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REPORT OF THE COMMISSION OF IMMIGRATION OF THE STATE OF NEW JERSEY

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REPORT

OF THE

N.J. Commission of Immigration

OF THE

STATE OF NEW JERSEY

APPOINTED PURSUANT TO THE PROVISIONS OF

CHAPTER 362 OF THE LAWS OF 1911

TRENTON, N. J.
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1914

Commission of Immigration of the State of New Jersey

COMMISSIONERS.

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REPORT.

STATE OF NEW JERSEY.

COMMISSION OF IMMIGRATION.

Honorable James F. Fielder, Governor:

SIR—Under Chapter 362 of the Laws of 1911 of the State of New Jersey, this Commission was appointed by Governor Wilson to make full inquiry, examination and investigation into the conditions, welfare, distribution and industrial opportunities of aliens in this State.

The first meeting of the Commission was held in Hoboken on the twenty-seventh day of December, 1911. William Fellowes Morgan was elected Chairman and Robert A. Franks, Secretary and Treasurer. Alexander Cleland was appointed Executive Secretary. Hoboken was chosen as the headquarters for the Commission because of its accessibility from all points in New Jersey.

The bill creating this Commission carried with it no appropriation. The work of the Commission during 1912 was, therefore, made possible only through funds provided by public-spirited citizens and by the North American Civic League for Immigrants, an organization interested in developing definite permanent governmental policies in regard to immigrants, and which was largely instrumental in securing the creation of the New Jersey Commission.

At the 1913 session of the Legislature a bill was passed and signed by you as Acting Governor appropriating $5,000 for the work of the Commission. The Appropriation Committee, however, failed to include this amount or any other sum in the appropriation bill, and the Commission was again compelled to rely on the same sources as before for financial support.

The failure of this State to make financial provision for the New Jersey Commission is in strong contrast to the policy of

other States. New York State this year appropriated about $44,000 for its permanent Bureau of Industries and Immigration. The 1913 Legislature of Massachusetts, which appointed a Commission similar to that in New Jersey, made an appropriation of $15,000 to finance its work. California, which also appointed a Commission to investigate immigrant conditions in that State for a period of two years, appropriated $50,000 to cover the necessary expenses.

A list of contributors who made the work of the Commission possible is given in the appendix to this report.

The New Jersey Commission has employed two regular investigators, and has secured special investigators as their services were needed. Fifteen meeting and twenty-seven hearings have been held and eighty-seven witnesses have been examined.

The Commission gratefully acknowledges the splendid cooperation of the North American Civic League for Immigrants, of city and State officials, employers of labor, labor unions and private individuals.

Former Regulation of Immigration in New Jersey.—The Legislature of the State of New Jersey in 1838 enacted a law relative to aliens arriving in this State. Under section 1 of this law, the corporate authorities of any city or township were authorized to impose and collect from the master, owner or agent of any ship or vessel, arriving from any country out of the United States, at any such city or township, with alien passengers, a sum not less than $1, and not exceeding $10, for each and every alien passenger.

This New Jersey act followed previous legislation of New York and Massachusetts to the same effect. The legislation of those States was, so far as it provided for the payment of a tax for every alien passenger, held to be unconstitutional in 1849 in the Passenger Cases, reported in 7 How. 283. The doctrine of that decision was extended in Henderson *v.* Mayor, 92 U. S. 259, and in People *v.* Compagnie Generale Transatlantique, 107 U. S. 59, to legislation which was enacted to evade the rule laid down in the Passenger Cases. There can, therefore, be no question but that the New Jersey act is unconstitutional.

Section 2, however, provides that the master or commander of every ship or vessel arriving must furnish a full and correct list of all the passengers arriving in his vessel, under penalty of $500. This section is valid under the decision of the United States Supreme Court in City of New York *v.* Miln, 11 Peters 103, where the New York act of 1824, which provided for similar lists, was sustained. This 1838 law is, so far as the Commission can learn, the only law ever passed in New Jersey dealing with aliens.

Distribution, Education and Protection of Resident Aliens.—A review of the Federal legislation with regard to immigration shows that the attention of the government has been devoted almost exclusively to the questions of admission and exclusion and to devising proper and efficient machinery for carrying out the provisions relating thereto. Much emphasis has been laid by the Legislature and by societies and individuals upon the question of restriction, but comparatively little attention has been given to the welfare of the immigrants already landed. The Report of the Immigration Investigation Commission appointed by the Treasury Department in 1895 contains twenty-one important recommendations, only one of which deals specifically with the protection of the alien and prohibits any charge to a deported alien for his return passage.

The United States Industrial Commission created in 1898 devoted one volume to immigration but its recommendations pertained to exclusion rather than protection, and yet of equal importance with the questions of admission and exclusion of immigrants, are the questions of the protection, distribution, education and assimilation of the millions of immigrants already admitted to this country.

The Federal Immigration Commission of 1907, however, pays more attention to the welfare of the immigrant after his arrival; it includes in its report the following recommendations:

> "To protect the immigrant against exploitation; to discourage sending savings abroad; to encourage permanent residence and naturalization; and to secure

better distribution of alien immigrants throughout the country.

(a) The States should enact laws strictly regulating immigrant banks.

(b) Proper State legislation should be enacted for the regulation of employment agencies.

(c) Since numerous aliens make it their business to keep immigrants from influences that may tend toward their assimilation and naturalization as American citizens with the purpose of using their funds, of encouraging investment of their savings abroad, and their return to their home land, aliens who attempt to persuade immigrants not to become American citizens should be made subject to deportation."

The Alien in New Jersey.—Of the States receiving the largest number of newly arrived immigrants each year, New Jersey ranks fifth; those receiving larger numbers being New York, Pennsylvania, Massachusetts and Illinois. About five per cent. of the total immigration is destined to this State, although New Jersey in point of area ranks among the smaller States. New York, ranking first in the number of immigrants arriving each year, with an area of 47,000 square miles, has a population of approximately 2,729,000 foreign-born, whereas New Jersey with an area of 8,330 square miles has a population of approximately 658,188 foreign-born, considerably more in proportion to its size.

New Jersey also ranks fifth in the number of foreign-born whites at present residing in the State, New York, Pennsylvania, Massachusetts and Illinois having respectively a larger foreign-born population. Rhode Island leads the list of those States having the largest percentage of foreign-born residents, its foreign-born population being 32.8 per cent. of its total population, while New Jersey is fifth in rank with a foreign population of 26 per cent. The population of the United States, as a whole, is divided as follows: Native-born whites, 53.8 per cent; foreign-born of mixed parentage, 20.5 per cent; foreign-born whites,

14.5 per cent.; and negro and all others, 11.1 per cent. The population of New Jersey, on the other hand, is made up of native-born, 39.8 per cent.; foreign-born of mixed parentage, 30.7 per cent.; foreign-born, 25.9 per cent.; and negro and all others, 3.8 per cent.*

The foreign-born population of fourteen of the largest cities in New Jersey is as follows: Passaic, 52 per cent.; Perth Amboy, 44.5 per cent.; Bayonne, 37 per cent.; Paterson, 36 per cent.; Elizabeth, 32.5 per cent.; Newark, 32 per cent.; Jersey City, 29 per cent.; Trenton, 27 per cent.; Orange, 27 per cent.; Camden, 16.6 per cent.; East Orange, 16.5 per cent., and Atlantic City, 13.9 per cent. These fourteen cities have a total foreign-born population of 424,440, or 31 per cent. of the entire population. In the 229 cities in the United States having more than 25,000 inhabitants and with an aggregate population of 28,543,816, the foreign-born population is 26.2 per cent. of the total.

Passaic with 28,467 foreign-born whites, representing 52 per cent. of its total population, has the largest proportion of foreign-born whites of all the principal cities of the United States. Lawrence, Massachusetts, has the second largest proportion with 48.1 per cent.; Perth Amboy is third with 44.5 per cent. Throughout the entire United States there are only twelve cities in which the foreign-born whites constitute more than 40 per cent. of the total population; two of these, holding first and third place in rank are in New Jersey.*

The following statistics indicate the trend in the character of immigration during the last ten years. In 1900 the different nationalities in New Jersey ranked as follows: Germans, Irish, English, Italians, Russians and Austrians. In 1910 Germans still held first place; Italians had reached the second place; Russians, third; Irish, fourth; Austrians, fifth; and English, sixth.

During this decade the increase in the total population of English, Germans, Scotch and Scandinavians was 16,004, while the entire increase in Italians, Russians, Austrians, Hungarians,

* Federal Census of 1910.

Greeks and Roumanians was 213,475. While the increase in the nationalities which composed our earlier immigration has been only 8 per cent. during this period, the increase of the nationalities making up our newest immigration has been over 200 per cent. For the same period the total increase of foreign-born whites in New Jersey was 228,138, or an increase of 53 per cent. since 1900. Of this number 32.2 per cent. are Italians, 28.6 per cent. Russians, 17.8 per cent. Austrians, and 13.6 per cent. Hungarians. The remaining 7.8 per cent. includes all other nationalities.

In 1912, immigration to New Jersey was as follows: Italians, 9,857; Poles, 8,799; Slovaks and Ruthenians, 5,478; Germans, 4,115; Hebrews, 3,392; Magyars, 3,619; English, 1,921; Irish, 2,066; and all others, 7,964.*

Four-fifths of the total immigration and emigration of the United States passes through the port of New York. The terminals of four of the largest trunk lines in the country and the docks of four of the most important steamship companies in the world are in New Jersey. As a very large proportion of the immigration and emigration of the port of New York passes through New Jersey, its transportation problems are, therefore, almost identical with those in New York.

The relation of the alien to the industrial, political and social interests of the State can no longer be ignored. He has become more and more a force in our economic life and an important element in our increasing industrial activities. As soon as he arrives in the State, he becomes a producer as well as a consumer.

His labor is needed on the farm, in the factory, in the construction of railroads, on public works and in mines. The majority of aliens enter the country in the prime of life and make their way with remarkable courage and self-reliance.

One of the greatest needs in connection with present immigration is intelligent and comprehensive systems of distribution. While a large majority of immigrants coming to this country are from rural districts and are therefore unfitted for working or living under existing conditions in our large industrial centers,

* Report of Commissioner General of Immigration of 1911.

nevertheless, the agricultural interests have great difficulty in securing labor, and the industrial centers are overcrowded. For this condition the State is largely to blame in that unscrupulous real estate companies and land agents have, up to the present time, been the chief sources of information for immigrants regarding land opportunities.

With little or no knowledge of the English language, the alien remains unacquainted with the legal and social institutions of the State and is in constant danger of breaking laws of which he is ignorant, and of being exploited by the many individuals and agencies ready to prey upon his ignorance.

With the prospect of a large number of immigrants becoming citizens, the State should take a more active and intelligent interest in their protection and preparation for citizenship.

GENERAL SOCIAL CONDITION OF ALIENS.

Exclusion of Aliens.—The social condition and character of aliens who come to this country are partly determined by the immigration laws of the United States which forbid the admission of those likely to become a charge upon the community, or to endanger its citizens by physical contagion, vice or unfair competition. The following classes are debarred: Idiots, imbeciles, feeble-minded, insane (including those who have been insane within the past five years, or who have had two attacks of insanity); persons suffering from tuberculosis; those with contagious or infectious diseases, such as trachoma, favus and the like; professional beggars, paupers; persons likely to become public charges; persons whom the surgeon certifies to as having mental or physical defects which may affect their ability to earn a living; laborers under contract; minors under sixteen years of age unaccompanied by their parents; persons assisted in their immigration; criminals; bigamists; avowed anarchists;

prostitutes and females coming for any immoral purpose, or persons who procure or attempt to bring in prostitutes or females for any immoral purpose. While the total number of aliens debarred in 1913 was only 19,938, the actual number prevented from coming to the United States as the result of the Immigration law was much larger. The steamship companies refuse passage to those manifestly likely to be debarred, and some aliens realizing the impossibility of passing the test, do not even apply for steamship tickets.

A further protection is afforded by the provisions relating to deportation. Aliens who enter in violation of the law, and such as become public charges within three years after entry from causes existing prior to landing, may be deported. During the year ending June 30th, 1913, 3,461 aliens were ordered deported by the Federal authorities acting in conjunction with the various penal and charitable authorities of the different States. The extent to which New Jersey may be relieved from the cost of supporting deportable aliens depends upon the efficiency of the co-operation between State, municipal and Federal officials.

Causes of Immigration.—While the restrictions of the Immigration law determine somewhat the character and volume of immigration, the economic conditions abroad and in America, however, have a much greater influence. The Industrial Commission in its report on immigration concluded that "immigration follows business conditions in obedience to the opportunities for employment. In times of business expansion, when capital is seeking investment and the resources of the country are being eagerly developed, immigrants enter in increasing numbers to take a share of the increasing wages and employment, but in times of business depression their numbers decline."

The Federal Immigration Commission of 1907 reported as follows with regard to this matter:

> "It is entirely safe to assert that letters from persons who have emigrated to friends at home have been the immediate cause of by far the greater part of the remarkable movement from Southern and Eastern Europe to the United States during the past twenty-

> five years. There is hardly a village or community in Southern Italy and Sicily that has not contributed a portion of its population to swell the tide of emigration to the United States, and the same is true of large areas of Austria, Hungary, Greece, Turkey and the Balkan States. * * * It was frequently stated to members of the Commission that letters from persons who had emigrated to America were passed from hand to hand until most of the emigrant's friends and neighbors were acquainted with the contents. In periods of industrial activity, as a rule, the letters so circulated contain optimistic references to wages and opportunities for employment in the United States. * * * The reverse is true during seasons of industrial depression in the United States. At such times intending emigrants are quickly informed by their friends in the United States relative to conditions of employment, and a great falling off in the tide of emigration is the immediate result. * * * Emigrants as a rule are practically assured that employment awaits them in America before they leave their homes for ports of embarkation. * * * In fact it may be said that immigrants, or at least newly arrived immigrants, are substantially the agencies which keep the American labor market supplied with unskilled laborers from Europe. As a rule, each immigrant simply informs his nearest friends that employment can be had and advises them to come. It is these personal appeals which, more than all other agencies, promote and regulate the tide of European emigration to America."

The earlier immigration to the United States was almost entirely from Great Britain, Ireland, Germany and Scandinavian countries. On account of the improved social and economic conditions in these countries, their emigration is at present less than their immigration, and the great bulk of those coming to this country during the last few decades have been from Southern and Southeastern Europe.

This latter emigration is also stimulated to a slight degree by the social and economic conditions in these countries. Religious persecution or the demand for political and civil rights bring the Jew from Russia. Political disabilities, taxation and compulsory military service bring the Italian, the Pole, the Hungarian, the Greek, the Turk and the Syrian.

Aliens are generally poor when they arrive; about five-sixths show less than $50. The majority of them are not educated, and in 1912, 21 per cent. of those arriving were illiterate. The vast majority of them are unskilled laborers coming from rural districts.

As a rule the men are the first to come from any country, the unmarried men coming first of all. In 1912 but 37 per cent. of aliens arriving in the United States were females; 86 per cent. of these were above the age of fourteen and 6 per cent. of the latter group were above the age of forty-five. After the alien has gained a foot-hold, he usually sends for his wife and children. The longer immigrants have been coming from any given country, the greater is the percentage of women that come; thus in 1912, 44 per cent. of the Germans—who constituted a large element in early immigration—were females, while the immigrants from Greece, whence come some of our more recent immigrants, only 9 per cent. were women. The preponderance of men accounts for the possibility of their taking up work of a seasonal nature.

Economic Conditons.—The alien, although he has come from rural districts, usually makes his home in our industrial centers. He goes without question to the places where his relatives or friends reside and having found work in the vicinity, probably settles down permanently.

The main reasons why he goes no further are his ignorance of opportunities and resources in the other sections of the States or of the country; lack of incentive or means; reluctance to leave his associates of the small colony in which he has settled and diffidence in moving out among total strangers. For this reason we find a greater percentage of aliens coming into New Jersey, settling in the northeastern parts of the State, in the

counties of Essex, Hudson, Passaic and Union. They settle down in the congested districts of industrial centers and crowd together in tenements under unhealthy and unsanitary conditions. Families take in a number of boarders in order to increase their income, thereby adding to the already overcrowded conditions and endangering the moral atmosphere of the home.

The following statement is taken from the 1912 Report of the Bureau of Statistics of New Jersey which investigated conditions in Passaic during the recent strike:

> "The textile workers are, as a rule, temperate and thrifty; in many cases both man and wife work in the mills, the wages of the husband being insufficient to meet family wants, particularly when there are children. These also invariably go to work when old enough and add their contribution to the family maintenance. About 60 per cent. of the operatives are married, and these live in three or four-room tenements, for which they pay from $8 to $9 a month. Unmarried workmen lodge with these familites and pay $1.50 per month for sleeping accommodations. As many as eight of these lodgers, together with the renting family, make their homes in one apartment of four rooms, and in addition to the monthly fee for lodging, pay from $1.50 to $2 per week for cooking the food, which is furnished by themselves."

The alien finds steady employment for the most part in the metal work, woolen and cotton manufacturies, mercantile establishments, brick and tile and various other kindred industries. He obtains seasonal labor in railroad construction, on the berry fields and cranberry bogs, and to a limited extent in the canneries.

The economic conditions prevailing in seasonal occupations are usually worse than those present in ordinary employment, on account of the very nature of the work. In railroad work as well as upon the berry fields, the alien lives in camps with or without his family; and the standard of living in these camps is usually very low.

In addition to the large industries, there are other trades in

which the alien finds employment. The most noteworthy of these is the shoe-shining parlor in which Greek boys, often of school age, are employed for long hours and then are made to live in unsanitary quarters with poor food and little or no opportunity for recreation.

Places of Amusement.—The lack of opportunity for recreation gives rise to a dangerous situation, especially in our large cities. The immigrant, as noted before, comes from a country where he has been used to outdoor exercises and simple pleasure. In the cities in America the only amusement which comes within his means are the dance halls and moving-picture shows. Dancing is the recreation to which the immigrant girl is most accustomed. Practically the only opportunity for pleasure of this kind is found in public dance halls which are frequently run in connection with saloons and under the supervision of persons who are interested in recreation only from a financial standpoint. Probably no dance halls are conducted exclusively for immigrants, but they usually are opened in districts where foreigners live. The poor supervision, the close connections with saloons and the loose character of the men and women who frequent them, offer numerous pitfalls to ignorant and unsuspecting immigrants.

