pleas.³⁹ Besides sending their representatives to this hearing, both

³⁵New York Times, January 1, 1915, p. 1, c. 5.

³⁶Cong. Rec., 63 Cong., 3 Sess., 868.

³⁷Ibid., pp. 1550, 1633.

³⁸New York Times, January 3, 1915, p. 8, c. 1; January 16, 1915, p. 8, c. 8 and January 15, 1915, p. 8, c. 7.

³⁹New York Times, January 19, 1915, p. 18, c. 3.

sides also made use of the time the bill was before Wilson to exert all the pressure on him they could muster. In an effort to influence him to veto the bill, the Hebrew Sheltering and Immigrant Aid Society organized mass protest meetings in Philadelphia, Boston, Baltimore, Chicago, Cleveland, and Newark.⁴⁰ In addition to these gatherings, the New York Non-Partisan Citizenship Committee arranged a mass meeting of protest in Cooper Union. Before a capacity audience (several thousand had to be turned away), the bill was assailed by speakers "as un-American, inhuman, and bad economics for the country."⁴¹ At this rally a memorial earnestly requesting Wilson to veto the Burnett bill was unanimously adopted and sent to the White House.⁴² Two State legislatures also joined in the call for a veto. The lower house of the Rhode Island legislature and the New York State Assembly both passed resolutions asking for a veto.⁴³ The resolution from the New York Assembly was backed by both major parties as well as the entire New York City delegation, however, it did run into some opposition from up-State members of the Assembly.⁴⁴ Tammany Hall vigorously opposed the measure too and sent a delegation to Wilson with a resolution requesting his veto of the bill.⁴⁵ Important Catholic leaders as well as liberals like Louis D. Brandeis and President Eliot of Harvard also expressed disapproval of the measure.⁴⁶ On the other hand, the restrictionist forces

⁴⁰New York Times, January 3, 1915, p. 8, c. 1.

⁴¹New York Times, January 26, 1915, p. 4, c. 6.

⁴²Ibid., p. 4, c. 6.

⁴³New York Times, January 22, 1915, p. 10, c. 8 and January 26, 1915, p. 4, c. 6.

⁴⁴New York Times, January 22, 1915, p. 4, c. 6.

⁴⁵New York Times, January 22, 1915, p. 10, c. 8.

⁴⁶New York Times, January 26, 1915, p. 4, c. 6.

were also active, especially the forces of organized labor. Samuel Gompers and the Executive Council of the A. F. of L. were quick to call upon President Wilson and when they asked him to sign the bill they were expressing the sentiments of most of the members of labor unions.⁴⁷ On the day when Wilson came to his decision, he was deluged with telegrams from labor unions all over the country asking him to sign the bill.⁴⁸ The friends of the bill were also well represented at Wilson's public hearing on the Burnett bill. J. H. Patten of the Farmer's Union spoke for his organization and for the National Grange in favor of the bill. Morrison and Gompers spoke for organized labor and a "representative of various organizations of alienists, eugenic societies, and state boards of health favored the bill on the ground that literacy test would check the spread of insanity."⁴⁹ Representatives Gallivan, of Massachusetts, Sabath, of Chicago, Goldfogle, of New York, Cockran, of New York, and Moore, of Pennsylvania all appeared in opposition to the bill.⁵⁰

On January 27th Wilson came to his decision; the Burnett bill was vetoed. As was expected his disapproval was based mainly on the literacy test, which he felt would exclude many persons who despite their handicap would nevertheless make good citizens. The bill was also criticized because it might prevent alien political offenders from gaining asylum in the United States, a point on which Wilson was very tender. Appealing from America's traditional immigration policy, Wilson declared that he

⁴⁷New York Times, January 17, 1915, p. 13, c. 2.

⁴⁸New York Times, January 28, 1915, p. 11, c. 3.

⁴⁹R. W. Pullman, "The President's Stand on the Literacy Test," Survey, XXXIII (1915), 476.

