

**JOURNAL No. 57**

APERTURA DE LA SESION

**Se abre la sesion a las 5:45 p.m., ocupando el estrado el Presidente, Hon. Claro M. Recto.**

EL PRESIDENTE: Lease la lista de Delegados.

MR. ESCAREAL: Mr. President, I move that the the roll call be dispensed.

EL PRESIDENTE: ØÿHay alguna objecion? **(Silencio.)** La Mesa no oye ninguna. Se dispensa la lectura de la lista. Hay quorum.

APROBACION DEL ACTA.

MR. ESCAREAL. Mr. President, I move that reading of the minutes be dispensed with and that the same be approved.

EL PRESIDENTE: ØÿHay alguna objecion? (Silencio.) La Mesa no oye ninguna. Aprobada. Leanse los documentos recibidos.

ORDEN DE ASUNTOS

EL SECRETARIO:

REPORT OF THE COMMITTEE ON TARIFF

The Honorable President Constitutional Convention Mr. President:

The Committee on Tariff, to which were referred various constitutional precepts on tariff and related matters presented by several delegates, after a thorough study and careful consideration of the same and those proposed directly to the Committee by its Chairman and members, has the honor to submit to the Convention the attached constitutional provisions and to recommend their insertion in the Constitution.

In the formulation of the proposed constitutional provisions, we have given due weight to the fact that tariff depends on changing economic conditions of the country, and considering its importance in relation to the national economy, we have deemed it essential that the legislative branch of the government should be given vast and elastic powers that will enable it to meet all possible future contingencies.

For obvious reasons, the Committee could not avoid that the proposed constitutional provisions cover, to a certain extent, such related matters to tariff as taxation, imports, exports, trade agreements, and wharfage dues and tonnage dues.

Respectfully submitted,  
(Sgd.)

## TARIFF

Section 1. The Legislature shall, unless herein otherwise provided, have exclusive power to levy duties, imposts, and excises, and to provide for the collection thereof .

Section 2. No tax or duty shall be levied on articles exported from one province, city, municipality or by any other political subdivision to another province, city, municipality or any other political subdivision within the Philippine Islands.

Section 3. The Legislature shall have the power to regulate, restrict or prohibit imports from or exports to any foreign country.

Section 4. The Legislature may authorize the Chief Executive to enter, upon the advice of a board to be created by law, into trade agreements with other countries.

Section 5. The Legislature may delegate to the Chief Executive, to be exercised by him, with the advice of a board to be created by law, the power to fix within specified limits, duties, wharfage dues, tonnage dues or other imposts or excises, and to regulate, restrict or prohibit imports or exports.

EL PRESIDENTE: Al Comite de Ponencias. EL SECRETARIO:

## REPORT OF THE COMMITTEE ON IMMIGRATION

The Honorable President  
Constitutional Convention  
Manila

Sir:

Your Committee on Immigration begs to submit for transmittal to the Constitutional Convention its report which is the result of a careful and conscientious study of the important problem of immigration.

Attention is drawn to the fact that your Committee has endeavored to study the immigration problem not only from the nationalistic standpoint of the Filipino people but also from the standpoint of the other interested parties. After a thorough consideration of the different aspects of the problem, your Committee deems it advisable to include in the Constitution the attached constitutional precept which is concise and self explanatory.

It will be noted that your Committee prescribed a yearly quota of alien immigrants from each foreign country based upon the percentage of the number of citizens of foreign countries residing in the Philippines, as shown in the census of 1918, which percentage shall be determined by law from time to time as the Legislature may deem fit. The percentage shall be in inverseratio to the number of citizens of a country residing in the Philippines at the time the census of 1918 was taken. In other words, the greater the number of aliens pertaining to a country the lesser the

percentage or quota to be allowed; and the lesser the number of aliens, the greater the quota to be admitted.

The last sentence of the attached constitutional precept which reads: "A larger number than can be assimilated into the Filipino body politic shall not be admitted" is of primordial importance inasmuch as its objective is to give the necessary discretionary power which should be given to the national Legislature to reduce by legislation the yearly quota, if after having admitted a reasonable number of immigrants from a certain country, it will find in due course of time that those aliens could not be assimilated into the Filipino body politic.

Attention is further drawn that an adequate solution of the immigration problem can only be reached after a thorough study of its far-reaching effects upon our race and as conditions and circumstances vary from time to time, hence the idea of leaving to the national Legislature the fixing of the necessary yearly quota of alien immigrants is, in the opinion of your Committee, in line with the expediency of having our national Legislature pass upon such important problems as the problem of immigration affecting fundamentally the welfare and progress of the Filipino race. If your Committee would, from now on and through a constitutional precept, definitely establish a fixed yearly or permanent quota, the dangers of imperfection of the constitutional precept concerned would not be completely discarded.

It should also be borne in mind that any constitutional provision approved by this National Convention or any law passed by the legislative concerning immigration has to be approved by the President of the United States in order to become effective.

The data concerning the number of aliens admitted into the Philippines in the years 1918, 1930, 1931, 1932 are hereunto annexed and hereby made parts of this report.

In view of the foregoing, your Committee on Immigration strongly recommends the approval of its report by the Convention.

Respectfully submitted,  
(Sgd.) A. DE GUZMAN  
Chairman  
Committee on  
Immigration

"Art .... The yearly quota of alien immigrants from each country shall be a percentage of the number of citizens of that country residing in the Philippines, as shown in the census of 1918, which percentage shall be determined by law from time to time and shall be in the inverse ratio. A larger number than can be assimilated into the Filipino body politic shall not be admitted.

CITIZENSHIP  
Census of the P. I. — 1918

	<b>Population</b>
Filipino	9,428,291
.....	
Males	4,714,175
.....	