Forces of Assimilation.—Although life in the city under present conditions is usually attended by overcrowding and unsanitary quarters, the assimilation of the alien is carried on much more rapidly there than in the country because of the proximity of various agencies tending to this result.

On the farm the alien is usually alone and separated from anyone who either speaks his language or is in sympathy with his needs. In labor camps, grouped as he is with men of his own race, he is even more likely to be separated from all Americanizing influences.

In the city, on the other hand, though the alien lives in a small community which has many of the characteristics of his native home and which is apt to retain the very customs and peculiarities of a foreign city, he comes more often in contact

with men who have a growing knowledge of American laws and customs and who gradually introduce him to these things.

The public evening schools with their classes in English afford an ever increasing opportunity for aliens to learn the English language and thus hasten assimilation. Settlements assist the women in getting established and put them in touch with institutions which will be of further assistance to them. Churches are beginning to realize more fully the need for other than purely religious efforts on behalf of our foreign population.

Another instrument of assimilation, if the immigrant can read, is found in the paper published in his native language, which often helps to introduce him to the new conditions. The labor organizations, where foreigners are admitted, also bring them in touch with American problems and points of view.

It is evident that the welfare of the alien after he has landed, is influenced by a number of things which are distinctly unique. His progress and development, from the very nature of his position, depend upon a variety of interests which do not affect the life of the ordinary citizen. While the general indifference to the welfare of the immigrant and to the State's relation to him, which has hitherto prevailed, will not prevent the eventual assimilation and rise of the alert intelligent individual, yet the recognition and elimination of the abuses to which the alien is subject, and which are keeping him isolated from the American community and retarding his progress, will be of inestimable value, not only to the average immigrant but to the exceptional individual as well. An intelligent endeavor to better the environment of the immigrant and to give him an understanding and confidence in our institutions will inevitably react to the betterment of the entire community.

A number of interests which the Commission has found affecting the alien will now be considered under separate headings.

TRANSPORTATION.

Some of the most difficult problems in connection with the present immigrant situation are those incident to transportation.

The difficulties of travel in a foreign country to an educated, well-informed traveler are increased to an almost inconceivable degree for the ignorant, inexperienced immigrant arriving at the port of New York. He is obliged to go through the various governmental processes incidental to admission to the country; he is passed from one uniformed official to another until he looks upon anyone wearing a uniform or a metal badge as an officer of law to be obeyed, no matter what the commands or demands may be.

The great majority of immigrants come from small rural communities; many never have been in a large city in their own country. They come to the second greatest city in the world; they know nothing of the English language, or of the customs or the complex systems of city life. The sum total of their assets when they enter the country are first, a good physique; second, an average of about $50 in money; and third, hope. All the possibilities and opportunities of this great free country, such as they have never known in their own, are before them; and this hope, above all else, is what has brought them to America. Many, however, are robbed of the last two assets before they have passed beyond a New Jersey terminal.

While the loss of his money, often representing his total capital in the new country, is a serious matter to the immigrant, the effect of this loss in determining his attitude toward America, by replacing his hope with suspicion and frequently planting a desire for revenge in his heart, is a serious matter to this country.

All steerage passengers arriving at the port of New York are taken from the steamers on barges to Ellis Island. After examination, those going directly to points in the interior buy their railroad tickets at the railroad office on Ellis Island, and are

taken on barges from there to the railroad terminals in New Jersey, or by the Werner Transfer Company to the New York, New Haven and Hartford Terminal in New York City. Those destined for New York City and nearby points in New Jersey are landed at the Barge Office at the Battery.

Second class immigrant passengers are not taken to Ellis Island, but land at the steamship piers. In the large majority of cases, second class passengers are no better equipped to protect themselves from exploitation than steerage passengers, and because they usually have a larger amount of money than steerage passengers, they become more profitable prey.

There is comparatively little exploitation at the railroad terminals in New Jersey. The immigrants are taken in charge by a railroad employee when they leave the Ellis Island Barge and are conducted to their trains. Second class passengers, however, landing at the steamship piers in Jersey City and Hoboken are exposed to serious inconveniences because of the misleading information of porters representing immigrant hotels, and to exploitation, both by licensed porters and hackmen and by a large number of unlicensed porters and crooks.

During the year 1911 over fifty-six thousand second class passengers arrived in Hoboken while over one hundred and fourteen thousand steerage passengers sailed from this port.

In its study of dock conditions in New Jersey the Commission has had the benefit of seventy-one investigations made by the North American Civic League for Immigrants of conditions at the Hoboken docks.

The Hoboken ordinances regarding the licensing and regulation of porters on these docks provides:

> Section 1.—"That it shall not be lawful for any person or persons to exercise the calling or employment of public porters within the limits of the City of Hoboken without first obtaining a license therefor, as hereinafter provided."
>
> Section 2.—"That if any person or persons except a person so licensed as hereinbefore provided shall exercise the calling or employment of a public porter with-

> in the limits of the City of Hoboken or upon any steamboat, ferryboat, vessel or other craft, or upon any dock or pier within the City of Hoboken, aforesaid or upon any waters adjacent thereto or over which the ordinances of said city extend, without such license as aforesaid, shall forfeit and pay the sum of twenty-five dollars and stand committed until the same be paid, to be recovered in the manner provided in the city charter for the violation of city ordinances."

Public Porters.—The Commission found there were twenty-nine licensed porters operating at the docks and on River street. Those working independently obtain a license from the City Lincense Inspector for a fee of $20.50. No references are necessary, the only requirement is that the applicant shall be a citizen of the United States. Individual licenses are not required for hotel porters and the hotel proprietor is only required to obtain one license, no matter how many porters he employs.

It was found that men who had been discharged by certain agencies for overcharging immigrants were able to obtain licenses without any question. Licensed porters often loan their badges to friends at times when they themselves cannot be at the docks.

In addition to the licensed porters there are a great many unlicensed persons who solicit baggage. There is no ordinance regulating porter charges, but there seems to be a general understanding with regard to rates. The regulation charges from the docks to the Lackawanna Depot or ferries is 25 cents for one person and 50 cents for two or three. To places outside of Hoboken, the Erie and Pennsylvania Stations, New York and Brooklyn, the prices vary from 50 cents to $2.00 per person. As a matter of fact, immigrants pay whatever a porter or runner is able to extort from them.

The police and the license inspector are the only authorities whose power and duty it is to protect arriving and departing passengers. The license inspector has the authority to arrest any person who is operating without a license. He, however, does not avail himself of this power.

Hotel Porters.—Hotel porters make a practice to meet

steamers, secure groups of immigrants destined for points West and take them to the hotel with the assurance that no trains are leaving for their destination until the next day. In many cases it would have been possible for the immigrants to have taken a train within an hour of their arrival at Hoboken.

In addition to the inconvenience of this delay, these passengers are often grossly overcharged by the hotels and porters. Those guilty of this extortion count upon the ignorance of their victims who are frequently unaware of the fraud that is being practiced on them until they have reached their destination and have talked with their friends. In certain instances where protest has been made against overcharge, the threat of the porter to carry the matter to the police station and cause the arrest and further delay or even the deportation of the passenger generally scares him into submission. The porters are also well aware of the difficulties and expense entailed in prosecution, when the complaining witnesses must be brought back to testify against them perhaps from such remote points as Omaha or Denver. The following instances are typical of these abuses:

A second-class passenger, arriving at Hoboken, was met on the dock by a porter who inquired as to his destination. The immigrant replied that he was going to Canton, Ohio, and asked the porter whether he was an agent of the Hamburg-American Line. The porter assured him that he was and produced a yellow card to substantiate his statement. The passenger was then taken to a hotel where, despite the fact that he gave the porter an order on the railroad company for a ticket to his final destination, he was told that he would have to pay $14.50 for a railroad ticket and $4 additional for shipping his trunk and sending a telegram, which sums the passenger was obliged to pay. Later he learned that his order on the railroad company was good for transportation to his destination; that since his trunk was not overweight, there should have been no extra charge on it, and that the telegram for which he had paid was not received by his friends. Deducting reasonable charges for lunch and porter service, the passenger was, therefore, swindled out of about $16 by this porter.

Three immigrants, whose final destination was Saginaw, Michigan, were met on the dock by a hotel porter who, according to their sworn statements, overcharged them $26.50. The porter claimed that $25 of this sum was to pay for excess baggage, but the combined weight of the baggage carried by the three immigrants did not exceed two hundred pounds. The charge of $1 for the inspection of the immigrants' baggage was fraudulent, as all baggage is inspected by the Custom House officials without charge. The telegram for which the porter charged 50 cents was not sent.

The undesirable character of some of these hotel porters and the moral danger to unaccompanied and ignorant women passengers is clearly shown by this instance which came to the atteniton of the Commission:

A young woman traveling alone from Hoboken to Germany remained over night in a Hoboken hotel. The porter who had met her at the railroad station and had conveyed her to the hotel persuaded her to go with him to a moving-picture show in the evening and later to his room. When the young woman reached Germany she told these facts to her sister. The sister promptly notified her father in Nebraska, who immediately came to Hoboken and tried to locate the porter, his expressed intention being to shoot him on sight. The proprietor of the hotel where the father stayed persuaded him, however, to call at the office of the Commission and state his complaint. An investigation clearly showed the undesirable character of the accused porter. An agent of this Commission stopping at a hotel for which he worked was mistaken for an emigrant girl. The porter made the acquaintance of this agent and tried to persuade her to go with him to New York City for immoral purposes. Failing in this he urged her on the evening following to spend the night with him at a nearby hotel. At this hotel the porter went so far as to sign his name followed by the words "and wife," before the agent disclosed her identity. Later in his testimony before the Commission he admitted most of the facts in the cases of both women and added, "I would be a fool if I did not take a lady out that was satisfied to go with me—anybody else

would do it, too." Later he stated that almost all hotel porters he knew kept their eyes open for immigrant girls who could be persuaded to go with them to their rooms for immoral purposes.

Cabmen.—There are thirty-five licensed cabmen in the City of Hoboken. Applicants for a license must show proof of good moral character, and must also have a proper equipment of horses and carriages. There is no rate regulation for hackmen. The rate which has been generally adopted is $1 to any part of the city; to the Erie and Pennsylvania stations in Jersey City, $3, and to different parts of New York City, from $4 to $8.

Cabmen are not allowed to go on the docks and solicit, but most of them work in conjunction with unlicensed porters who obtain passengers for them. These porters are paid either a regular salary or a commission by cabmen. The cabmen doing business on their own responsibility usually devote all of their attention to immigrants, they being most easily exploited. The investigations of the Commission show that there is more exploitation by cabmen than by any other class of men working at the docks.

The following specific instances of extortion were testified to under oath before the Commission:

A certain cabman took two immigrants to 230th street, New York City, and charged them $21.

Another took a party of four from the Scandinavian Line to the Lackawanna Station, less than a mile, and charged them $4 each, or $16 for the trip.

Another charged one person $47 for taking him from the Hoboken docks to the Erie Station.

The porter he employed received $8 as his commission.

Another charged $60 for carrying two persons from the Scandinavian Line pier to the Lackawanna Station.

In addition to the public porters, hotel porters, unlicensed porters and cabmen, there is still another group of exploiters preying upon the immigrants. These men represent themselves as government officials and secure money under all kinds of pretenses. Cases have been brought to the attention of the Commission where money has been changed for the immigrant and

counterfeit bills given in exchange; where exploiters standing on the docks and pretending to be health officers, demand fees of fifty cents to $1, or representing themselves as Customs House officials, charge fees for "passing baggage through." Emigrants are exposed to much the same kinds of exploitation as immigrants.

Hotels.—There are numerous hotels or transfer houses in Hoboken which cater principally to east or westbound emigrants of all nationalities. Some have contracts with express companies for the delivery of guests and baggage and receive consigned passengers sent in from ticket agents from various parts of the country, sell steamship and railroad tickets on commission, and employ runners who act as guides for the passengers.

Located in the cities from which emigrants come are steamship ticket agents who may sell them tickets covering their entire transportation from that locality to their home town in Europe, including railroad fare in the United States, passage on the steamer and railroad fare abroad. A great many times this agent also collects charges which he claims to be for the emigrant's transportation and hotel fare within the City of Hoboken, and the emigrant is made to understand that all his transportation has been paid for. When he arrives at the station he is met by a porter and taken to a hotel. His ticket is then taken from him, as the representative of the hotel is supposed to get it stamped by the steamship company in order to reserve a place on the steamer. The following morning the emigrant is asked to pay for his lodging and meals; and if he objects, his ticket is held, and he must either comply or lose his steamer. Ofter his baggage check is also retained by the hotel, which thereby gets an extra hold upon him. These demands are made despite the fact that when the immigrants ask the porters who meet them at the station whether they have to pay anything more, they are told there will be no further charges.

A certain hotel or transfer house in Jersey City, which had been in operation for over ten years and which handled over eleven thousand emigrants in 1911, discontinued its business as a direct result of the Commission's investigations. It was found

that emigrants living in the west bought their tickets from western steamship ticket agents and were consigned by them to this transfer house. In the manner described above, hotel porters met these emigrants at the railroad terminals and brought them to the transfer house where they were kept over night. The manager of this hotel conducted not only a steamship ticket office but also a private bank, though he was not authorized by the State to do so. The Commission found that two Russians from Minersville, Pennsylvania, on their way to their wives in Russia, had lodged at this hotel a night or two before the investigation was started and had entrusted all their money, over $300, to the manager for him to change into roubles for them. The following morning the manager was not to be found and it was subsequently learned that he had taken a steamer for Europe and left the emigrants without their tickets or their money, taking with him besides, a number of deposits which had been entrusted to his care by other aliens living in Jersey City. The investigators of the Commission when they visited his hotel found the two Russians locked up in an inner room where they had been kept in order that they might not be able to get out and make any complaint. The porters of the hotel were arrested but were found not to be implicated in the theft. The manager was subsequently indicted by the Hudson County Grand Jury on four separate counts.

On Board Trains and in Stations.—On the trains the agents of transfer companies take up baggage checks, not merely asking for them, but demanding them, and give the company's check in their stead. When the emigrant finds out what line he is sailing on and wants his baggage delivered, he pays 25 cents "office check" fee in addition to the regular transfer charges, regardless of the time the baggage is in the "office." If the agent finds that the emigrant has no steamship ticket and is not destined to any particular hotel, he sometimes gives him a button or tag of the hotel with which he himself is working on a commission basis. Complaints have been received from certain hotels to the effect that these agents sometimes substitute buttons of their hotels

for the ones which the emigrants wear, in order to increase their commission.

Most of the railroads employ agents at their terminals whose duty it is to take charge of emigrant passengers as they arrive on the trains and to hand them over to the porter of the hotel to which they are consigned. If the emigrants are not consigned to any particular hotel the agent hands them over to some porter whom he may select.

The Commission found, however, that at some stations the hotel porters were allowed to rush to the platform and grab their passengers, creating a great deal of confusion, and making it possible for them to obtain passengers who were not consigned to them.

One railway has installed a system which should be universally applied. Emigrants on arriving at this station from inland cities are taken into the immigrant room. One porter is admitted at a time into the room where he calls out the names of the emmigrants consigned to his hotel. All emigrants remaining in the room after the porters have taken those consigned to them, are taken in charge by the emigrant agent of the railway and guided to their respective steamers. At the dock the guide collects their steamship tickets, has them stamped and returned without delay, and places the emigrants safely on board the steamer. He attends also to the checking of the baggage.

The installation of a good transportation system which would include both persons and baggage is probably the only effective remedy. An attempt to put such a system into operation was made by the New York State Bureau of Industries and Immigration. A number of conferences were held with hotel men and the representatives of railroad and steamship companies.

The plan, briefly is as follows:

> "That a transit company shall be started in New York City for the purpose of (1) delivering eastbound passengers and their baggage at the docks or at hotels; (2) delivering westbound through second cabin passengers to the stations or hotels; and (3) delivering

steerage passengers from Ellis Island destined to New York City and adjacent points to their destination."

The conditions under which such a transit company would work are somewhat as follows:

No western agents could sell hotel accommodations, baggage or guide service but might direct emigrants to a certain hotel; railroads would sell transfer checks to passengers who already had steamship tickets, so that their baggage would be checked directly to the docks, also a coupon with the railroad ticket entitling the passengers to guidance to the hotel or dock. The emigrant agent at the station would be in the employ of the transit company and porters would be prohibited from entering the stations. Passengers arriving on the morning of sailing would be taken directly to the docks. The method of stamping steamship tickets would be changed so as to enable the passengers at all times to retain their tickets. Westbound and second-cabin passengers would receive similar care from the transit company which would direct them to hotels or railroad terminals and check their baggage through.

Under such a system both western and easternbound passengers would not be left to the mercy of unscrupulous cabmen and porters. Exploitation on board trains by representatives of express companies would also be prevented. A committee of railroad and steamship officials is at present working out suitable plans for such a system.

Another difficulty which the emigrant has to contend with is the over-selling of accommodations on the steamers. The present system under which the emigrant buys his entire transportation from a western agent gives opportunity for all kinds of petty exploitation. All through the country the agents of the various steamship companies sell passage to emigrants on certain steamers. No record is kept by the company of the total sales made, and very often more aliens are booked for passage in the steerage of a given vessel than that vessel can accommodate. The result is that on the date of the sailing of one of these steamers, during the months when emigration is heaviest, anywhere from one to two hundred men, women and children may

be left behind on the docks, who must find places in which to lodge until the next steamer sails. The steamship companies will exchange their tickets for others which are good on the following steamer and pay the expense of their lodging, but the emigrants are not only greatly inconvenienced but are exposed to further exploitation.

The situation at the railroad stations in different cities of the State is purely a local one and it is a question which local authorities alone can settle. In most of these localities hackmen are regularly licensed and there are ordinances regulating the rates to be charged.

In Hoboken the situation is a little more complex. The large number of passengers which pass each year through the port, many of whom do not remain in the city for any length of time, places a burden on the city authorities, and it is difficult for them to supply adequate protection, even with the recently enlarged police force, which is none too great to properly patrol the city itself.

A great deal could be accomplished, however, if the present ordinances licensing cabmen and porters were enforced with more strictness and a new ordinance enacted, regulating the rates to be charged by these men.

This Commission urges:

That any porter found inducing immigrants under false pretenses to remain over at a hotel instead of going directly to the train should be made to give up his dock pass.

That hotels should be compelled to post in a conspicuous place all charges, including rates of vehicles, guides and the transfer of baggage, printed in large type and in languages which patrons of such hotels can understand.