⁵⁰Ibid., p. 476.

felt the problem of reversing this policy was too serious a one to be settled without the sanction of the people of the country, a sanction which he did not possess.⁵¹

For the most part Wilson's action was approved by the press with little regard to the political affiliation of the paper. In New York, all the papers seemed to have agreed with Wilson's decision "even such political antagonists as The Tribune (Rep.), The Press (Ind. Rep.), and Mr. Hearst's American commend his action," commented the Literary Digest. Overall press comment on the veto seems to have been most favorable in the Midwest and the general urban North, but in the South and Far West it encountered a good deal of criticism.⁵²

By his decision, Wilson had thrown the bill back on to Congress where the strength of the restrictionists would now face its supreme test. In the House they surmounted their first obstacle successfully by getting the bill reported from the Committee on Immigration with the recommendation that it be passed over the veto. The bill was then debated for an entire day with speakers sometimes achieving "unusual heights of oratory."⁵³ In the main, the bill's enemies made appeals for the downtrodden of other lands while its advocates argued for fair play toward American workingmen. Late in the day the vote was taken, with the result that Wilson's veto was sustained by the narrow margin of four votes.⁵⁴ Had the Senate been given the chance to vote on the bill, they probably would have been able

⁵¹Message From The President of the United States (63 Cong., 3 Sess., House Document No. 527, Washington, 1915), 3-4.

⁵²"The Literacy Test's Third Strike," Literary Digest, L (1915), 232.

⁵³New York Times, February 5, 1915, p. 1, c. 5.

⁵⁴Cong. Rec., 63 Cong., 3 Sess., 3077-78.

to repass it with ease. So once more the plans of the restrictionists had been shattered by the narrow defeat of their bill, but the closeness of the vote also gave them courage and they promptly announced that they would soon begin another campaign for the literacy test.

True to their word the restrictionists, led by Southern Democrats, launched another campaign for the literacy test soon after the opening of first session of sixty-fourth Congress. Early in January of 1916, Representative Burnett reintroduced practically the same bill that had been previously vetoed by Wilson.⁵⁵ The bill was referred to the House Committee on Immigration where it was decided to hold brief hearings on the measure. Taking advantage of this opportunity, the Hebrew Sheltering and Aid Society quickly sent a delegation to appear before the Committee in opposition to the bill. Louis Marshall, the eloquent New York lawyer and spokesman for Jewish anti-restrictionists, also protested the bill before the committee.⁵⁶ On the other hand, the Vice President of the Brotherhood of Railway Trainmen came before the committee with an endorsement of the test and the general bill.⁵⁷ Frank Morrison, Secretary of the A. F. of L. and John Kimble representing the National Grange also appeared before the committee to ask for the passage of the literacy test.⁵⁸

On the last day of January the bill was reported with a number of amendments, but with the literacy test still as its major feature. Again, as in the case of previous reports of literacy test bills, Sabbath and two

⁵⁵Cong. Rec., 64 Cong., 1 Sess., 1776.

⁵⁶New York Times, January 20, 1916, p. 16, c. 8 and January 21, 1916, p. 5, c. 5.

⁵⁷New York Times, January 21, 1916, p. 4, c. 5.

⁵⁸New York Times, January 22, 1916, p. 5, c. 1.

other committee members opposed the test in a minority report.⁵⁹ As the bill's sponsor and chief exponent, Burnett was soon busy rounding up votes for his measure while he waited for debate on the bill to begin. He was very optimistic about the bill's chances of success and predicted that if Wilson were again to veto it, there would be enough votes in the House to override it.⁶⁰

The debate on the Burnett bill did not begin until late in March. The bill was then debated under a special rule, provided by the Southern Democrat controlled Rules Committee, which gave it a privileged status.⁶¹ By this maneuver, the friends of the bill hoped to be able to rush the bill through the House, on to the Senate and then to the President before the tail end of the session was reached.⁶² However, even with this rule in effect the measure's progress was still slow. Essentially the same men represented the two sides in the debate, but a few newcomers also made an appearance. The major part of the stormy debate on the bill still centered around the literacy test although it was only one of the many provisions in this comprehensive bill. The debate also followed tradition in that it did not take on a partisan flavor, but geographically opponents and exponents of restriction could still be quite readily distinguished. The test's supporters came mainly from the South, from rural areas and from the Far West. Its opponents for the most part represented the urban North and the Midwest.⁶³

⁵⁹Immigration of Aliens into the United States (64 Cong., 1 Sess., House Report No. 95, 2 prts., Washington, 1916).

⁶⁰New York Times, February 21, 1916, p. 4, c. 2.

⁶¹Cong. Rec., 64 Cong., 1 Sess., 4768-74.

⁶²New York Times, February 21, 1916, p. 4, c. 2.

⁶³Cong. Rec., 64 Cong., 1 Sess., 4774-4816, 4841-4885, 4932-4962, 5023-5052, 5164-5194.

On the fifth day of debate the measure was finally brought to a vote. Amidst increasing anti-hyphenate sentiment and the fear of a vast deluge of immigrants at the war's end which would swamp the country, the bill was passed overwhelmingly 307 to 67.⁶⁴ Just prior to this vote a motion was made by the test's most persistent and vociferous opponent in the House, Joseph Sabath, to recommit the bill with instructions to strike out the test. This motion was soundly defeated 234 to 107, indicating further that a veto by Wilson could probably be easily overridden in the House.⁶⁵

When the bill entered the Senate it did not fare so well. It was reported from committee in mid-April, but was recommitted and not re-reported again until mid-May, when it appeared with additional amendments.⁶⁶ A month and a half then passed before it was mentioned again. Then it was discussed by its sponsor Ellison Smith of North Carolina, who, along with other ardent restrictionists, called for action on the long delayed bill.⁶⁷ Two days later Senate Democrats held a caucus and voted to postpone action on the Burnett bill until the next session. By a unanimous vote, all Democratic Senators were bound to this decision.⁶⁸ This desire to delay action on the Burnett bill until after November, obviously reflects the fear Democratic leaders had of antagonizing the immigrant voters. With the widespread immigrant opposition to the measure, they did not wish to take any action that would jeopardize the chances of the

⁶⁴Ibid., p. 5194.

⁶⁵Ibid., pp. 5193-94.

⁶⁶Ibid., pp. 5234, 6267, 8226.

⁶⁷Ibid., pp. 11370-73.

⁶⁸New York Times, August 1, 1916, p. 9, c. 4.

Democratic party in the forthcoming presidential election. Next the caucus, by a vote of 37 to 7, adopted a resolution "pledging the majority to vote down the attempt to attach the immigration measure to the Child Labor bill as a rider." This resolution was put through by party leaders to whip into line a group of Southern Senators who had announced that they would saddle the Child Labor bill, which they opposed, with an immigration rider, including the obnoxious literacy test section in hope that President Wilson would veto it.⁶⁹ All seven of the votes against the measure, in fact, came from Southern Senators.⁷⁰

Hope for the passage of the Burnett bill before December thus seemed very slim, but a revolt developed among Senate Democrats that changed the whole complexion of the picture. On August 21st, on a motion from Senator Smith, a combination of seventeen Republicans and ten rebellious Southern Democrats suddenly forced the Burnett bill before the Senate for consideration.⁷¹ This action by the ten Democrats brought immediate censorship from their colleagues and the whole debate became quite heated. Quite naturally, Senate Republicans were happy at the turn of events. If the bill was presented to the President during that session of Congress, he was bound to alienate some portion of the electorate. If he vetoed it, organized labor would be angry, but if he signed it, his immigrant vote would be endangered. When the time allotted for the debate of the Burnett bill had ended, Senator Smith made a motion that it be made the unfinished business of the Senate, however, the Senate had previously agreed to make the General Revenue bill its unfinished business. So, debate on

⁶⁹Ibid., p. 9, c. 4.

⁷⁰Ibid., p. 9, c. 4.

⁷¹Cong. Rec., 64 Cong., 1 Sess., 12924.

this motion then began and continued through the rest of the day and since no decision was reached a recess was taken until the following day when the motion would again be taken up.⁷² On the next day Wilson made it clear that he was determined to veto the immigration bill if it came to him including a literacy test. Prompted by this announcement, plus the accusations of bad faith by Democratic leaders, five of the ten who had voted to bring up the bill now reversed themselves.⁷³ By a vote of 32 to 28 it was decided to take up the Revenue bill and discuss it until it was disposed of.⁷⁴ Thus the Burnett bill definitely was laid aside until the next session of Congress, which would open in December.