That investigation of the record of every applicant for a porter's license should be made by the city license inspectors and licenses granted only to responsible individuals.

That rates of charges should be regulated.

That license inspectors should rigidly enforce the law in regard to unlicensed porters.

That the record of every applicant for a hackman's license

should be investigated and licenses be granted only to responsible individuals.

That the rates should be regulated by a city ordinance.

As long as there is no ordinance regulating hack hire or requiring the posting of rates, and as long as men can obtain a license to drive a cab without any thorough investigation of their fitness by the proper authorities, so long will aliens be more or less at the mercy of these men.

That an effort should be made to establish a transportation company similar to the one described for outgoing alien passengers and their baggage.

AGRICULTURE.

The Secretary of Agriculture of the State of New Jersey in his annual report of 1911 makes the following statement:

> "We have heard of the high price of food and some have endeavored to make the farmers responsible for the lately increased price, but they are wrong. The consumers are increasing, and agricultural crops are not keeping pace with this abnormal increase. An increase of population, not only by births, but by an addition of nearly one million a year from foreign lands (in ten years eight and a quarter million immigrants have arrived in the United States, and 50,000 of these stop in New Jersey, a larger number than is received by any other section of the same size in the United States) few of whom take to the soil and become producers. It would seem that from this vast number of immigrants coming annually to our shores and to our State, there would be an abundance of farm laborers, but such is not the case, and the scarcity of efficient help at a price commensurate with the market price of farm products, adds to the cost of production and limits the total annual output of our farms."

In the year 1911 there arrived in New Jersey 47,000 aliens. Of this number, 300 belonged to some profession, 7,000 were

skilled laborers, and 24,000 were unskilled. Of the unskilled, 12,000 had been farm laborers and 115 had been farmers in the country from which they came. Between 1890 and 1900 there was a decrease in the rural population of New Jersey. During the last decade the alien population has increased about twice as fast as the rural population. The total increase in the State has been 653,498, while the increase in the rural population has only been 109,141, or one-sixth of the total increase, an average of 10,994 every year. The number of aliens arriving in New Jersey in 1912, whose former occupation had been that of farm laborers or farmers, about equals the entire increase in rural population. During this period, however, very few aliens went to rural districts or to farms, a large majority having located in the industrial centers. The United States Immigration Commission of 1907 reported as a result of their investigation that "the tending of the new immigration is toward industrial and city pursuits rather than towards agriculture."

According to the census of 1900, the total number of farms in the State of New Jersey was 34,650. The acreage of these farms constituted a smaller proportion of the total area of the State than shown in any previous census. In 1901 there were 33,487 farms, a decrease of approximately three and one-third per cent.

The nativity of the farm operators in the State is shown in the table below:

Color and Nativity.	Total.		Owners.	Tenants.	Managers.	Per Cent. of Total.		
	Number.	*Per Cent. Distribution.*	*Owners.*	*Tenants.*	*Managers.*	*Owners.*	*Tenants.*	*Managers.*
Total, ...	33,487	100.0	24,133	8,294	1,060	72.1	24.8	3.1
Native white,.....	26,796	80.0	18,833	7,137	826	70.3	26.6	3.1
Foreign-born white,..	6,215	18.6	5,035	973	207	81.0	15.7	3.3
Negro and other non-white, ...	476	1.4	265	184	27	55.5	38.9	5.6

Seven-tenths of the farmers in New Jersey hire laborers. The average amount expended by each for labor during 1910 was $473. The total amount expended in 1910 was about one and two-thirds times as great as that reported in 1900. In the last decade the amount expended on farm labor has increased over four million dollars. In addition to this, farms have been gradually decreasing in size. These facts point somewhat towards an increase in the intensity of farming in New Jersey. The greater the development of intensive farming the greater possibility there will be for alien farmers to get work, not only because this kind of farming is similar to that abroad, but also because the demand for labor will be correspondingly increased.

There are a number of reasons why immigrants who have been farm laborers in their own country do not go to farming districts upon their arrival in this country. Ninety-four per cent. of the immigrants coming into the United States join relatives or friends upon their arrival. The great majority of immigrants in this country are living in congested colonies in industrial centers. This is due to the fact that wages are higher and work is steadier in the industrial centers and in mining, railroad and

other labor camps than on farms. The opportunity to earn and to save money is the first consideration with immigrants coming to this country. In farm labor the hours are long, the wages small and work all year around is uncertain.

In New Jersey the immigrant colonies are situated in the industrial centers in Hudson, Essex, Union and Passaic counties. The process by which the newly arrived immigrant obtains work in governed more or less by the kind of work which his friends or relatives are doing. There is no official agency in the State which can supply the alien with information in regard to farm labor opportunities. There is here and there an employment agency which deals with farm laborers, but in most cases they are subagencies of regular employment agencies in New York City. In fact, most of the laborers placed upon farms in New Jersey are obtained from New York City or Philadelphia. The chief of the Federal Division of Information in New York City states that frequently men who have been working on farms in New Jersey apply to him when they have finished the work, and they are again sent into New Jersey to a farm within a short distance of the place where they last worked. The applicants, however, have been obliged to go to New York to get information about the new positions. During the year 1911 this Division sent about 950 men as farm laborers into New Jersey. As the majority of these laborers were obtained in New York, this does not tend to relieve congestion in the industrial centers of New Jersey.

Immigrants in the Cranberry Industry.—Of the seasonal occupations in New Jersey there is none which attracts larger groups of immigrants than cranberry picking and there is none which has been more vigorously criticized.

The Commission investigated sixteen of the bogs in New Jersey and held hearings at which representative cranberry growers were present and also investigators representing the Child Labor Committee who had investigated some of the cranberry bogs.

During the month of May, when the strawberries are beginning to ripen in Delaware and Southern New Jersey, an

exodus of Italian families from Philadelphia begins. Italian men, "padrones" or "bosses," as they are called, engage the pickers and send them to the various farms. In September the pickers who have been scattered throughout the two States are brought to the cranberry bogs in Southern New Jersey, where they work from three to seven weeks according to the crop. A great many more families which have not been on the small berry fields come from Philadelphia for the cranberry picking.

The cranberry bogs are usually situated some distance from any town and the owners, therefore, supply living quarters for their pickers.

The living quarters usually consist of so-called barracks. A typical barrack is about forty feet long by twenty feet wide, and two stories high. On each floor there is a hallway about six feet wide running the length of the house, with small rooms on each side about six by eight feet and about six and one-half feet high. There is a window about two feet square in each room, and one wooden bunk. There are about nineteen rooms in the typical barracks. Each room is occupied by one family, whether the family consists of one member or six members. In this room the family must keep all of their possessions—clothes, food, cooking utensils, etc. All of the cooking and washing is done outside. In some of the camps little shelters are built over the stoves and the largest camps have brick ovens for the use of the pickers. The majority of the camps, however, do not have such shelters and the cooking is done on improvised stoves. The lack of such shelters in rainy weather is a decided hardship.

Few cranberry growers pay any attention to the living quarters of the pickers, this being left entirely to the "bosses" who take charge of the camp. On one or two bogs rules have been drawn up in regard to cleanliness, but the enforcement of these rules is left entirely to the boss.

In many of the camps garbage is thrown about the grounds and no attention paid to its proper disposal.

In some camps there are no toilet facilities whatever. In

others where there are toilet facilities, the pickers for various reasons do not take advantage of them.

Many of the pickers take their food supply with them from Philadelphia, even including their bread. Farmers from the surrounding country visit the camps and sell their produce, and in some places the "bosses" have a small commissary department. In only one camp was a good-sized commissary department found. The pickers are not compelled to buy their food supplies from it.

The working day for adults begins anywhere from seven-thirty in the morning to nine o'clock, depending upon the weather conditions. The pickers generally wait until the heavy dew is off the ground. The work continues until five or five-thirty, according to the pressure of work and according to the distance of the bog from the living quarters.

The work is paid for by the measure, the pickers receiving ten cents a measure, or forty cents a bushel.

No children are compelled to work on the cranberry bogs either by the growers or the bosses, as expert pickers are preferred. Parents, however, do compel their children to help in the picking. In most cases children do not work continuously, and at the time of the visit of the Commission's investigators as many children were found playing on the bogs as picking.

Chapter 136 of the Laws of 1911 regulates the age, employment, safety, health and working hours of persons, employees and operatives in mercantile establishments. The Commission in seeking the opinion of the Attorney-General as to whether this law could be enforced upon cranberry bogs received the following letter:

> "I have your letter of December 5th, asking whether a cranberry bog can be construed as a mercantile establishment, within the meaning of Chapter 136 of the Laws of 1911.
>
> "The definition of the words 'mercantile establishment' as used in this act, shall be construed to apply to any employment of labor other than a factory, workshop, mill, or other place where the manufacture of

goods of any kind is carried on. A study of the provisions of this act, and particularly the saving clause contained in paragraph 14, indicates that this act is to operate with reference to employment of labor not included within the general labor law, which has supervision over factories, workshops, mills, and all places where the manufacture of goods of any kind is carried on. It is evident, therefore, that the words 'mercantile establishment,' as used in this act, are equivalent to any place where labor is employed, and it seems to me, therefore, that a cranberry bog comes within the meaning of this term, as defined in this act.

"Very truly yours,

"(Signed) NELSON B. GASKILL,

"Assistant Attorney-General."

The cranberry bogs are located in the New Jersey pine lands in the vicinity of Lakehurst, Hammonton and Vineland—places visited for their climate. The conditions under which the pickers work are generally speaking much more healthful than the conditions under which they are accustomed to work in the large cities.

The work pays well, many families taking back to Philadelphia from $150 to $200 for their work on the bogs.

As the picking does not begin until the early part of September, the children on the bogs lose from three to seven weeks of school work. This under present conditions is a serious consideration not only for the children who return to school in Philadelphia several weeks after the session has opened, but also for the pupils in regular attendance at the Philadelphia school.

To correct these abuses the Commission recommends that the State Board of Health should require the fruit growers to supply living quarters and to adopt and enforce rules for sanitation which will at least meet the minimum requirements of the health law and also provide proper and adequate toilet facilities.

It also recommends that the Department of Labor should more carefully enforce the present mercantile law upon cran-

berry bogs and prohibit children under fourteen years of age from working thereon, and that the State Board of Education of New Jersey take up with the Board of Education in Philadelphia the practicability of establishing special classes for immigrant children whose school year is broken into by the summer work in the small fruit industry.

Real Estate Companies.—According to the report of the Secretary of Agriculture, in addition to numerous cultivated farms, there are 1,200,000 acres in Southern New Jersey yet to be developed. Not every acre of this land is adapted to agricultural crops, but a large proportion of it is. Experiments have been made and others are in progress which clearly demonstrate that most of the pine land can be made to produce paying crops. It is a fact that immigrants who have been in this country several years and who have saved a small amount of money become interested in farming investment opportunities. These immigrants become the easy prey of fraudulent land companies. In New Jersey a large number of such companies are operating. These companies control extensive areas in the southeastern part of the State which are unfit for cultivation.

There is no form of exploitation more detrimental to the agricultural interests and to *bona fide* distribution schemes than the frauds now practiced upon aliens in the sale of this land. Thousands of dollars are invested annually by aliens in land schemes, and once they are defrauded it becomes very difficult to interest them again in land for homes or farms.

The Commission has investigated a number of these schemes. In practically every instance the company advertises in foreign newspapers and distributes pamphlets in foreign languages. In most of these advertisements an absurdly simple puzzle is inserted. For the correct solution of this puzzle, a certificate of credit amounting to $100 or $200 is offered, to be applied towards the purchase of a farm.

A circular of one of these land companies states that the land they have for sale is entitrely within the limits of....., a village of more than four thousand population, which is growing from day to day astonishingly. Their price for the land is $290 per half acre, but for the correct solution of one of the

puzzles a certificate for $200 is offered, reducing the price to $90 per half acre. An outside valuation of any of this land would be $25 per acre—a fair valuation for most of it would be about $10 per acre. The village mentioned above is situated in a township with a population, according to the 1910 census, of 2,452. In 1900, the population was 2,618, and in 1890, 2,609.

Two investigators who called on this company were told that the population of the village was 8,000 in the winter and 15,000 in the summer.

Four letters were sent to this company, two giving the correct solution of the puzzle, and two that were entirely wrong. In all four cases letters were received stating that the puzzle had been correctly solved, and, therefore, the certificate was enclosed.

The companies also have Sunday excursions to their property. On arriving at the land, immigrants are met by employees of the company, who speak in the native tongue to the people and extol the worth of the land in glowing terms. In some instances people are told that a factory is to be built on the property where men can find employment. To substantiate these promises they show to the prospective buyers excavations, where they claim the company is preparing to lay the foundation for this factory. An investigation of one piece of property in particular revealed three such excavations in different parts of the property, done for the benefit of the prospective buyers of three different excursions. A payment at the time of the sale of a lot is required, and the balance is payable in installments. Usually the alien makes two or three payments, and then discovers that conditions have been grossly misrepresented; that even if he is able to pay for the land, he would not be able to live on it, as there would be no opportunity of earning a living during the time it would take to develop the property, and that the amount of time and money that would be required to develop it, makes it an impossible proposition for an immigrant with only a few hundred dollars in all.

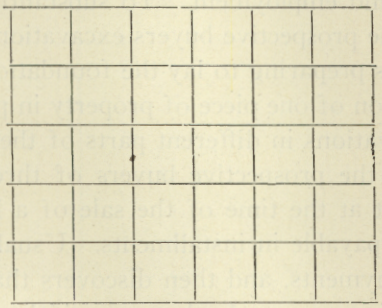
The result is that after several payments have been made the immigrant gives up the proposition, and the company still

holds the property and goes through this process over again with another victim.

A company having its main office in New York City has an option on a tract of land comprising several thousand acres. The property is said to have cost the company about $11,000 or a little over $1.25 per acre. They advertise this property for sale at the rate of $25 a quarter-acre lot, or $100 per acre. While this is the advertised price, when they get the immigrant on the property they demand higher prices—often as much as $640 per acre.

Their advertisements vary, but are always made as alluring as possible. A typical one which appeared in an Italian newspaper runs as follows:

> *"Five Hundred People Came to Visit our Farms Sunday, April 9th, and all were Satisfied and Made Further Purchases.*
>
> "The puzzle of 75—



> "Write a figure in every square, so that by adding it each way it will give as a result the figure 75.
>
> "All who will send us a correct solution will receive as a premium a little farm of 8,000 square feet in .....
>
> "Almost all Italians know..... for its mild climate in the winter and most temperate climate in summer.

"The Empress and Queens of Greater New York have received as premiums farms in.....

".....has over 1,500 inhabitants, also a school, a church and stores. The ground is guaranteed drained, good for any kind of cultivation. The winners will receive the deed upon payment of only $12.50.

"Write to.....

....."

As a matter of fact the village referred to in the last paragraph of this advertisement, instead of having a population of 1,500 as stated, has no more than eighty people in winter and but few more during the summer.

Another advertisement in a Hungarian newspaper promotes a profit sharing company, as follows:

"What is securer on earth than the ground itself? Is there a more secure investment than if you invest your money in lots? Is there a man in this world who would not like to buy lots? Can you sell anything on earth easier than the ground itself? Is there any enterprise which is securer and gives more profit than a real estate business? The..... Company is the first Hungarian company in the United States which was started with Hungarian capital, and consists of Hungarian shareholders. Its business is so diverse that a failure is almost impossible, because as the Hungarian proverb says: 'If it does not come in large volume, it comes in small quantity.' We buy a forest which we clear. This is one profit. The wood obtained thus we utilize in our woodmill in..... This is another profit. The ground we divide into lots. This is the third profit. On this ground we build houses from our own material. This is the fourth profit. The lots and houses we sell or rent. This is the fifth profit. These various profits enable us to sell our property at a very reasonable price, and these manifold profits remain in the pockets of the shareholders. We call attention of the public to our enter-

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> prise, and we think that every Hungarian's duty is to support, especially in this foreign country, a thoroughly Hungarian undertaking. In this case everybody supports himself by supporting us, because the few dollars invested now might be worth thousands in a few years. It cannot be lost as nothing is more secure on earth than the ground. Subscriptions for our shares which can be paid, if desired, on the installment plan, are received by mail or personally."

To prove without a doubt the earning capacity of their little farms, a diagram is inserted, marked off into sections and having depicted upon it the various kinds of vegetables which can be successfully raised. (See diagram.)

To the alien who has saved some money and who really desires to buy a farm, develop a little home of his own and earn a comfortable living, the possibilities portrayed on this land are very enticing. Whether the alien can obtain independence in this way without considerable reserve capital or without being subsidized to some degree by a real estate company, is an important question which has an important bearing upon the general scheme of agricultural distribution. An instance of the failure of some Hungarian people to succeed in farming for reasons beyond their control was brought in a very forcible manner to the attention of the Commission.

A certain company, owning a large area of land not far from Atlantic City, advertised small farms for sale. The land was said to be suitable for the cultivation of all kinds of vegetables, which could be easily sold in nearby markets. Whoever bought farms need only pay $5 down and $1 a month thereafter, the price per acre varying from $30 to $40. Prospective buyers were told that they could obtain work either on nearby farms or upon the roads or in various other improvements which the company was making, until they were able to put their own farm in condition for cultivation.

The land for the most part was covered with a forest of small hard wood and soft pines. The company, however, contracted to clear the land for the settlers as soon as one-quarter of the purchase price had been paid.

500 HENS	CHICKEN HOUSE OF 1500 SQUARE FEET	2000 CHICKENS
500 HENS GIVE 60,000 EGGS A YEAR 50,000 SOLD AT 2¢ GIVE $1000.00	A 1500 SQ. FOOT CHICKEN HOUSE YARD WIRE FENCE	FROM 10,000 EGGS 2,000 FOR KITCHEN 8,000 " BREEDING GIVE 2,000 CHICKENS

240 SQ.FT. OF BEETS 1000 HEADS	PARSLEY 1000 HEADS	LETTUCE 1200 HEADS	RADISH 1200 HEADS	GRAPES	BEANS 250 ROOTS	PEAS 250 ROOTS	RED PEPPER 150 ROOTS	ASPARAGUS 800 HEADS
240 SQ.FT. PUMPKIN 40 ROOTS	CELERY 240 HEADS	MELONS 40 ROOTS	CUCUMBERS 100 ROOTS	ALLEY OF	ONION 1000 HEADS	ONION 1000 HEADS	TOMATO 200 ROOTS	TURNIPS 400 HEADS

1056 SQ. FT. CABBAGE 1000 HEADS	WELL KITCHEN 10 X 15 | ROOM 10 X 15 ROOM 10 X 15 | ROOM 10 X 15 VERANDA 5 X 30	1056 SQ. FT. POTATO 500 ROOTS

THE PLAN OF A 10,000 SQ.FT. FARM

COPIED AFTER _____'S OWN IDEA

PUBLISHED IN _____ JULY 17, 1910

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8000 " BREEDING GIVE
2000 CHICKENS

240 SQ.FT. OF BEETS 1000 HEADS	PARSLEY 1000 HEADS	LETTUCE 1200 HEADS	RADISH 1200 HEADS	GRAPES	BEANS 250 ROOTS	PEAS 250 ROOTS	RED PEPPER 150 ROOTS	ASPARAGUS 800 HEADS

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1056 SQ. FT.
CABBAGE
1000
HEADS

WELL

KITCHEN 10 X 15	ROOM 10 X 15
ROOM 10 X 15	ROOM 10 X 15

VERANDA
5 X 30

1056 SQ. FT.
POTATO
500
ROOTS

THE PLAN OF A 10,000 SQ.FT. FARM
COPIED AFTER ——————— 'S OWN IDEA
PUBLISHED IN ——————— JULY 17, 1910

Fifteen to twenty Hungarians who had been farmers abroad and who had been working in the mining district of Pennsylvania since their arrival in this country, paid down their first installment on farms, and leaving their homes, brought their families to Southern New Jersey. There they built small rough huts on the uncleared land and settled down with the expectation of developing small produce farms and earning a comfortable living.

For a time they were able to work for the company and live on some of their own savings, but the clearing of the land was a much greater task than the representatives of the land company realized and the fall months came before the trees and stumps had been removed from much of the property, consequently there had been no opportunity for the settlers to raise vegetables either to sell or to store away for their own use during the winter months.

The company continued to provide work for some time, but soon found that money was being spent with little or no returns. Work became scarcer and scarcer and it was not long before the settlers were without means of subsistence.

Lack of work and lack of means eventually drove them from their land back to find work, as best they might, in the cities. The money which they sunk in their farms were practically lost; the company will never clear the remainder of the land and the hardships which the people suffered will discourage them from returning.

At the National Conference of Immigration, Land and Labor Officials, held in Chicago ,November, 1912, composed of Federal and State representatives, convened for the purpose of discussing Federal and State problems relating to immigration, land and labor and of recommending to the Federal and State governments needed legislation with regard to those subjects, the following resolutions were passed relating to land. As they cover the recommendations which the Commission desires to make, in reference to this question in New Jersey, they have been incorporated as they stand:

> "*Resolved,* That this conference urge upon the Governors and Legislatures of the States having land suit-

able for agricultural settlement the necessity of adequate measures providing for the definite guidance of prospective settlers in finding land adapted to their needs, and protecting them against exploitation in the purchase of this land, with the following minimum standards:

"1. The voluntary registration of land suitable for agricultural settlement with a description of the land accurately setting forth its location, quality, fitness for cultivation, prices and terms upon which it may be obtained.

"2. Publication of lists of land dealers so registered, the same to be revised periodically and furnished to all inquirers.

"3. The approval of the forms of contract used by registered dealers in the sale or transfer of land to settlers.

"4. The inspection of all advertising material by registered land dealers and the cancellation of their registration for failure to comply with the minimum standard of accuracy of statement.

"5. The criminal prosecution of any land dealer, whether registered or not, who is guilty of fraud in the sale of land to a settler, and the securing of all possible redress for the settler.

"6. The publication of accurate information with respect to the general opportunities for agricultural settlement in the State.

"7. The appropriation of funds sufficient to permit the effective performance of these duties."

FOREIGN-BORN IN INDUSTRY.

To obtain information regarding aliens employed in industrial pursuits, the Commission sent to 1,100 employers in selected industries of the State, a schedule of questions, including the number of employees, extent to which the foreign-born are supplanting the native; comparison between native and foreign-born as to wages and efficiency.

Replies were received from more than 500 manufacturers employing 157,321 individuals—constituting, approximately, 48 per cent. of the total number (326,223) employed in the 8,817 plants in the State of New Jersey.

Nature of Product.—In Table No. 1,* 374 of the 500 establishments reported are classified under thirteen groups of industries, ranked according to the number of workers. In these thirteen groups there are 133,033 employees, 84 per cent. of the total number; 49.5 per cent. of them are foreign-born. The remaining 126 establishments include more than fifty smaller industries with 15.4 per cent. of the total employees, 40.7 per cent. of whom are foreign-born.

The largest group of industries in the State includes the electrical, machinery, iron, steel and other metal works, with 124 establishments and 51,615 employees, 41.3 per cent. of whom are foreign-born.

The second largest group includes the silk, woolen, worsted, cotton and textile manufactures, with 71 establishments and 29,326 employees, of whom 59.9 per cent. are foreign-born.

Over one-half of the total number reported are employed in the two groups mentioned.

Sex and Age.—Of the 157,321 employees reported, 73.9 per cent. are male adults, of whom more than one-half (52.3 per cent.) are foreign-born; 23.8 per cent. are female adults, over one-third (37.4 per cent.) of whom are foreign-born; 2.3 per

* Table No. 1, given in Appendix.

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cent. are children under sixteen years of age, more than one-quarter (26.2 per cent.) of whom are foreign-born.*

The following table is a classification of employees by sex:

Sex.	*Per Cent. Among the Foreign-born.*	*Per Cent. Among the Native-born.*
Male adults,	80.2	68.0
Female adults,	18.6	28.8
Children under 16 years,	1.2	3.2
	100.0	100.0

The Report of the Commissioner-General of Immigration for 1913 shows that approximately 520,000 immigrant males were admitted to the country as against 308,000 females. This ratio has continued for a number of years and probably accounts for the fact that the percentage of foreign-born male employees is higher than that of native male employees, while the percentage of foreign-born female employees is lower than that of the native female employees.

Leading Nationalities.—The total number of foreign-born employees may be divided into two general groups, the smaller (19.5 per cent.) comprising the earlier immigrants from Western Europe, and the larger (63.2 per cent.) the more recent arrivals from Eastern and Southern Europe.

Classified by country of birth or by nationality, the smaller group includes Great Britain with 10.2 per cent.; Germany with 8.4 per cent.; Scandanavia, including Sweden and Norway, 9 per cent. The larger group includes Austro-Hungary, 19.9 per cent.; Italy, 17.8 per cent.; Poles, including Russian, German and Austrian, 14.2 per cent.; Russia, 9.4 per cent.; Southeastern Europe, including all Balkan countries, Roumania, Bohemia, Galicia, etc., 1.9 per cent.

All other countries or nationalities and those not specified by the respondents comprise 17.3 per cent. of the foreign-born employees and are classified as "Miscellaneous."†

Displacement of Native Employees by Foreign-born—Extent and Cause.—The available data furnished no adequate basis for

† Table No. 3, given in Appendix.

* Table No. 3, given in Appendix.

a conclusion relative to the displacement of native by foreign-born employees, because such a conclusion implies a comparison of the present force with that employed in the past, and no figures for previous years have been collected. Moreover, even the answers given are merely expressions of individual opinions, which could not be accepted as reliable evidence. Of the four hundred and sixty-five establishments replying to this question of displacement, 70 per cent. replied in the negative and 30 per cent. in the affirmative.

The opinions expressed as to causes of displacement deserve attention. A few typical answers are quoted below:

Concrete machinery: "They (foreign-born) are supplanting natives in most places where unskilled labor is required."

Electrical motors: "All laborers are foreign-born. There are no native-born laborers. All skilled mechanics are native-born or else German."

Jewelry: "No foreign-born skilled laborers. Unskilled foreign-born labor cheaper than native."

Large manufacturing chemist: "Native-born persons can speak English and can, therefore, be more easily directed. We prefer to employ them, but you cannot, at this writing, secure the services of native-born persons to work in the mills, as the general feeling is abroad that native-born people should be the bosses or should work in an office or in some superior position, but not mill work; consequently this leaves the field entirely open to newcomers with very few exceptions."

Woolen worsted fabrics: "Native-born workmen in our trade not obtainable."

Silk umbrellas: "We employ foreigners because there is not enough native help to be had, etc."

Machine tools: "The German is, as a rule, better educated than native-born young men."

The extent of the displacement of native by foreign workers cannot be determined, since the percentage of displacement reported by the different establishments varies too widely.

Displacement, if any, of Foreign-born of one or more Nationalities by Foreign-born Employees of other Nationalities—To

What Extent.—Of the four hundred and thirty answers to the question as to the displacement of one foreign nationality by other foreign nationalities, three hundred and fifty, or five-sixths, are in the negative and only eighty in the affirmative.

For the reasons explained under preceding question, the available data does not permit of any generalization as to the extent to which one foreign nationality is supplanting other foreign nationalities.

The eighty affirmative answers to the question are distributed by trades in the following order:*

Machinery and other metal works: Twenty-two establishments, indicating displacing of other nationalities by Italians and Slavs.

Textile, etc., manufacturing: Eleven establishments—Italians, Hebrews, Poles and Russians replace English and German.

Brick, tile, etc., manufacturing: Ten establishments—Italians, Hungarians and Slavs replace other nationalities.

Chemical, pharmaceutical and oil products: Seven establishments—Hungarians, Poles, Russians and Italians replacing Germans and Irish.

Rubber manufacturing: Four establishments—Russians, Hungarians and Italians replacing other nationalities.

Clothing, underwear manufactures, etc.: Two establishments—Polish and Lithuanian supplanting Dutch.

Leather goods: Five establishments, and wood works, three establishments, replying in the affirmative, but without further details.

Other trades: Sixteen establishments, among which jewelry, buttons, etc.: "Formerly all English, now Italians and Jews."

The majority of those replying to the question of displacement answered "yes" or "no" without entering into details.

Causes of Displacement.—Of the opinions expressed on the causes of this displacement, the following by one large firm of manufacturing chemists is instructive:

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* The number of answers received cannot be taken as an indication of the relative importance of each industry.

> " * * * the reasons for Hungarians predominating in this city (New Brunswick) and vicinity is due to the fact that there was a large influx about ten years ago, and all of these people had friends or relatives in the old country, and naturally wherever the greatest number of earlier immigrants assemble, so long as there was work, their relations flocked to the place where the original settlement was made. At least, this is our opinion from investigation of the matter."

Some other answers are as follows:

Machinery and metal works: "Hungarians are more intelligent."

Men's shirts: "Jewish help is best."

Chocolate and cocoa firm: "Germans are supplanting Italians because all foremen are German."

Rate of Wages.—With very few exceptions, foreign-born employees are paid the same rate of wages as native-born workers for similar work. The piecework system, wherever in operation, puts them on an equal basis and sometimes enables them to earn more than native workmen.

A typical answer illustrating this is found in the following quotation from the letter of one manufacturing chemist, already mentioned:

> "* * * In answer to question No. 16, would say we have in force our piecework system, which places both native and foreign-born upon the same basis, and we wish to state in this connection that the best operators in our mill are foreign-born and this judgment is based on the fact that on the piecework basis they will earn more than the native-born working at the same rate per piece."

Foreign-born workers are more easily obtained than native, according to 64 per cent. of the manufacturers reporting, yet they are not preferred by the large majority of employers. As to which are more proficient, it is impossible to judge from the replies.

Proportion of Foreign-born Employees Speaking or Under-

standing Simple English.—In 322 of 456 establishments reporting, 75 per cent. or more of the foreign-born workers spoke or understood simple English. Of the remaining 134 establishments 53 replied between 50–75 per cent. of foreign-born employees who spoke or understood English; 52 firms reported 25–50 per cent.; 27 less than 25 per cent.; while only two reported that none of their foreign-born employees spoke or understood English.

SHOE-SHINING PARLORS.

The New York State Bureau of Industries and Immigration in its report for 1911 gives the result of its investigation of 124 shoe-shining parlors. It found a well organized padrone system in operation in cities of the first class, with labor and living conditions among the shoe-shining boys pitiable in the extreme. To quote from its report:

> "There are about 250 shoe-shining establishments in New York City where Greeks employ some 1,500 boys. Most of these boys are here without their parents—coming to so-called relations, chiefly 'cousins' and 'uncles,' who are the padroni who pay their passage over.
>
> "A contract is entered into by the boy and his parents, binding him to work for the padrone for a specified period after landing in America in return for the passage money advanced by the padrone. But that agreement, drawn up in ignorance on the other side of the Atlantic, frequently binds the boy to toil for a whole year to repay an advance of fifty or sixty dollars. Parents and papers are furnished to help him through Ellis Island, and he arrives well coached as to the answers necessary to get him past the inspectors who are trying to enforce the laws against contract laborers and youths under sixteen unaccompanied by their parents."

The New Jersey Commission has investigated the labor and

living conditions of the Greek bootblacks throughout the State so far as its time and resources have permitted, but it has not gone to any extent into the padrone question, for that is a matter for Federal regulation and one upon which the United States immigration officials are at work. The Commission has also called bootblacks and proprietors of shoe-shining parlors before it.

Hours and Conditions of Labor.—In its investigation the agents of this Commission have interviewed seventy-six boys in their places of employment in four cities. Thirty-eight of these boys had been in the country for less than one year. Forty-seven of them stated that they received fifteen dollars per month and sixty-six boys lived with the boss, who also provided their meals. Seventy-three out of the seventy-six gave their hours of labor as in excess of fifteen per day, and, with one exception, all were compelled to work seven days per week.

The ages as given by the boys in their testimony before this Commission ranged between sixteen and twenty-one years, although in two instances they appeared to be younger. Inasmuch as it is reported that these boys are coached to give their ages as sixteen years and over to avoid the requirements of the child labor laws, it is probable that they were younger.

The usual hours of work were found to be from 6:30 in the morning until 10 o'clock at night, with the exception of Saturdays when the parlors are not closed until 12 o'clock. Certain of the boys testified that they were given a half a day off every two weeks, while others stated that they did not have any time off. They were usually allowed three intermissions of thirty minutes each for meals.

One boy stated that he was eighteen years of age; that he received twenty dollars per month and that he had to give all of his tips to the boss. He banked a part of the money he received and the rest of it was sent to his mother in Greece. His hours of work were the same as the others, running from 6:30 in the morning until 10 o'clock at night on all days but Saturday, when he was compelled to work until midnight. He received no stated time off but once in a while he was allowed an hour to go to the "movies."

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Among other statements made by the boys were the following: "I always work." "I would like to go to school and educate myself but I have no time." "When it rains, I sometimes go to the 'movies'." One boy who was asked what recreation he had, replied "I have got none—I go right to bed and sleep." Another testified that his breakfast consisted of bread and coffee, but that if he could get his tips he would go to a restaurant and get his meals. He said his tips amounted to from seventy-five cents to a dollar a day, but that "the boss has a box with a separate hole for each boy and we are supposed to put our tips into that box." When asked how the boss knew whether they did so, the boy replied that they had to turn their tips over for the boss was generally there and if he was not there some of the boys would tell if they did not do so. "In some of the places a relative of the boss acts as a spy and reports whether we keep our tips."

In February, 1912, two boys brought suit through a relative in the District Court of Trenton for the recovery of tips appropriated by their boss. Both suits were decided in favor of the boys. One received $167.24 and the other $195.76—the full amounts asked for. These sums were paid in April, 1913. It transpired during the trial that each boy had kept a book in which he entered each night the amount received in tips during the day. One book showed that during the months from October to March, which is the dullest season of the year, the boy had received an average of $20.52 per month which is an amount in excess of the average wage paid to the bootblacks.

Despite the fact that these boys received so little and do not get their tips, several of them, according to their statements to the Commission, had bank accounts with from one to two hundred dollars on deposit. This is not surprising since they have so little time off and no opportunity to spend their earnings. One young man had just drawn $183.00 out of the bank to send to his sister in Greece for a dowry. Others testified that they were sending a part of their earnings to help their parents in Greece.

Living Quarters.—A Greek-speaking investigator for the

North American Civic League for Immigrants secured a position in a shoe-shining parlor in Newark and gave this description of his experiences:

> "In the morning we were called at 5:30 and were served breakfast at 6:15, which consisted of tea sweetened, but without milk, and an unlimited supply of Italian bread. At ten o'clock we went back to the house and had another meal of bread, olives and oil. The second day this fare was varied by a small piece of cheese. Dinner was served at four o'clock and consisted of a dish of rice, meat and bread with water to drink. At ten o'clock when we returned for the night, we were again served with olives, oil and bread. These meals were served in a kitchen basement which was also used as a washroom for the rags which the boys used in the shoe-shining parlor. This room was lighted by two windows. It was very damp and unhealthy. After the ten o'clock supper we went directly to our sleeping quarters which were situated on the third floor. The room which I slept in was a large one and contained three full-sized beds. It was lighted by an oil lamp. I slept in one of the beds which was without pillows and I had to use my coat and trousers for this purpose. I was informed by the boys that in the busy season when there are many more boys, there are always two and sometimes three in each bed, and that even now in the day time, men who are employed on night duty in a lunch-room owned by the proprietor of the shoe-shining parlor, sleep in these same beds. When business is quiet and the boss is out the boys spend most of their time in gambling—tossing coins in the air and guessing on which side they will fall."

Such conditions of labor as these described, with the dependence of the worker upon the boss, who is inclined to exploit him, and with the extremely long hours of work, are intolerable under any circumstances, and especially for these Greek boys, who speak little if any English. They are shut off from the

American community and from Americanizing influences. The bosses discourage night school attendance, for it takes the boys away from the shop and furthermore a knowledge of English makes him better able to work elsewhere, lessening the hold of the boss over him. Why the boss does not desires this is evident in light of the statement of an investigator of the Federal government who estimates the profit from each boy as between $300 and $500 annually.*

The first and most important need of these boys is shorter hours. They should at least have one day's rest in seven. One city in this State has succeeded in closing its shoe-shining parlors on Sunday by enforcing the Vice and Immorality act, and we would urge that other local authorities make use of the power vested in them through this act to close their shoe-shining parlors on Sunday, since the well-being of boys employed in them makes it essential.