In December, with Wilson safely re-elected, the Burnett bill was once more taken up in the Senate.⁷⁵ Ellison Smith, who had long since replaced Lodge as the leading Senate restrictionist and advocate of the literacy test, was planning to press hard for the measure, which he thought the Senate would approve quickly and easily. While the bill was being debated before the Senate, President Wilson had again announced that he would definitely veto the measure if it came to him containing the literacy test.⁷⁶ But this warning seemed to have no effect on the Senators, for after three days of fairly short debates, they easily passed the bill with the test intact by the overwhelming vote of 64 to 7.⁷⁷ During the debates on the bill, one of the chief arguments used by the restrictionists was

⁷²Cong. Rec., 64 Cong., 1 Sess., 12923-44.

⁷³New York Times, August 23, 1916, p. 9, c. 1.

⁷⁴Cong. Rec., 64 Cong., 1 Sess., 12951-53.

⁷⁵Cong. Rec., 64 Cong., 2 Sess., 152.

⁷⁶New York Times, December 12, 1916, p. 10, c. 6.

⁷⁷Cong. Rec., 64 Cong., 2 Sess., 316.

that after the war the real deluge of undesirable immigrants would begin, with our whole economy and way of life suffering as a result. They also dwelled somewhat on the hyphenate issue and thereby to some extent linked immigration restriction with national defense and national security.⁷⁸

Although President Wilson was firmly set on vetoing the bill, he did not act on that decision immediately. Instead, he decided to delay his action until the last moment, thereby allowing Congress as little time as possible to override his veto.⁷⁹ While Wilson thus marked time, he again received encouragement to veto the bill from Cardinal Gibbon and from Jewish-American organizations.⁸⁰ The German-Americans would probably have followed suit had they not already been under heavy fire as a result of growing anti-hypheism.

After waiting the full period of time allowed him by the Constitution, Wilson vetoed the Burnett bill.⁸¹ In a brief veto message he declared that he approved of most of the bill's provisions, but still could not help but feel that the literacy test constituted a radical change in the policy of the nation which was "not justified in principle."⁸² It was not a test of character, quality, or fitness, but in the main would be a mere penalty for lack of opportunity. He singled out for special attack the provision in the literacy test section which would admit illiterates if they could prove to immigration officials that they were coming to America to

⁷⁸Ibid., pp. 152-162, 205-226, 253-277, 313-315.

⁷⁹New York Times, January 29, 1917, p. 17, c. 2.