To overcome the boys' ignorance of the English language and to lessen their isolation, we would call attention to the Massachusetts law pertaining to compulsory school attendance for illiterate minors. This act provides that:

> "No child who is over sixteen and under twenty-one years of age shall be employed in a factory, workshop, manufacturing, mechanical or mercantile establishment unless his employer procures and keeps on file an educational certificate showing the age of the child and his ability or inability to read and write as hereinafter provided.†
>
> "* * * If the educational certificate of any child who is over sixteen and under twenty-one years of age fails to show that said child possesses the educational qualifications enumerated in section one of chapter forty-four of the revised law, as amended, then no person shall employ such child while a public evening school is maintained in the city or town in which the child

† Ability to read and write the English language.
* Ability to read and write the English language.

resides, unless such child is a regular attendant at such evening school or at a day school.

"* * * Whoever employs a child in violation of the provisions of this section shall forfeit not more than one hundred dollars for each offense, to the use of the evening schools of such city or town."

We believe that a similar law could be readily enforced against the proprietors of the shoe-shining parlors in this State* and that these Greek boys would, through its enforcement, be made less dependent upon the padrone and that their assimilation would be greatly facilitated thereby. This Commission, therefore, suggests that the Educational Department of this State seriously consider the advisability of passing such a law in New Jersey.

PRIVATE EMPLOYMENT AGENCIES.

One hundred and eighty-four employment agencies in twenty different localities in the State of New Jersey have been investigated by the Commission. In all of these the larger part of the business is done with alien women of all nationalities, for whom positions as domestics, waitresses for restaurants, and the like are secured. Very few agencies were found which deal in any considerable way with men.

Forty different agencies, taken at random in four of our larger cities, were found to have a total of 5,543 applicants per month, while the number of positions filled did not exceed 1,690 or an average of over three applicants for every position filled. In some cases, of course, the same applicant may have applied at more than one agency, but even so, the above figures indicate that the demand for work is being inadequately met.

In 1907 the Legislature enacted a law regulating employment agencies which requires all agencies which charge a fee or receive compensation for their service, to be licensed. Such agen-

* Ninety per cent. of all towns in New Jersey where Greek shoe-shining parlors are found have night schools at which attendance could be requested.

cies as are conducted exclusively for teachers, technical or executive positions, by incorporated associations or departments maintained by persons or firms for the purpose of securing help for themselves, for which no fee is charged, do not come under this law.

selves, for which no fe is charged, do not come under this law.

Enforcement of Law.—The law as originally passed provides that:

> "No person shall open, keep or carry on any such employment agency unless every such person shall procure a license therefor from the mayor or the head officer* in which such person intends to conduct such agency."

In 1911, this portion of the law was amended and the words "common council or other governing body" were substituted in place of "mayor or head officer."

This amendment, which was introduced by a representative from the City of Newark, in order to provide for a local situation, does not materially change the law.

The law, therefore, definitely places upon the governing body of a municipality the responsibility for fixing a license fee. Notwithstanding this, in only fifteen out of the twenty localities investigated, had the common council or governing board enacted an ordinance for this purpose. In the fifteen cities and towns where such an ordinance had been passed, there were found to be, in addition to one hundred and fifteen agencies properly licensed by the authorities to conduct their business, at least fifty-one others which were operating without licenses, some of which were even advertising in the local newspapers. In the five other cities where no fee was fixed, seventeen agencies were in existence. Where the fee is fixed, it varies from $3 in some localities to $25 in others. In the majority of the cities, however, $5 is the usual amount charged for a license. In a number of cities it is collected for revenue only and is not used to provide for a fund for the enforcement of the law.

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* So in original.

Taking all the agencies considered, without regard to whether they do business in a municipality which has fixed a fee or not, it was found that sixty-nine, or 37 per cent. are operating without a license and are, therefore, doing so without the knowledge of the authorities and consequently without proper supervision. At least thirty-two of these agencies are located in cities which have fixed a license fee. No attempt is made by them to conceal their existence, and only the indifference of the police or their ignorance that the law places any responsibility upon them can account for these conditions.

During 1912, in one city in which no license fee was charged, seven employment agents were carrying on business. The club women of this city took up the question of having an ordinance passed by the common council. This was done, and a license fee of $25 was fixed. The city in question has a license inspector whose duty it is to enforce the law. Only four out of the seven agencies have taken out license, and three of these four should not have been granted, as the business is conducted in saloons, which is a violation of the law. One of the unlicensed agents had sold a fake agency in New York and had been forced to leave that city as he could not get another license to do business there.

The Commission investigated fifty-one of the one hundred and fifteen licensed agencies and twenty-one of the fifty-two unlicensed agencies or about an equal proportion of each class. In an endeavor to show more clearly the exact situation with regard to those agencies visited, which the Commission believes to be representative, the licensed and unlicensed will be considered separately in relation to the most important provisions of the present law.

Chapter 230, Laws of 1907, Section 11, provides:

> "That no person shall carry on an employment agency until they first procure a license from the common council; such license is to be posted in a conspicuous place in the agency."

Among the fifty-one licensed agencies visited, only thirty-two were found having their licenses posted, while the remaining

nineteen, or 37 per cent. of all the licensed agencies were disobeying the law. The twenty-one unlicensed agencies paid no attention to these requirements. In one city, where a number of agencies were in operation, only one had procured a license, and it consisted of a receipt signed by the city clerk saying that he had received the sum of $7.50 in payment for a license fee for nine months. The city had no regular printed license for the agent to post, even if he desired to do so.

> "No such agency shall be located in rooms used for living purposes or where boarders or lodgers are kept, * * * or in connection with a building or on the premises where intoxicating liquors are sold to be consumed upon the premises."

Notwithstanding this section of the law, in thirty-four of the fifty-one licensed agencies visited, the offices were found to be located in living rooms. In addition to these, a number of offices were found in connection with rooms let out to lodgers or boarders, and at least three were found to be operated in saloons. In other words, 72 per cent. of the licensed agencies investigated were not complying with this provision of the law. Among the unlicensed agencies, twelve were found conducting their business in living rooms. These agencies which were conducted in living rooms were found to be located in kitchens of tenement houses, in dining rooms and in bedrooms, in total disregard, not only of the law, but also of adequate or efficient methods for dealing with applicants. Two of the saloons referred to ran dance halls in the rear.

Section III of the law provides:

> "It shall be the duty of every such licensed person to keep a register approved by the mayor or head officer in which shall be entered in the English language the date of the application for employment, the name and address of the applicant to whom employment is promised, the amount of fee received, and, whenever possible, the name and address of former employers or persons to whom such applicant is known. * * * A separate register for the name and address of every

applicant accepted for help and the date of such application, the kind of help requested, the amount received," etc.

Of the fifty-one licensed agencies, only twenty were found keeping proper books. Nine others kept records of some kind, though in every case they were very inadequate. Names of applicants were often entered without addresses and without any further information with regard to fees and such data as would be of assistance either to the agent or the applicant in cases of disagreement. Only one of the twenty-one unlicensed agencies kept a book of any description.

> "It shall be the duty of such licensed person to give every applicant for employment from whom a fee shall be accepted a receipt, in which shall be stated the name of said applicant, the date and amount of fee, also a receipt of the applicant for help. Every such receipt shall have printed on the back a copy of this section in English and in any language which the person to whom the receipt is issued can understand."

In fifteen of the fifty-one licensed agencies it was found that adequate receipts were issued. In seven others receipts of a very inadequate character were issued, some of them being merely a slip of paper with the amount of fee written upon it and the agent's name signed. In the remaining twenty-nine agencies no receipt whatever was given. In only four of the twenty-one unlicensed agencies did agents give receipts.

> "Every licensed person shall post in conspicuous places in each room of such agency sections four, five, six of this act, printed in large type and in languages which persons commonly doing business with such office can understand."

In only twenty-four licensed agencies were these sections found posted, the remaining twenty-seven failing to comply with this section of the law. That the law is not strictly obeyed is not entirely the fault of the agent, as in only one city in the State are copies of sections four, five and six printed in large type and in the various languages for the agents' use.

> "No such licensed person shall send or cause to be sent any female as a servant or inmate or performed* to enter any place of bad repute, house of illfame or assignation house, or to any house or place of amusement kept for immoral purposes, or place resorted to for the purpose of prostitution, or gambling house, the character of which such licensed person could have ascertained upon reasonable inquiry. No such licensed person shall knowingly permit any person of bad character, prostitutes, gamblers, intoxicated persons or procurers to frequent such agency."

In order to make certain whether this section of the law was being obeyed or not, a number of investigations were undertaken. Twenty-nine agencies were chosen for this purpose. The Commission discovered that in nineteen, or 65 per cent., the agents were willing to procure girls to work as servants in alleged disorderly houses and for immoral purposes. Fourteen of these nineteen were licensed by local authorities. One of the agents had been driven out of New York City because he was found to be exploiting immigrant girls, and he was later arrested in New Jersey for carrying on like practices.

Character of Agents.—In one of the cases investigated it was found that the agent, a colored man, dealing with immigrant girls from the West Indies, as well as with white girls, was willing to procure them for immoral places. The nature of the business being transacted in this agency was called to the attention of the police, who in conjunction with the North American Civic League for Immigrants, obtained evidence sufficient to indict the agent. He was subsequently tried and sentenced to eighteen months in the penitentiary.

The following case in another city shows even more clearly the nature of the business transacted by certain employment agents:

A girl went to a certain agency and applied for a position. On her first visit the agent had nothing for her, but told her to come

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* So in original.

back the following day. On returning the next morning she was told that the agent had a good place for her—"Six dollars a week—you can order everything you want to eat—there is a beautiful saloon—you can drink beer—no mistress—a man runs the place. Of course six dollars is not much, but you can make a lot. I want five dollars for this position." The next morning the girl was escorted by a small boy to a hotel which subsequently turned out to be an assignation house. The proprietor of the hotel explained the work which he wished her to do about the hotel and then asked her if she knew that she was also expected to have improper relations with men. He seemed surprised when he found that the employment agent had not explained to the girl what was required of her. Later the same agent told the girl that she had "a nice man who had been coming every day looking for some nice girl. He will pay well." The girl met this man later in the agency and learned that he was married, but wished to find some girl who would like with him in a rooming-house and had asked the agent to procure someone for him.

It is needless to comment upon the danger which threatens ignorant and unsuspecting immigrant girls who seek legitimate work from agencies of this character. These agencies, as noted, were both licensed and were, therefore, responsible to the city authorities, but the lax way in which agencies are inspected or the entire neglect of any inspection and enforcement of the law makes it possible for unscrupulous and dangerous persons to take advantage of girls, who, because they are seeking a means of honest livelihood, should have the best protection a community could afford.

Section VII of the law provides:

> "The enforcement of this act shall be entrusted to the police departments of all municipalities not having license inspectors and to the license inspector or inspectors in other municipalities. The chief of police or such license inspector as may be appointed by the chief of police, which inspector shall have no other duties except under this act, shall make, at least, bimonthly visits to every such agency."

It was found that of the fifty-one licensed agencies investigated, twenty-eight were regularly inspected by the responsible authorities; all of these twenty-eight agencies were in one city. In no other city were employment agencies found to be regularly inspected by the police or by an inspector of any kind. The law definitely places the responsibility upon the chief of police in municipalities where no license inspector has been appointed. The chief of police of one of the largest cities in the State testified that they never attempted to enforce the act in his city. The police, he said, usually granted the license if it was found after investigation that the character of the applicant warranted it. After that no further investigaions were undertaken unless complaints were made. He stated later, however, that he had knowledge of only one complaint during his term of office.

In this very city a short time later an employment agent who was regularly licensed by the police attempted to exploit two Austrian laborers who applied for work at the agency in answer to the following advertisement which they found in a New York Newspaper:

> "Men 150—railroad work for Chicago. $1.75 and $2.00 per day—free transportation—no strike. * * * (Name and Address)."

The agent told them that he could obtain work for them on the Indiana Division of the Erie Railroad and charged them each a fee of $3. Having paid the $3 and having received a receipt, written on the agent's business card, they were taken to the Erie Railroad Station, where they were handed over to a representative of a New York Employment Agency, who was sending five Italians, presumably to the same work. This representative gave them all a transportation pass and put them on the train.

The conductor on taking up the tickets told them that their passes were no good and put them off at Goshen, N. Y. They appealed to the ticket agent there, who handed them over to the local police and they had to remain in the station house for a night and a day. At the end of that period the ticket agent advised them to take a train to New York and explain the

situation to the conductor. This they did, but the conductor refused to accept their story and put them off at Tuxedo. Here they again appealed to the ticket agent and were given the same advice—to take the next train to New York, which they promptly did, and this time were put off at Paterson, where they were compelled to buy tickets for Jersey City. Arriving at Jersey City they endeavored to take the matter up with the superintendent, but were arrested for stealing rides from Goshen to Paterson and were locked up in the Jersey City police station over night. After losing five or six days' time and having the added humiliation of being arrested twice and having been put off trains at three different places they were discharged. Fortunately the two Austrians, on the arrest of the agent, against whom they complained, received back their $6 while the agent was paroled pending trial.

If the police in the beginning had taken steps to find out the former business of the agent they would have learned that he was not a fit person to run an employment agency. He had formerly been in the same business in New York City and for certain illegal transactions had been refused a license by the New York City authorities.

In another city the license inspector said that he does all in his power to investigate the employment agencies and enforce the law in the city, but that it is impossible for him to do it efficiently with the small force which he had at his disposal.

As long as agencies are allowed to conduct their business with so little supervision from the municipal authorities and with so little regard for the law, by running their offices in conjunction with lodging houses or saloons, by keeping no business-like records of their transactions and giving no proper receipts, just so long are applicants in constant danger of overcharges and other mistreatment.

The Commission believes that the present employment agency law in New Jersey is sufficiently comprehensive, as it stands, and that if it were properly enforced, the exploitation of foreign or native-born men and women seeking work could be ended. While the duty of fixing license fees and enforcing the law

rests upon separate municipalities, it will not be done uniformly. The Commission recommends that private employment agencies be placed under the Department of Labor and that the license fees be utilized for the enforcement of the law by that department throughout the State.

STATE FREE EMPLOYMENT AGENCIES.

It often happens that unemployment exists in one part of a State while demands for labor in another section are unfilled. This is due to improper co-ordination between workers and jobs. The man without a job and the job needing the man must be brought together, and only a central information agency, such as the State can furnish, is able to do this.

The private individual cannot go to all the factories, as this involves a waste of time and money. Nor can he afford to register at all of the agencies. It frequently happens that men are registered at one agency while positions are awaiting at another. Employers, on the other hand, cannot apply to all of the private agencies in the State for their help. In New Jersey there are approximately 200 of these agencies.

The public agencies, properly managed, serve as clearing houses for both employer and employee and save the time of both. Figures in New York State indicate that nearly forty per cent. of all workers are out of employment at some time during the year, owing to the seasonal occupations and lack of information of trade conditions. The State agency, properly conducted, will eliminate a considerable amount of this unemployment.

Private agencies may find men jobs but they can never perform the larger function of distribution agencies. Only a central agency, municipal or State, can serve this purpose.

Number and Scope of Work.—Nineteen States now have laws providing for State Free Employment Agencies. Five States, Indiana, Maryland, Nebraska, West Virginia and South Dakota, make no provision for offices but attempt to conduct their employment work from the headquarters of the bureau of labor,

receiving requests for employment and laborers by mail. In but three States, Illinois, Massachusetts and Michigan, have the Legislature made adequate appropriations for carrying out the provisions of their laws, with the possible exception of Wisconsin, where in 1911 the law was so drafted that the Industrial Commission is being allowed a free hand in the development of its employment work, with no State appropriation. A reorganization is being made of the work in Ohio, where it was recently brought under the newly created Industrial Commission as a special department. There has been no opportunity to date to test the efficiency of the new plan of work.

Up to the present time the State agencies have succeeded in placing few aside from unskilled laborers. With a few exceptions, they have not been able to compete with the private agencies in securing railroad and contract work. To what extent they have been obliged to place the same man in a number of positions in the course of a year is hard to ascertain, as only in Massachusetts and Wisconsin do the records deal with positions filled as well as with men placed. Even the statistics shown by the various State agencies are not conclusive or reliable as there has frequently been no uniformity in record keeping even between cities in the same State, and no facilities for checking up the number of men actually placed, when these have failed to report of their own accord.

The impression is quite general that State agencies have been a failure. This apparent failure has been due in no small measure to the smallness of the appropriation. Five States have limited the staff of employees to a superintendent and assistant, and have set the salary of the superintendent at $1,200. Five others have placed the maximum salary at $1,500. Only a pittance has been allowed for office expenses and what is most important, advertising and canvassing firms for positions and bringing the work of the agency to the public notice. Colorado has $666 available for each of its three offices. Connecticut has $2,500 remaining for expenses for four offices after salaries are paid. Oklahoma has $300 for the expenses of each of its offices. For the small consideration offered, it has been impossible to

secure men capable both of organizing such an important piece of work and of securing the confidence of the employing public. In several States the sums available for rental and equipment have compelled superintendents to utilize dingy and unsuitable quarters without separate facilities for men and women. As a result, self-respecting workers have preferred to patronize commercial agencies, even though a fee were chargd. In other instances the employment work has been carried on by the office force in the department of labor and there has been no way of developing the work. In Kansas the law formerly provided that the first and second class cities, under the supervision of the Director of Free Employment Bureaus, should open and conduct such agencies, but that by joint resolution of the mayor and city council these agencies may be dispensed with. As a result, the only work carried on was that done in the office of the director. By a statute just passed, the employment work is to be carried on by a clerk in the new Department of Labor and Industry, for whom a salary of $1,000 is provided.

The experience of Wisconsin, where the work is under efficient management and is not hampered by too limited an appropriation, gives an idea of the possibilities of free State agencies.

The first law creating free employment offices in Wisconsin was passed in 1901. This was repealed and a second law passed in 1903. The Governor was given power, upon the recommendation of the Commissioner of Labor, to appoint a superintendent at a salary of $1,200 to serve for two years. Cities were supposed to furnish quarters for the offices. Only between $5,000 and $6,000 was available to equip and maintain the four offices established. Even in Milwaukee the office was located in a dark room and up narrow stairs. In 1911 a Citizens' Committee on Unemployment was organized in Milwaukee with representatives from the common council, county board, Federal Trades Council, and Merchants and Manufacturers' Association, under whose direction a private free agency was opened. In the three months' existence of this office nearly twice as many persons were placed as by the State bureau in the same time, and many more skilled and long-time laborers, as opposed to the casual labor placed

by the State agency. This showed the possibility of a free public agency under aggressive management.

In September, 1911, the Industrial Commission assumed the control of the free agencies in Wisconsin, and by special arrangement with the city and county of Milwaukee larger quarters were hired, new systems of record keeping were installed, and new management provided on more systematic principles. The Citizens' Committee on Unemployment still continues to cooperate as an advisory committee. In the spring of 1912 the offices in Superior, Oshkosh and La Crosse were reorganized in a similar manner.

Under the new management positions are not furnished, and the only assurance a man seeking work has in coming to the office, is that he will learn what employer requires his services. The man seeking work and the employer seeking men are left to make their own bargain; the function of the agency is only to bring them together. Under this new plan of the Industrial Commission, the work done has increased in volume more than threefold. Mr. Fred. King, superintendent of the Milwaukee office, comments as follows:

> "As proof of the increased efficiency of the office under its reorganization the previous tendency of the bureau to handle only the lowest paid, most casual and least attractive work has been overcome to a considerable extent. Employers are more ready to use the office in filling the better class of positions and as a result the better grade of workmen are regular applicants at the bureau. The discipline of the office has improved steadily. Applicants now value more highly the cards of introduction issued by the bureau in referring them to employers. Both employers and workmen realize that these cards are issued only when the officers of the bureau are convinced of the fitness of the applicants for a particular position. The success so far obtained in the work of the office is proof positive that the fee system of the private employment office is no necessary part of any effective system of supplying help to employers."

One helpful feature developed in connection with Wisconsin agencies in the co-operation of certain rural banks which virtually act as branch agencies in placing farm hands. These banks take orders from the farmers and send them by telephone or mail to the employment office. The farm laborers from the bureau are directed to the banks which serve as distributing agencies. This prevents farm hands from becoming lost in transit or being picked up by other farmers before they arrive at their destination.

The success of the free bureaus in Wisconsin under the Industrial Commission has been due in no small measure to the advisory committee. Representing as it does the governmental and commercial agencies, it not only gives the bureau the result of sound business advice but interests a large number of business men in the bureau and its success. Such an advisory committee might well be made an adjunct to a free employment department in any State.

The industrial bulletin compiled from statistics received daily from all the offices is now issued monthly. It is proposed to gather information from all private agencies and from labor organizations and to incorporate this in the trade bulletins, together with data from State agencies. This information will be compiled periodically and published in the daily papers, showing the supply of labor, the demand by industries, whether positions call for skilled or unskilled laborers, and whether they are temporary or permanent in nature.

State Employment Bureaus as Distributing Agencies.—None of the bureaus created have facilities for handling immigrant labor. The number of immigrant laborers, their dependence under present conditions upon padrones and saloonkeepers, and the alarming extent to which ignorance of the American language and the laws of this country leaves them subject to exploitation by private agencies make it most desirable to make special provision for them in creating public agencies. To do this efficiently means that such free agencies shall be supplied with interpreters and men acquainted with the foreign colonies. Such representatives would make State agencies vital factors in facilitating the distribution of the foreign groups, the men they placed on farms,

or outside cities, would become centers which would aid in attracting others from the congested districts.

This Commission is agreed that a State employment agency should be established in the Department of Labor in New Jersey, as a means of preventing unemployment, supplying concerns with help, and serving as a distributing agency. The statute establishing this agency should be general, giving to the director the power to make rules and regulations, subject to control of the Commissioner of Labor or the Governor.

The Wisconsin law vesting power to conduct such bureaus in an Industrial Commission has a breadth of scope that is ideal. The Commission is given power

> "To establish and conduct free employment agencies, to license and supervise the work of private employment offices, to do all in its power to bring together employers seeking employees and working people seeking employment, to make known the opportunities for self-employment in this State, to aid in inducing minors to undertake promising skilled employments, to provide industrial or agricultural training for vagrants and other persons unsuited for ordinary employments, and to encourage wage earners to insure themselves against distress from employment. It shall investigate the extent and causes of unemployment in the State of Wisconsin and the remedies therefor in this and other countries, and it shall devise and adopt the most efficient means within its power to avoid unemployment, to provide employment, and to prevent distress from involuntary idleness."

ARBITRATION.

In the three-year period ending September 30th, 1913, nearly three hundred strikes occurred in the State of New Jersey, involving over 100,000 workers. The figures for the three years are as follows:*

	Number of Strikes.	*Persons Involved.*
1911,	74	17,886
1912,	97	32,344
1913,	115	29,302
Silk strikes,†	...	21,683
		101,215

The number of strikes and the wagearners involved are seen to have materially increased each year during this period. The wage loss for 1912 was approximately $2,000,000, while that for 1913 was about $5,110,000.

In 1912 90 per cent. of the workers involved were foreigners of non-English-speaking races, and in 1913 80 per cent. of the strikers were foreign-born. In one strike, out of fifty paraders arrested for failure to disperse on order of the police, only one man gave America as his birthplace; all the others were Armenians, Syrians, Russian Jews, or from Southeastern Europe.

Labor disputes, at all times serious, are complicated and settlement made difficult by the presence of such a large element of foreign-speaking workers. As evidence of this may be cited the strike of the excavators and cellar diggers in Newark. Here over 2,000 laborers, employed by twenty-four contractors, quit work without ever having made a demand or request of any kind on their employers, or even having intimated to them that there was any dissatisfaction with the conditions of employment. These striking laborers were all foreign; very few of them were able either to speak or to understand the English language, a circumstance which not only made it difficult for employers to treat

* Bureau of Statistics of Labor and Industries.

† Silk strikes considered as a unit in report.

with them, but also embarrassed the authorities in their attempt to prevent violations of law.

The resources at the disposal of the Commission precluded any extended investigation into the field of labor disputes. Its representatives, however, were able to make a study of the 1912 strike in the textile mills of Passaic county.

This particular strike, like all those in the textile mills, was conducted by the Industrial Workers of the World. It was characterized by inefficient leadership, and the avowed policy of the I. W. W. to prolong the strike by keeping the public ignorant of the real grievances and preventing an early settlement was very evident. The agent of the Commission makes the following report on his experiences:

> "On April 4th I visited ——— Hall, where the striking mill workers had their headquarters. This hall was back of a saloon and was ordinarily used as a dance hall. At the rear, directly under the stage, a young man was seated at a table collecting twenty-five cents each from the strikers. These amounts were credited on a card, and I was afterwards told that the payments were to cover monthly dues to the I. W. W. by workers on strike. So far as these strikers knew, there was no accounting made of this money, and the leaders frankly stated to me that it was nobody's business how it was used, since it was to constitute a strike fund.
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> "I was referred to Mr. R. as the leader of the strike. I explained the concern of the New Jersey Immigration Commission in industrial conditions involving aliens and called his attention to statements credited to him, concerning poor pay and bad living conditions of workers in the textile mills. He appeared surprised that anyone could question that conditions were as he had described them. I urged the need for specific facts rather than general statements in bringing the industrial conditions to the public and stated that these would have to be supplied by him or others interested in the strike. I was assured that the presentation of

these facts would be an easy matter, as he had a suitcase full of statements bearing thereon made by strikers, and that if I were to come to headquarters at three o'clock the next afternoon this material would be at my disposal.

"On the next day I visited headquarters accompanied by a stenographer and two interpreters. Upon requesting Mr. R. to make good his promise he produced five slips of paper from his pocket. The first read 'No. 69—55 hours—$4.90.' The others were similar in form—the numbers, hours and amounts differing. I was told that the numbers were the work numbers of strikers and that the slips showed the hours per week and the wages received. I inquired whether the payments in question were made to men, women or girls, but was told that this made no difference since it 'was damnable to pay such wages to anybody.' I called attention to the fact that it made a difference whether the slips represented an experienced weaver with a family or a young immigrant girl unable to speak the English language and urged the necessity for knowing the age, experience and position of a worker before any judgment could be formed as to the adequacy of wages paid by employers. This definite information Mr. R. seemed unable to give; instead he began a tirade against all State officials, accusing them of bias and unwillingness to know the truth. He advised that the strikers themselves be interviewed.

"The interviews with workers on strike gave more definite information than that possessed by the strike leaders with reference to hours, wages and living conditions. These were for the most part based on memory and were only approximately correct. No opportunity was given to check the statements made against the books of the company to determine their accuracy; and in one of the instances cited, the statement of

the worker made in good faith did not tally with the figures shown by his weekly pay slips. This emphasizes the need of an investigating body with power to examine records in order to secure accurate and reliable information.

"The statements cited hereafter are typical:

"F. S., Hope avenue, Passaic. Weaver of twenty-seven years' experience. Employed in ———— mill. Stated that when he worked eight hours a day he is able to make only about $6 per week. An examination of time slips covering past thirty-seven weeks, however, showed that his wages had averaged $9.66 and his hours 57½. Wife and eight children. Three boys and girl at work in mills. Receives premium of four per cent. when monthly wage exceeds $38. Fines range from $0.15 to $1.75. For cross in warp in first twenty-five yards, $1, and $0.75 for second fifteen yards. Average fines, $0.50 per week.

"S. U., Grand street, Garfield. Weaver of fifteen years' experience. Four years in America. He averages about 6.50 per week. Average number of hours per week 58. Makes as high as $8.10 in rush seasons and as low as $4 per week in dull seasons. Mill in which he works pays $2.40 per day for 63,000 picks, but if one hundred less than this amount is made only $1.47 is paid. Almost impossible to make 63,000 picks.

"R. K., Tenth street, Passaic. Weaver of three years' experience. She is nineteen years old. Hours from 7 A. M. to 8 P. M. Wages range from $3 in dull season to $10 in busy season. Fined $0.25 for first flaw and from $0.50 to $0.75 for second. Lives with married sister who keeps boarders. Sister's husband, three children, three girls and married couple also live in same house, making eleven in all, who live in the four small rooms for which $10 monthly rental is paid. She sent $120 to her parents in last six years.

"M. H., Tenth street, Passaic. Twenty years old. Two and a half years in America. Weaver for one and a half years. Her hours were from 7 A. M. to 8 P. M. Earned $3 in slack seasons and about $10 in busy seasons. Aiding in support of parents in old country. Lives in home described above.

"M. L., Jackson street, Passaic. She has been in America three years. Weaver. Steam in summer so intolerable in ———— mill where she works that three or four girls are carried out prostrated each day on account of heat. Hours 7 A. M. to 6 P. M., in slack seasons. In busy seasons works until 8 or 9 P. M. Earns from $4 to $10.

"M. P., Fourth street, Passaic. He has been in America eight years. Has wife and two small children. Has worked as finisher in ———— mill for nearly four years. Work compelled him to stand in water all day in hot steam room. Is paid $0.18 an hour. Wife compelled to take boarders. Ten persons living in four rooms.

"C. D., Fourth street, Passaic. She is twenty years old and has been in America three and a half years. Earnings range from $2.50 to $8 per week, according to the season. Board with family where eleven persons live in four rooms."

In 1892 the State of New Jersey created a State Board of Arbitration (Chapter 137, Laws of 1897). This board was first organized in 1895, but in 1907, in the minority report of the Assembly Investigation Committee, its repeal was recommended. This recommendation was made on the ground that the law was loosely drawn and ineffective, because its power was inadequate and because parties in disputes were apparently unwilling to call upon the board to act as arbitrator.*

The Passaic strike which dragged on without any clear-cut issues or any attempt to bring the parties together for a settle-

* Records of Proceedings. House Inv. Com., 1908. Resolution, April 12th, 1907.

ment of grievances, emphasized the need for a new and effective investigating board. It should have power to enter any field of industrial disputes and determine actual conditions, giving publicity to the facts and bringing the weight of public opinion to bear on the controversy in an attempt to affect speedy settlement.

In this strike, as in every large industrial conflict in the State, the lack of such machinery for adjusting industrial disputes resulted in a tremendous loss to the employer through his lessened output. No figures are available for the 1912 strike in Passaic, but the losses to employers through the silk strikes in 1913 are estimated at $5,225,000.* They resulted also in serious wage loss to workers who are shown to be near the border line of self-support and unable to bear a prolonged strike. The wage loss in the Passaic strike alone was $119,000, and to offset this there was little or no accompanying gain as the mill-workers returned to their plants under practically the same schedules of wages in force prior to the strike. The total loss in wages in the silk strikes of 1913 amounted to approximately $4,160,000. Then, in addition, there was the inconvenience to the small trader and general public from unsettled business conditions and attendant disturbances.

To relieve these intolerable conditions and to facilitate the settlement of disputes by forming public opinion and by bringing the disputants together for discussion of points at issue, this Commission commends to the attention of the State the urgent necessity for the immediate establishment of a board or commission with power to enter a field where a strike or lockout is in progress or is threatened, to summon witnesses, to examine books of records, to take testimony, to file its findings and to publish the same.

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* Bureau of Statistics of Labor and Industries.

PRIVATE BANKERS AND MONEY TRANSMITTERS.

Character of Banks.—The presence of a large number of so-called private bankers and money transmitters in the State of New Jersey is due mainly to the character of our present immigration. In former days the immigrant who came from England, Germany or Scandinavia either spoke English or soon learned to do so, and consequently was able to take advantage of existing banking institutions. During the last two decades, however, the increase in Italian, Hungarian, Polish, Russian and Greek immigration has brought into our cities and towns a class of foreigners who have little or no knowledge of English and who find it difficult to acquire such knowledge. It is only natural, therefore, that when these people desire to transmit money to their relatives in the old country, or deposit their savings for safekeeping, they should seek the assistance of a countryman who speaks their native tongue and who is apt to be better acquainted and more sympathetic with their affairs.

This demand, accordingly, resulted in the appearance of this peculiar type of bank whose functions differ materially from the regularly chartered banks. The taking of deposits and the transmission of money, however, is not the only service which these private bankers render their countrymen. The men who have taken up this business have usually been for a number of years in America, have become acquainted with American customs and institutions, and are able, therefore, to act in various capacities towards their more newly arrived neighbors. In almost every instance, these private banks serve as post offices to which immigrants have their mail directed, and in nearly every instance the manager also conducts a steamship ticket agency for one or more of the large steamship companies. He is nearly always a notary public or commissioner of deeds in order that he may assist in the drawing up of legal documents and in performing other duties which the immigrant may require of him. Frequently these banks are run in conjunction with some such enterprise as the wholesale liquor business, real estate, hotel or gro-

cery business, and in other instances the owner is an editor of a newspaper, a saloonkeeper, or a barber. In fact, wherever a community of non-English people becomes established, someone of their own nationality arises in their midst, as a sort of pater familias, assuming as his duty practically every conceivable task which may be demanded of him by his more ignorant neighbors, not the least of which is the safeguarding of their money or sending it abroad.

Number and Financial Resources.—During the year 1911-1912, there were fourteen private bankers (two of whom are no longer in business, one having gone into bankruptcy and the other having surrendered his certificate to the Banking Department) and thirty-one money transmitters authorized by the Commissioner of Banking and Insurance to carry on their business in the State of New Jersey. Of the private bankers, seven were Italians, five were Hungarians, one was Polish, and one German. Of the money transmitters, sixteen were Italians, nine Hungarians or Russians and the remainder were of various nationalities. According to the Report of the Commissioner of Banking and Insurance, the combined resources of the above private bankers on December 13th, 1911, was $2,865,476 and their deposits amounted to $1,704,833.

Ten million dollars is transmitted to Europe annually by the United States Post Office, the express companies and the authorized private bankers and money transmitters in New Jersey. The post office sends approximately $3,500,000, the express companies $2,500,000, and the authorized private bankers and money transmitters a little over $4,000,000. It is impossible to estimate how much money is transmitted by unauthorized persons, but judging from the number of such persons engaged in the business, it is safe to assume that the amount is considerable.

The United States Post Office.—The fact that such a large amount of money is transmitted through private bankers and money transmitters instead of through the post office is due to a number of reasons. The majority of aliens desiring to transmit their money abroad are so illiterate that they cannot be trusted to fill out the necessary transmission blanks correctly.

The post-office clerks in the money order departments are not equipped with a knowledge of the different foreign languages necessary to deal with the various nationalities, and where post-office substations are located in small stores, the people in charge are not as a rule acquainted with foreign exchange and other post-office technicalities. In addition, the laborer desires to transmit his money during the hours when the post office is usually closed; and, further than this, the post offices in small towns in which a great many foreigners live, do not issue foreign money orders.

The Postal Savings Banks have not been in existence long enough to give any definite idea as to the number of foreigners taking advantage of their operations. It would be impossible to state at present whether these banks will afford such facilities as the newly arrived immigrant requires. It has been found that immigrants will deposit their savings in these banks, especially where there are clerks who speak their language, but the Post-Office Department does not employ anyone for the purpose of meeting this need. Even were these difficulties eliminated, the relation of the alien to a private banker or a money transmitter who is of the same nationality is naturally more intimate. As these men keep their places open until late in the evening and often on Sunday, they become natural centers where the immigrant may not only transact his business but may also find some social opportunities.

A striking instance of this fact was seen both at the time of the Messina earthquake and the Titanic disaster. While hundreds of anxious Americans gathered around the newspaper bulletins awaiting some word from the scenes of the accidents, groups of immigrants collected at their different bankers and sought there news of their families and friends left behind in Sicily or of those who were aboard the great steamer on their way to America.

Unauthorized Private Bankers and Money Transmitters.—So far we have taken into consideration only those private bankers and money transmitters who are duly authorized by the State. By the nature of the need that called them into being

there have also arisen innumerable other places of business which carry on practically the same banking methods, though not authorized to do so. The State Department of Banking and Insurance requires of anyone desiring to become an authorized banker assets of at least $20,000 above his liabilities, and of anyone desiring to do an authorized money transmission business assets of at least $5,000 above his liabilities and a bond of $20,000 filed with their department. An individual, therefore, desiring to start a private bank or to be a money transmitter must necessarily have a business beforehand which will give him the required assets or make it possible for him to file a bond. In cases where an individual is unable to comply with the requirements of the Banking Department, and where at the same time he is living in a foreign community which demands some place in which to deposit and transmit money, there is a temptation to engage in a banking or transmitting money business in violation of those requirements.

The Commissioner of Banking has for some time called attention to the lack of appropriation for enforcing the law and in his report for 1911, makes the following statement:

> "The persons who utilize the services of these money transmission agents are usually of a class having relatives or other dependents abroad, and to whom the loss of their money would be a hardship, and they are entitled to the fullest measure of protection the law affords. * * * In the cases of some unauthorized individuals difficulty has been experienced in obtaining sufficient evidence on which to base an indictment, but this situation could be overcome with the aid of a small increase in the State appropriation to the department to cover the expense of procuring the needed additional evidence in such cases. The legally qualified remitters should, of course, be protected against the competition of those who conduct the business without authority."