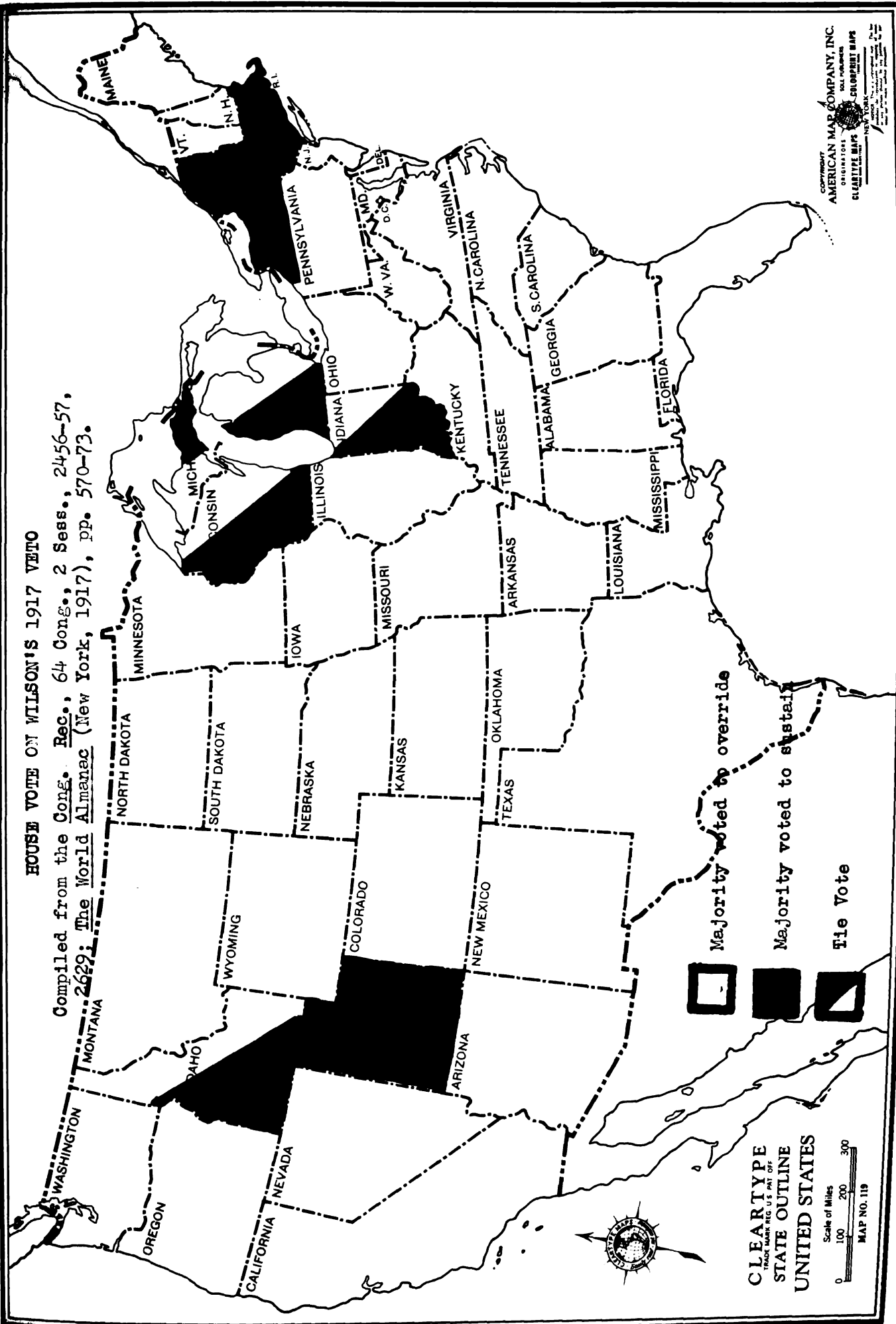
⁸⁰New York Times, January 19, 1917, p. 3, c. 2 and January 26, 1917, p. 9, c. 2.

⁸¹Message From The President of The United States (64 Cong., 2 Sess., House Document 2003, Washington, 1917).

⁸²Ibid., p. 3.

HOUSE VOTE ON WILSON'S 1917 VETO

Compiled from the Cong. Rec., 64 Cong., 2 Sess., 2456-57, 2629; The World Almanac (New York, 1917), pp. 570-73.



☐ Majority voted to override
☐ Majority voted to sustain
☐ Tie Vote

CLEAR TYPE
 TRADE MARK REG. U.S. PAT. OFF.
 STATE OUTLINE
 UNITED STATES

Scale of Miles
 0 100 200 300
 MAP NO. 119

COPYRIGHT
 AMERICAN MAP COMPANY, INC.
 ORIGINAL
 CLEAR TYPE MAPS
 COLOR PRINT MAPS

Compiled from the Cong. Rec., 64 Cong., 2 Sess., 2456-57, 2629; The World Almanac (New York, 1917), pp. 570-73.

Compiled from the Cong. Rec., 64 Cong., 2 Sess., 2456-57, 2629; The World Almanac (New York, 1917), pp. 570-73.



seek refuge from religious persecution. Allowing immigration officials to thus pass on the laws and practices of foreign governments "might lead to delicate and hazardous diplomatic situations."⁸³ This provision in itself, declared Wilson, furnished a good enough reason to veto the bill.⁸⁴ In this, his second veto of a literacy test bill, Wilson was supported by most metropolitan newspapers as well as the United States Chamber of Commerce.⁸⁵

Anti-hyphenism and nationalism were now running high in America and these factors when added to the increasing restrictionist sentiment made it easy for Congress to override Wilson's veto. In the House, with Southern restrictionist John Burnett leading the way, Wilson's veto was quickly overridden by a vote of 287 to 106.⁸⁶ The vote was non-partisan and followed the same general geographic lines as had previous votes on the bill. After a short delay by anti-restrictionists, the Senate also overrode the veto 62 to 19.⁸⁷ Thus, after more than three decades of agitation, over a quarter of a century of trying to gain Congressional approval and some thirty-two favorable votes in one House or the other, the literacy test had finally become a law. Henceforth adult immigrants who could not read a simple passage in some language would be excluded from the United States. Two important exceptions however, were made to this rule. One was that an admissible alien might bring with him into the country, illiterate members of his immediate family. The other exception

⁸³Ibid., p. 3.