Number and Methods of Procedure.—As a result of an investigation made by the Commission throughout the State, it was found that there were a large number of such unauthorized

banks. Where there was one authorized banker in the community, it was found that there were half a dozen unauthorized ones; where there was one authorized money transmitter, it was found that a dozen or more unauthorized ones were in operation. The fact that the Banking Department, because of lack of appropriation, has found it exceedingly difficult to obtain sufficient evidence to prosecute these unauthorized bankers and money transmitters is responsible, in a large measure, for the number now engaged in this business. The department had the authority to examine the books of such institutions as it had authorized, but it had not the right to enter the place of business of any individual who was not authorized but whom nevertheless it suspected of maintaining a bank. In order to deal with this class it was necessary for the Commissioner of Banking and Insurance to communicate with the prosecutor of pleas of the county in which the supposed business was being carried on, and it was the prosecutor's duty to obtain evidence and to prosecute the case. The Banking Department had no fund to pay for the collection of evidence, and in most instances the prosecutor did not have the funds to carry on a special investigation. The Commissioner wrote to the individual under suspicion, sent him a copy of the banking law and warned him that he must discontinue his business. Such a warning, though it was salutary in some cases, was usually not heeded. The culprit knew how difficult it was for the Banking Department or the prosecutor of pleas to obtain legal evidence against him and innumerable "dodges" were restored to in order to increase the difficulty of detection and to cover up all traces of their work. A number of these men when warned by the Banking Department have secured a license from an express company and transmitted the money entrusted to them, supposedly, through this channel. At the same time, they have had their own money order books which they used whenever an amount was brought to their office large enough to warrant the risk. In the case of taking deposits, the ways in which they escaped detection were extremely ingenious. When an alien came to their place of business and desired to deposit money they did not, as a rule,

have a bank book to give the depositor, but they issued promissory notes which they signed for the amount deposited and handed to the immigrant. When the immigrant came back a second time to deposit a second amount, they took the promissory note first issued, destroyed it and made out a second promissory note for the combined sum. In such cases it was very difficult for the Department of Banking to prove that a man was carrying on a banking business. If he was a steamship ticket agent, he might plead that the money was deposited towards the purchase of a ticket.

One case in which depositors were being exploited in a most original and ingenious way is worthy of citation. A certain private banker who had a banking and foreign-exchange business and also a large grocery business under the same roof went into bankruptcy. His principal debt was to a large number of his fellow countrymen who had deposited with him small sums, rarely exceeding $300. Probably not half of his creditors filed any proof of claims. It is alleged that in many instances this banker, instead of giving the depositor a receipt for the deposit, required him to sign a paper showing the amount of the deposit, and it was subsequently found that this paper was in the form of a promissory note made by the depositor which the banker discounted at a bank thereby securing credit with it. The immigrant thus lost not only the amount of his deposit but was obligated to pay an equal sum to the bank which discounted his note.

The total dividend realized from this banker's estate will not exceed twenty-five per cent. unless some unknown assets are discovered.

Extent of Illegal Business.—The following cases of men found to be carrying on an illegal business in Jersey City give an idea of its extent. In December, 1911, the North American Civic League for Immigrants, in co-operation with the Department of Banking and Insurance, started investigations in Jersey City in an effort to procure evidence against men whom the Banking Department believed were carrying on such a business. It was found that seven Italians were transmitting money abroad and

giving their own receipts for the money. This means that in the second largest city of the State, where there was not one authorized Italian money transmitter, at least seven were found who were carrying on business without the consent of the Banking Department. One Pole conducting a saloon was also found who took deposits, and there was every reason to believe that there were more than half a dozen other Poles who were transmitting money and taking deposits. In Hoboken, where there was only one Italian doing an authorized money transmission business, three Italians were found to be doing the same business without authorization. In Newark and in Perth Amboy the same conditions were found to prevail, and there is no doubt whatever but that in every city and town in this State where there is a foreign population, there are a number of these unauthorized bankers who are constantly jeopardizing the savings of our immigrant people.

In addition to the reasons already stated for the growth of this unauthorized banking and transmission business, the money transmitter who is regularly authorized begins to accept deposits in order that he may compete with the banker; many times both the banker and the transmitter, when they see how many men are carrying on an unauthorized business without being punished, intentionally neglect to renew their bond at the end of the fiscal year. The investigations made by the Banking Department and the North American Civic League for Immigrants included the activities of bankers who were authorized in 1911, and who, though they failed to renew their bonds in 1912, were found to be still transmitting money abroad on their individual transmission blanks.

The evidence which was obtained against the ten men in Hudson county was sufficient to procure indictments against all of them from the Hudson County Grand Jury. Unfortunately, however, though these indictments seemed to have a good effect and to bring to an end a great deal of unauthorized business, it was found that the lesson did not reach outside of Hudson county, and even there had no permanent effect.

Advertisements of Private Bankers and Money Transmitters.—Practically all of these foreign bankers advertised in the news-

papers of their nationality that they were engaged in the banking business. In some instances the bankers themselves were the managers of the papers in which they advertised. It has been found that a banker who had been running a banking advertisement in a certain newspaper, though he failed to renew his license another year, still continued to run the advertisement. It has even been found that a number of the unauthorized bankers and money transmitters have advertised that they were authorized by the State, and that they had 100,000 lire deposited with the Banking Department.

One of the most flagrant cases which the department prosecuted was that of an unauthorized money transmitter who ran the following advertisement in a local newspaper:

"Commissioner and Notary Public.
Money exchange and postal and telegraph money orders.
100,000 lire deposited as security
with the State of New Jersey.
Steamship agency for all the companies."

In another case a steamship ticket agent and notary public used the following advertisement, although not authorized by the State to transmit money:

"Money forwarded by drafts at the
best exchange of the day.
Steamship ticket agent for every navigation line.
Notarial acts (papers).
The only Italian office authorized by the State."

Still another advertised as follows:

"Transmit your money through the
banking office of ————.
Will arrive in Italy within eleven days
and be paid according to the
day's market.
Mr. ———— is an authorized
banker, notary public, insurance
agent, and his real estate office
would undertake any sale or purchase."

The advertising in the newspapers did not come to the attention, probably, of as many men as did the advertisements on the windows of the places where the business was being carried on. Many of the immigrants either do not read or do not have an opportunity to see many of their papers, although it is this class that do the greater part of the transmitting. The bankers, however, were in many cases not afraid to advertise openly on their windows in Italian and Polish that they would transmit money and that they were authorized to do so by the State. Even if they do not so advertise, the foreigners know that if one of his countrymen carries on a large steamship ticket agency and real estate business, he is usually willing to transmit money for him.

Failures of Private Bankers and Money Transmitters.—It is impossible to obtain any exact figures as to the number of failures in the State during the last few years or to approximate the amount which poor depositors have lost as the result. During 1911, in Jersey City alone, there were five failures, including the firm of Morris and Max Rosett, for years one of the best known firms of private bankers in the State. In three of the cases the men who failed absconded and took with them thousands of dollars belonging to foreigners. One man in particular, on the day of his bankruptcy, drew out $10,000 in one hundred dollar bills from another bank in the city where he had his deposits placed.

During 1911 there were also bankruptcies in Perth Amboy, in Woodbridge and in Passaic. It is estimated that foreigners in this State have lost at least $200,000 through failures during 1911.

It is inevitable that as long as it is so easy to do an actual, though not a legal banking business, numbers of men will take advantage of an opportunity to make a living unscrupulously at the expense of the poor immigrant. It is also inevitable that as long as men who are authorized to do a banking business can invest the deposits entrusted to them under so few restrictions as are at present required by law, the immigrant himself will find no place where his money is safe except in institutions that are not at the present time reaching him.

What these failures mean to the immigrant is well illustrated in the case of a Hungarian, a carpenter by trade, an employee in one of the steel mills in New Jersey. On account of a defective machine he lost four fingers on his left hand and part of his left thumb, which crippled him for life and made him unable to work at his trade. Under the Employers' Liability act he received a compensation from the steel company of $600. Sixty dollars of this amount went to his attorney for fees and disbursements, leaving the sum of $540 as total compensation for his injury. Five hundred dollars of this amount he deposited in a private bank. Later he drew out $35. Soon after making this deposit the bank failed and a receiver was appointed. The receiver has been in charge for two years and up to this time only thirty-eight per cent. of the money has been returned to the immigrant. With a wife and two children to support in Hungary, he is left practically destitute.

The majority of the investments made by authorized bankers are in real estate; the restriction regarding their unencumbered assets is the only restriction placed upon the investment of their funds. The Commissioner of Banking and Insurance exercises a control over the investments through his power of valuing the assets, and through his right to apply for a receiver when in his judgment a continuance of the banker's operations is hazardous.

Legislation.—The law providing for the regulation of savings banks was passed because a savings bank is usually an institution which deals with the poorer class of people in which the State feels a paternal interest. Some of the most salient features of this law are—first of all, that the Commissioner of Banking and Insurance decides whether a savings bank is necessary in the community, and second, that the Commissioner has a strict supervision over the kind of investments to be made and that all the investments must be either in thoroughly reliable securities or in first class mortgages. The law is very strict with regard to the per cent. of deposits to be invested in securities and on mortgages. The interests of the people who deposit their money in savings banks are protected in every way possible. The immigrant, however, who has just landed and has no knowl-

edge of American customs or American privileges, and who is even more childlike and dependent than the poorest of our native-born, and who, for the reasons stated above, does not use the savings banks or other banks, must put his money in places which are not nearly as responsible to him as the least restricted of our other banking institutions.

The first law with regard to private bankers in New Jersey was passed in 1895. The law provides that any individual or association of individuals desiring to engage in the business of banking shall be subjected to the same control, supervision, inspection and examination to which incorporated banks are subject by law; that they shall make the same reports as are required of incorporated banks; that no individual or association of individuals shall engage in the business of banking unless one or more of the persons so engaged shall be resident in this State.

In 1906 the law was amended to read that in case where it shall appear by report of any private banking business or by examination made by the Commissioner of Banking and Insurance that said bank is insolvent, the Commissioner or any creditors may apply by petition or bill of complaint to the Chancellor for writ of injunction, and the Chancellor after considering the proofs and allegations of both parties, if he find said bank insolvent, may restrain it from doing business and may appoint a receiver if the ends of justice require. The amendment also requires that no man shall do a private banking business unless he obtains a certificate from the Commissioner of Banking and Insurance, and such certificate is to be issued only when the man desiring it shows a surplus of $20,000 of unencumbered assets in excess of liabilities; that no individual or association of individuals not authorized under the act shall make use of any office sign at his place of business having upon it any words indicating that he is engaged in a banking business, nor use letter heads, bill heads, blank notes, receipts, etc., having thereon any words indicating that his business is that of a bank.

A law with regard to the transmission of money, passed in 1907 and amend in 1910, requires that no individual shall transmit money without a certificate of authority from the Com-

missioner of Banking and Insurance, which must be renewed annually, and that such an individual shall not receive money for deposit; and that all money received must be transmitted within five days. The applicant for such a license must show unencumbered assets of five thousand dollars in excess of liabilities and must deliver a surety bond to the Department of Banking the sum of $20,000. The money transmitters are subject to examination once a year and such an examination must be the same as the examination of private bankers, although the Commissioner has not such a wide authority to control their investments.

At the time the Commission finished its investigations, it was apparent that a number of changes should be made in the banking laws to safeguard the savings of our immigrant population. It was felt that the alien was afforded too slight a safeguard and that private bankers had not enough protection against the unauthorized bankers who were allowed to compete with them. With this in mind the Commission called a conference at which the Commissioner of Banking and Insurance, a representative of the State Bankers' Association and representatives of the North American Civic League for Immigrants were present. At this conference the following recommendations were adopted:

1. The Commissioner of Banking and Insurance should have the authority to require a comprehensive system of bookkeeping.

2. The Commissioner of Banking and Insurance should be definitely charged with the enforcement of the laws regarding unauthorized bankers and money transmitters.

3. Provision should be made that money transmitters licensed for the first time shall give a bond for $20,000, and that upon the relicensing of any money transmitter amount of the bond be graded in proportion to the amount of remittances forwarded during the preceding period of his license.

4. Investments of private bankers should be restricted in the same degree as the investments of savings banks

and all investments should be easily convertible in case of runs on the bank. This will apply to existing bankers on deposits received after the passage of the law.

5. The present plan of paying for the examination should be changed. Private banks and money transmitters should be required to pay an annual fixed fee for such examination and the Banking Department should be given an appropriation large enough to cover all contingencies. Under the present method of examination, owing to the fact that the banking examiner gets his compensation from the bank, the representatative of that institution complains of the length of time which it takes the examiner and endeavors to hurry him up.

6. Each private banker should be required to include in his report a sworn statement containing the name of every depositor who shall not have made a deposit, or withdrawn any part of his deposit, for a period of ten or more years, the amounts standing at his credit, his last known place of residence, and the fact of his death, if known.

7. An appropriation should be made by the Legislature to cover all necessary expenses entailed in seeking evidence against unauthorized persons doing a banking and money transmission business.

8. Some definite provision should be made enabling the Department of Banking and Insurance to take charge of the affairs of a private banker immediately after his death.

9. Some provision should be made enabling the Department of Banking and Insurance to take charge of the affairs of unauthorized money transmitters or unauthorized private bankers, after it has been ascertained that they have violated the law. This could be done by giving the Commissioner the right to take charge of the assets.

The three first recommendations have become laws as a result

of two bills introduced and passed at the instance of the Banking Department and Commission of Immigration.

The conditions found during the investigation of the Commission still exist and this is due to the fact that the Legislature failed to give the Banking Department an appropriation to enable it to efficiently enforce the law.

The Commission still believes that the recommnedations which were not enacted last year are necessary, but wishes to emphasize the fact that the most important thing to be done at the present time to safeguard the savings of immigrants is to persuade the Appropriation Committee to set aside an amount sufficient to carry out the provisions of the legislation already on the statute books. There is little use in enacting more laws unless the State Department authorized to enforce these laws has the funds necessary to do so. The record of the Banking Department, handicapped though it has been in securing evidence against all of the private bankers and money transmitters, gives assurance that with an adequate appropriation the savings of immigrants in New Jersey would be safeguarded in a thorough and efficient manner.

FRATERNAL BENEFICIARY SOCIETIES.

There are in the State of New Jersey hundreds of organizations known as fraternal beneficiary societies. Chapter 128, Laws of 1893, as amended by Chapter 188, Laws of 1907, provides for the incorporation of these societies and defines them as associations organized and conducted for the sole benefit of their members and not for profit. They are organized to conduct an insurance business, and the dues paid in by their members are usually divided into two funds—the general fund and the expense fund. The former is supposed to be used in payment of sick, health and death benefit claims, while the latter is to be used to pay office, agents and other expenses of the organization.

Transfer of Funds.—There is no provision in the New Jersey law prohibiting those associations from drawing upon the general

fund, which is the insurance fund, for expenses and oftentimes in the examination of their books it is found that transfers from this fund are made to the expense fund, and in some cases the expenses eat up both funds of the association.

There are registered with the county clerks in Bergen, Essex, Hudson, Union and Passaic counties three hundred and thirty-six of these so-called fraternal beneficiary societies. The Commission sent questionaires to one hundred and seventy of these and received but fourteen replies. Forty of the letters containing the questionaires were returned by the post office marked "not found" and "unknown." The remaining one hundred and sixteen did not answer.

Investigation discloses the fact that the charters of these fraternal beneficiary societies are sometimes sold by one promoter to another. One company in Newark has an agent whose sole duty it is to buy up the charters of Italian and Polish societies of this character.

Officers of these societies are usually elected by a board of directors, and instances are recorded where salaried positions have actually been sold by these boards.

There are many worthy fraternal beneficiary societies, but the laws do not protect the worthy societies from the competition of those organizations which are far from beneficial in their objects or results. Furthermore, the rates charged by many of these fraternal associations are grossly inadequate in view of the benefits promised.

The wording of Section 3, of Chapter 188, makes it mandatory for the Commissioner of Banking and Insurance to license societies organized under the laws of States other than New Jersey whether or not their financial statements are satisfactory to him.

Fiscal Examination.—The expense of examination into the financial affairs of one of these societies by the Banking and Insurance Commissioner is limited by Paragraph 3, Chapter 188 of the Laws of 1907, to the sum of $50. Owing to the defective records which are kept by the majority of these societies it is almost impossible to examine the methods and accounts of one of them for the amount specified. To properly safeguard their

membership it is desirable that thorough examination be made, and that the Commissioner of Banking have funds at his disposal, if in his judgment a more thorough examination is necessary than can be made with the maximum at present provided by law.

An amendment should be made to the present law which would give discretionary powers to the Commissioner of Banking and Insurance in the licensing of fraternal beneficiary societies, require a uniform and comprehensive system of bookkeeping, limit the expenses of fraternal beneficiary societies, make transfers from the general fund to the expense fund impossible, call for periodical examinations of the affairs of the societies and give the Commissioner of Banking and Insurance discretionary power to draw upon the contingent fund of his department, if he deems inadequate the sum of $50, payable by the society for such examination.

NOTARIES PUBLIC.

The office of a notary public is such a common one and the duties so simple that the average American citizen thinks it of little consequence. The average business man, as a matter of convenience, often has a clerk or employee appointed a notary public; lawyers and others, interested in legal affairs, frequently are also notaries public. But the office of notary public in itself offers no inducement from a financial point of view, nor from the point of view of business or social prestige. The services rendered by a notary in this country are of a clerical rather than of an administrative or judicial character, and requirements for appointment in most of the States are very limited. In Europe, however, the office of notary is one of dignity and the incumbent is regarded as a person of real importance. The responsibilities are of a judicial character, while the requirements of a candidate for office and the duties, obligations, fees, rights and privileges accorded to the office are most carefully defined.

An immigrant, therefore, looks upon a notary public as a legal adviser, with almost unlimited legal powers. Notaries public, in

immigrant communities, are also steamship ticket agents, money transmitters, justices of the peace of saloonkeepers, and thus come into constant and intimate relations with the immigrant. Among Americans, notaries are not likely to exceed their authority or the powers conferred upon them by law, but among immigrants it is quite different. Notaries have been found to take acknowledgments and draw up documents for which they have no authority, and in numerous ways to take advantage of the immigrant's misconception of their office.