⁸⁴Ibid., p. 3.

⁸⁵Ibid., p. 3.

⁸⁶Cong. Rec., 64 Cong., 2 Sess., 2456-57.

⁸⁷Ibid., p. 2629.

was the one to which Wilson had so strongly objected. This provision exempted from the test, aliens who could prove that they were fleeing to America to avoid religious persecution.⁸⁸ This exception was a concession mainly to the Russian-Jews who had lobbied vigorously for it.⁸⁹

The Burnett bill itself had originally been based upon the recommendations of the United States Immigration Commission of 1911, but additions had been made to the bill each time it had been reintroduced into Congress. Therefore, this comprehensive bill now contained many provisions of both a restrictive and a selective nature, as well as a recodification of existing immigration laws. Nevertheless, the literacy test still stood as the core of the measure and to many restrictionists it was the bill itself.⁹⁰

Ironically, this test, for which so many restrictionists had labored for so long, turned out to be a very mild restrictive measure. When the idea of the literacy test was first conceived, it was designed as a reading and writing test. In this form and with the rate of illiteracy then existing in Southern and Eastern Europe, had it become a law, the test would probably have barred a good many immigrants coming from this area from entering the United States.⁹¹ However, the test had soon been modified to a simple reading test and in this form it had finally become a law. Meanwhile, the rate of literacy in Southern and Eastern Europe had risen considerably, thus large number of immigrants from these areas were able to pass

⁸⁸Statutes At Large, XXXIX (Washington, 1917), prt. 1, p. 877.

⁸⁹"Immigration Bill Passed Again," Survey, XXXVII (1916), 334.

⁹⁰Roy L. Garis, Immigration Restriction: A Study of the Opposition to and Regulation of Immigration into the United States (New York, 1927), pp. 123-38.

⁹¹Report of the Select Committee on Immigration and Naturalization, p. 1052; H. Hoyt, "Relation of the Literacy Test to a Constructive Immigration Problem," Journal of Political Economy, XLIV (1916), 447, 457.

the test. In fact, it soon appeared that with the large influx of immigrants after the war, the number entering despite the test would equal the number who had entered before it was in effect. So, after finally becoming a law, the literacy test, it was discovered, had arrived on the scene too late to be a really restrictive measure.⁹²

⁹²Literary Digest, LIX, June 5, 1920, 32 and LXVI, September 11, 1920, 18; Maurice Davie, World Immigration (New York, 1936), pp. 274-75; Historical Statistics, p. 33.

Bibliographical Note

Primary Sources:

The Congressional Record was the most important and valuable primary source used in this study. As a record of the debates on the various literacy test bills it is invaluable. It also contains a record of the enormous number of resolutions, memorials, petitions, and letters presented in Congress relative to the test. However, the Journal of the Senate and the Journal of the House contain more complete indices of these communications and present them in a more readily accessible form. There are a large number of Congressional documents and reports which deal with the topic of the literacy test. However, only a few of these which seem most important will be discussed here. The Report of the Select Committee on Immigration and Naturalization (51 Cong., 2 Sess., House Report No. 3472, Washington, 1891) is a very valuable source of public and official opinion on the test when this proposal was still in its infancy. This report also provides some interesting insights into the reasoning of those who favored and those who opposed the measure. Senate Report No. 220 (54 Cong., 1 Sess., Washington, 1896) and House Report No. 1072 (54 Cong., 1 Sess., Washington, 1896) contain the texts of and the arguments for the first literacy test bills to be passed by either House of Congress. The arguments and the reasoning used to defend the test in these reports were more or less repeated in the many reports of literacy test bills over the next twenty years. Senate Document No. 62 (57 Cong., 2 Sess., Washington, 1903) contains a considerable amount of pro and con testimony on the literacy test as well as a long list of organizations that endorsed the test. Taft's brief veto message and Secretary Nagel's letter concerning the test which

brought Taft to his decision can be found in Regulation of the Immigration of Aliens (62 Cong., 3 Sess., Senate Document No. 1087, Washington, 1913). The texts of Wilson's veto messages of 1915 and 1917 can be found in House Document No. 1527 (63 Cong., 2 Sess., Washington, 1915) and House Document No. 2023 (64 Cong., 2 Sess., Washington, 1917) respectively.

Theodore Roosevelt's views on immigration restriction in general and the literacy test specifically, as well as some indication of his efforts on behalf of it can be found in the letters spread through the several volumes of The Letters of Theodore Roosevelt (Cambridge, 1951-54), I-VI, edited by Elting E. Morrison.

Although I was unable to utilize them, the Files of the Immigration Restriction League, in the Houghton Library, Harvard University contain a detailed record of the League's activities from 1894 to 1920 as well as revealing letters from Congressmen and citizens with whom the League made contact.

Secondary Sources:

The book which would be of the greatest aid to anyone studying American nativism after 1865 is John Higham's, Strangers in the Land: Patterns of American Nativism, 1860-1925 (New Brunswick, 1955). A superb study, it helps immeasurably in understanding the currents of nativism, racism, and anti-hyphenism that underlay the movement for the literacy test. His critical bibliography and extensive endnotes furnish the most valuable guide to further inquiries into American nativism now available. Some significant insights into the movement for the literacy test up to 1904 are furnished by Prescott F. Hall's, Immigration; And Its Effect Upon the United States (New York, 1906). Samuel Gompers', Seventy Years of Life and Labor:

An Autobiography (New York, 1925), Vol. II, details some of Gompers' efforts on behalf of the test and reveals some of his motives for supporting the measure. Allen Nevins', Grover Cleveland: A Study in Courage (New York, 1932) tells something of Cleveland's veto and points out that Cleveland may have been influenced by the steamship lobby to make a decision he later regretted. Very helpful in understanding the part Joe Cannon played in the defeat of the literacy test bill in 1906-07 is Blair Bolles', Tyrant From Illinois: Uncle Joe Cannon's Experiment With Personal Power (New York, 1951). A number of books on the general topic of immigration and immigration restriction also contain comments on the literacy test movement. Among these Roy Harris', Immigration Restriction: A Study of the Opposition to and Regulation of Immigration into the United States (New York, 1927) contains the fullest treatment of the literacy test and the whole restrictionist movement.

The best account and analysis of the South's attitude toward the new immigration and immigrants in general is contained in Rowland T. Berthoff's, "Southern Attitudes Toward Immigration, 1865-1914," Journal of Southern History, XVII (1951), 323-60. Doing the same for business, but over a much shorter span of years is Morrell Heald's, "Business Attitudes Toward European Immigration, 1880-1900," Journal of Economic History, XIII (1953), 291-304. This article would be more valuable however, if it had traced these attitudes into the first decades of the twentieth century. No one has reviewed labor's attitudes toward immigration as Heald had treated those of business, but, Gompers' racism is dealt with in Arthur Mann's, "Gompers and the Irony of Racism," Antioch Review, XIII (1953), 203-14.

Contemporary articles, both pro and con, which deal with the literacy test are numerous, but they can be found most frequently in Century, Forum,

North American Review, Outlook, Survey, and The Journal of Political Economy. None of these periodicals presented the arguments of either the restrictionists or anti-restrictionists exclusively, but rather maintained a fairly even balance between the two.

The New York Times is a mine of information on Congressional action on the literacy test, especially after 1900. Its reports have the great value of providing information on behind the scenes activity in Congress as well as presenting important off the record comments made by member of Congress. Of even greater value is the information contained in the Times on the activities of the various pressure groups which sought to influence Congress and the President relative to the literacy test. Information concerning Presidential action and opinion relative to the test, which would often be hard to obtain, can also be found in the Times. The great bulk of press opinion on the literacy test used in this thesis was gleaned from Public Opinion and Literary Digest. Although one can never be positive that he is obtaining a fair sample of press opinion on a question when he uses either of these periodicals, they do have the distinct advantage of presenting press opinion from all parts of the country and from the press of both major parties in a readily accessible form. Public Opinion proved to be more valuable for the period before 1900 and Literary Digest for the period after that date.

MICHIGAN STATE UNIVERSITY LIBRARIES



3 1293 03082 7939