Powers.—In the State of New Jersey the law with regard to notaries public provides:

> "That all those affirmations and affidavits required of this State, necessary or proper to be made, taken, or used in any court of this State or for any lawful purpose whatever, may be made or taken by a notary public. A certificate of a notary public, under his hand and seal, accompanying any bill of exchange or promissory note, shall be received in all courts."

Appointment and Duties.—Notaries public are appointed by the Governor of the State, and he may appoint as many as he deems necessary.

At the time the Commission began its investigation of notaries public, an applicant for a commission as notary public had to send an application blank to the Governor on which his full name and address were given, together with a fee of $5, and further had to have the blank endorsed by a member of the State Legislature. The blank in use did not in any way show that it was filled out by the applicant nor did it show whether he was a citizen. No preliminary examination or educational requirements were prescribed. A notary might, therefore, be illiterate or unable to speak or write the English language. At the 1913 session of the Legislature the attention of the Acting Governor was called to this matter and a new form of application blank was recommended by the Commission which was subsequently adopted by him after a few changes.

Upon the granting of his application, an applicant must take an oath before the county clerk to perform his duties and to

keep a true record of all such matters as are required by law. The term of office is for five years, but a notary may be removed at the pleasure of the Governor.

Upon protesting bills or notes it is the duty of the notary to enter in a book, "time when, place when, and upon whom the demand for payment was made; copies of notices of non-payment, how served and time when; if sent, in what manner and at what time; if by post, to whom directed, at what place and when," to which record they shall sign their names. It is lawful to refer to such records when called upon to give evidence. It is lawful for his whole service, in making protests and entering the same to record and giving certificates, to take the following and not other fees:

On foreign bills of exchange,	$1.75
On promissory notes or inland bills of exchange for $100 or over,	1.50
On promissory notes or inland bills of exchange for less than $100,	1.30

If any notary charges greater fees for services mentioned, he shall forfeit and pay to the party from whom he has taken it $25 to be recovered by an action of debt with the cost of suit.

Notaries public in the State of New Jersey have not the power to take acknowledgments of written instruments and of other documents intended for record, conveyance of real estate, including discharge of mortgage, satisfaction of judgment or power of attorney.

Number and Occupation.—In the State of New Jersey there are at present approximately eight thousand notaries. The Commission investigated forty-four different notaries public in fifteen different cities, including Italians, Poles, Russians, Bohemians, Germans and Jews. The occupations of these forty-four notaries were as follows: Nineteen were money transmitters and steamship ticket agents; thirteen were steamship ticket agents only; four were steamship ticket agents, money transmitters and justices of the peace; one was a money transmitter, a steamship ticket agent, a justice of the peace and a saloonkeeper; another

a steamship ticket agent, money transmitter and saloonkeeper; two clerks; one undertaker; and the occupations of the three others are not known.

Practices of Notaries Public.—Although the chief function of the notary is the taking of affidavits, it has been found that they also take acknowledgments, make out powers of attorney, assume legal service and prepare contracts and other important documents, although not admitted to practice as lawyers.

The following advertisements of notaries illustrate the kind of legal service they profess to render to aliens:

> "The oldest notarial law and military Russian office. Subject to the legislation of the Imperial Russian Consul General, he draws contracts, powers of attorney, bills of sales, promissory notes and other documents. He takes charge of cases in the United States and Russian courts and draws American papers. Sells property and real estate in Russia and collects debts due on notes. Sells steamship tickets at the companies' rates on the best ocean steamers. Transmits money to all parts of the world, quick and cheap, on the guarantee of the United State Express Company, with a capital of $10,000,000. Takes charge of cases for the release or postponement from the military service.
>
> "Very many of our countrymen left their native cities in the old country without properly regulating and disposing of their property, real estate, business, etc., because they either forgot or neglected same or for some other person. After some time it becomes necessary for them to settle their affairs, but they do not know where and whom to go.
>
> "I make out powers of attorney, bills of sale, contracts, donations, wills and testaments. I collect money in the old country for you and undertake to do any business of any kind for you promising good results.
>
> "Every document made out by me in my office is legalized through the Consulate and is recognized by

the government abroad. All papers are prepared by me personally and are carefully, cheaply and quickly drawn up."

In its investigations the Commission found that many notaries, both through ignorance and willful dishonesty, assume duties and powers not conferred upon them by law. Some were found willing to take acknowledgments of papers either in the form of power of attorney, special power of attorney, general power of attorney, or expatriation act; some were willing to make powers of attorney without having seen the person for whom the power was to be drawn, and to supply two witnesses, though they did not know him, or to draw up powers of attorney without knowing who the applicant was and to certify under their hand and seal that the party who signed these documents was personally known to them. One notary was found willing to issue an expatriation act to a minor, and still another issued an expatriation act and placed the age of the boy at sixteen, although he was in reality fourteen years of age, in order that he might be allowed to land. Although a number of notaries were found to be honest and law-abiding, investigations made by the Commission disclosed the fact that a large proportion of notaries dealing with aliens are not qualified to perform the duties which they assume, but they are willing to originate, to participate in cases in which they have no power to act.

The following abuses encountered by the Commission serve as illustrations of the practices of this class of notaries. They also show how notaries public have exceeded their powers and in so doing have been the means of defrauding immigrants:

Misrepresentations and Frauds.—In one case called to the attention of the Commission by the Italian Consulate General, a certain Italian deposited with a bank in Pennsylvania 300 lire to be transmitted to the Italian Postal Savings Department, and also gave to the bank a bank-book on the Postal Savings Department of Italy, containing a credit of 1,113 lire, with instructions that the bank should send the book to Rome for the entry of the other 300 lire. On the evening of the same day a certain person, who later was found to be a discharged employee of

the bank in Pennsylvania, came to New Jersey, went to a local notary public and representing himself as the Italian who had sent the 300 lire, asked the notary for a power of attorney authorizing a bank in Naples to take from the Italian Government Postal Savings Department the money in his credit, giving to the notary the name of his father, the amount of credit and saying also that his book had been transferred to Rome recently for the deposit of 300 lire. The said notary public, without knowing the person and without ascertaining his personal identity, made the required power of attorney, including complete acknowledgment, signed and sealed, and had it signed by two witnesses who did not know the party asking for the power of attorney. This man then went to the Italian Consulate in New Jersey and obtained the legalization of the document by that office. Later he called several times asking for letters addressed to him and he finally received a letter from the director of the Italian bank advising him that the money had been transmitted to its agency in New York. This agency sent the check, amounting to $229.93, to the Consulate with instructions to give said check to the person named. It was handed over to the person who had asked for the legalization of the power of attorney, who showed as evidence the aforesaid letter from the director of the Bank of Italy in regard to the money that he was waiting for. When the fraud was discovered, this person had disappeared.

The following advertisement was issued by a certain man in which he claims legal, notarial powers, etc.:

> "European Attorney's Notarial and Military Office.
>
> "Dear Fellow-countrymen:—There is not even one colony with Polish and Ruthenian population in entire America and Canada where our office would not be known. Honesty, knowledge of the old country laws, and quickness and punctuality in conducting cases entrusted to us, procured for us a very legion of friends, who, once acquainted with our office, always apply to us in all cases and recommend others, because they know that cases entrusted to us will be carried through with

the greatest conscientiousness and skill. As long as our office has been existing, there has not been one person who brought claims or showed dissatisfaction and we receive every day letters of thanks. In the year 1909 and 1910 we received many court and registration cases which other attorneys conducted already and could not settle. These cases were so difficult and complicated that no attorney from the old country was willing to undertake the carrying of them through. If these cases were entrusted to somebody else, he would throw them in the waste basket, but we did not do it, we did not leave our friends without assistance and protection. Listen to what we did with these cases. Knowing that no other attorney has knowledge nor is willing to carry them through, in June of the year 1910, the manager himself, went to the old country, lost three months, bore considerable expense and fatigue traveling from one court to the other, but he settled all cases successfully, and it is raining again with letters of thanks and the number of our friends doubled. You have, therefore, an example, dear fellow-countrymen, that is for your good and the good of our friends and clients. We do not mind time nor money, only that they do not depart without honest advice or assistance and that they may not fall into the hands of exploiters of strange nationalities, who frivolously squander your hard-earned money. If you have then, any case whatever, remember we are warning you so you shall not regret later. Do not apply to any firm in particular with a non-Polish name. If you have a case, if you need legal or other advice, write us under this address:

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because our attorney and notarial office conducts all kinds of civil and criminal law suits in the annexed regions of Austria and Russia; draws up powers of attorney, transfers, contracts of purchases and sales, dona-

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tion documents, certificates of debt and is recording such in the old country land-registration record; conducts land and registration matters; collects estates and debts, even superannuated; draws up testaments, antenuptial legacies and petitions for estates, probating and inventories and in general conducts all cases entering in the sphere of activity of attorneys and notaries.

"Military Office (Bureau).

"Files petitions for admission to medical examinations in America and exemption from exercises and reclamations for exemption from doing military duty; for subjects of Russia, it obtains prorogation of appearances for military levying.

"Real Estate Office (Bureau).

"Purchases for cash and sells at accessible prices real estate in the old country, and sells houses, lots and farms in America.

"Banking House.

"Purchases stocks, valuable paper, bills of exchange, property claims in the old country, sells steamship tickets, forwards money to all parts of the world at the lowest rate, and issues and pays off travelers' checks."

At a hearing before the Commission it was found that this man had never been a lawyer nor a notary; that he had only worked a year as a clerk in a lawyer's office abroad when he was sixteen years old; that he was a watchman in the customs house service for seven and one-half years and was for two months in the army.

An immigrant woman desiring to transfer her property and real estate in Galicia to her husband, applied with him to this notarial and legal office for legal assistance. After receiving all the necessary information from the man and his wife, the alleged notary agreed to procure an extract from the land record from the district court in the above locality, for which he charged the applicant $6. The alleged notary then drew up a power of attorney for the man and his wife, which he executed in the

absence of the deponent and sent to the district court, which was to carry out the transaction of transferring the property from the wife to the husband. The said court, however, refused to act on the document as it did not comply with the requirements of the Austrian law, and the court turned the document over to the Austro-Hungarian consul in New York City. The husband called time and again upon the alleged notary for information as to whether the transaction had been made abroad, but was always met with various excuses. The complainants in the case, besides paying $6 for the first transaction, paid in addition $20 in small installments without obtaining any results.

Of the forty-four investigations made by the Commission, eleven notaries were visited personally and letters were sent to thirty-three. From the eleven notaries visited, two of whom were not themselves authorized to act as such but were working in conjunction with notaries in other offices, twelve documents were obtained, all acknowledged in the Italian, Polish, Bohemian, German and Russian languages, in the form of powers of attorney. From the thirty-three notaries to whom letters were sent, six refused to execute any document by mail; ten did not answer and seventeen were found willing to execute the documents referred to. Out of this number, five were requested to do so and the documents were executed and sent back by them through the mail.

Of the entire number of documents obtained, both by calling and by mail, in thirteen cases witnesses unknown to the grantor were furnished by the notary; in seven cases the notary did not see the grantors at all, which means that these notaries signed seven different documents in which they falsely stated that a man, personally known to them, signed in their presence with his own hand said document. In the case of one document, which was executed by a notary, the grantor neither saw the notary nor the witnesses, and this document still remains unsigned in the office of the Commission. Six of the documents obtained had been duly legalized by consulates.

The following cases of notaries illustrate the type of cases handled by the Commission:

"A was appointed after one year's residence in the United States, having been only six months in New Jersey. He did not know the difference between an affidavit and a power of attorney. He furnished witnesses who swore they knew the grantors. When asked to make out an act of expatriation to bring a brother, aged fifteen, from Italy, the notary stated that it would be impossible for the boy to secure a passport on account of his being under age—that a boy must be at least sixteen years of age to obtain a passport to come to this country. When requested to make out a document stating that the boy was sixteen years of age, the notary was willing to do so. He drew up the expatriation act, stating that the age of the brother was sixteen, although he had been told that he was really fifteen years of age.

"B testified before the Commission that he would certify to the acknowledgment of any document if he knew the signature of the grantor, even if he did not sign the document in his presence. That the majority of the foreigners seeking his assistance do not know what it means to take an oath, and he merely assures himself that the signature is correct and is then satisfied. He is also a commissioner of deeds, and as such has the power to take acknowledgments, but he always signs himself as a notary public, because it is not generally understood in Italy what a commissioner of deeds is; he advertises as an Italian and American lawyer in civil and criminal cases. The Commission found that he was willing to sign an acknowledgment to a document giving the power of attorney to a man in Italy to sell a house, though he never saw the man who signed the document.

"C sent a document duly acknowledged by mail and perjured himself before the Commission by swearing that he knew the man who had signed the document for a year or more. He finally admitted that he did

not see the man sign the document, but that he recognized his signature and considered that sufficient.

"D executed an acknowledgment to a document sent him by mail and procured two witnesses to sign it. In the testimony before the Commission it developed that the signature of one of these witnesses was written by his daughter who works in the notary's office; that this daughter often signs her father's name as a witness when he does not happen to be available.

"E testified before the Commission that he knew it was illegal for a notary public to take acknowledgments, but he took one nevertheless to a document sent to him by mail without the grantor appearing before him. He also furnished witnesses who did not see the grantor. This notary makes out over two hundred documents a year to be sent abroad.

"F was not a notary, but advertised that he made powers of attorney, etc. He was requested by mail to execute a power of attorney. This he did in the Russian language, and as he was not himself a notary, he sent the document to a notary whom he knew and this notary certified to the acknowledgment after it had been signed by the grantor and returned by mail. The notary who signed it did not know whether it was an acknowledgment or an affidavit, as he could not read Russian, nor did he know or see either the man who wished the document made out or the witnesses.

"G signed the certificate of acknowledgment to an expatriation act in blank and before it had been signed by the party executing it. The Commission has this paper made by the notary but not signed by anyone. He also certified to and sealed a power of attorney without seeing the party for whom it was drawn and admitted that as soon as the Consulate legalized it, it would be considered a legal document and the person to whom it was made out could do anything with the property of the man whose signature was attached.

"H, a saloonkeeper, real estate agent, justice of the peace and unauthorized banker, testified that in making out acknowledgments he always read them to the grantor and explained them word by word before sending to the Consulate to be legalized, and perjured himself saying that he knew the signer of the document and the witnesses who were present, which was untrue. The notary himself got one witness to sign, who neither knew or saw the party executing the document."

Illegal Documents.—Aside from the acts which are intentionally fraudulent the Commission found a large number of notaries willing to make out documents, and in several cases they actually did make out documents, which the notary public law of New Jersey does not give them power to do. All of these notaries are registered with the Consulates of their respective country and the papers which they make out are duly legalized by the Consulates and sent abroad to be used in the courts there.

The question of the legality of papers drawn by notaries was taken up with the Consul General of fourteen of the leading countries in Europe. None of these Consuls was aware of the fact that the powers which these notaries assumed were not legally given them by the State of New Jersey.

The Italian, Austro-Hungarian, Russian, German, British, Swedish and Norwegian Consul Generals stated that documents drawn up by notaries public in New Jersey would not be considered legal in their countries if the laws of New Jersey do not empower a notary public to certify acknowledgments to such documents. As approximately ninety per cent. of the foreign-born in this State have emigrated from countries represented by the above Consulates and have had their documents legalized by them, it will be readily seen how much is involved.

The British, Austrian and Italian Consulates have given orders that no acknowledgments certified to by a notary public of New Jersey shall be legalized.

In their testimony before the Commission it was found that these notaries each acknowledged anywhere from a dozen to

two hundred documents a year, which are duly legalized by the Consulates and sent abroad. In other words, each year there are sent through the Consulates hundreds of documents drawn up in this manner, which are illegal, because of the standing of a notary public in the State of New Jersey; in a great many of these cases, even though the notary had had the power to take acknowledgments, the documents would still be illegally drawn, as the notaries are willing to certify that they were acknowledged in the presence of the grantors, although the latter were not present and the witnesses did not see the document executed.

To protect the immigrants against the actions of unscrupulous and ignorant notaries public, the Commission recommends that the Civil Service Commission should be authorized to examine applicants for appointment as notaries public, as to the truth of the statements contained in their application blanks, and that the following laws be enacted:

Any person who shall certify falsely by certificate in writing that any deed or other instrument in writing was acknowledged or proved before him by the party thereto, shall be guilty of a misdemeanor.

Any person not authorized by the laws of this State to take acknowledgments or proofs to deed or other instruments in writing, who shall take an acknowledgment or proof to any deed or instrument in writing, and shall sign a certificate thereon certifying that the said deed or instrument in writing is acknowledged before him, shall be guilty of a misdemeanor.

JUSTICES OF THE PEACE.

In 1871 the State Legislature passed an enactment regulating the practices of justices of the peace and providing that their services should be "paid out of the funds of the county in which said services were rendered," and further that upon payment being made to the justice by the county collector "said justice shall refund to the complainant so much of said costs as shall have been paid by the complainant to said justice."

Collection of Fees.—The justices have never uniformly availed themselves of this privilege of collection from the county for service of litigants. In 1887 a test case was brought in the New Jersey courts* in which a justice was accused of extortion in that he collected a fee "to execute and do his duty and office such as is not allowed by the laws of the State and contrary to Section 23 of the Crimes act." The court held that there was nothing in the prior enactments of 1774 and 1798, pertaining to justices of the peace, which postponed their right to receive fees at the time service is rendered. The practice of collecting fees direct from litigants had been long continued and Section 23 of the Crimes act did not make it illegal. But the court further held that "it must not be inferred from this conclusion that justices of the peace may lawfully refuse to perform their duties as conservators of the peace unless their fees be first paid."

In 1898, in Section 23 of the Crimes act, pertaining to willful neglect to perform any duties imposed by law," it was specified that "if any justice of the peace shall refuse or neglect to carry out, in any respect, the requirements of this act * * * he shall be deemed guilty of a misdemeanor and punished therefor." Section 8 of the Police Justices' act, Laws of 1898, page 480, stipulates with reference to payment of fees that "no fees shall be allowed to the said justice of the peace unless the person or persons against whom such complaint is made shall be convicted thereon." An amendment to this law in 1901 further stipulated that bills of particulars of costs shall be filed with the county clerk, or, if there be none, with the prosecutor of pleas, and after such bills have been certified as to correctness they may be paid even though no indictment is found, provided in the judgment of the prosecutor of pleas such cases were taken in good faith. The amended law does not, however, make failure to file such bills, and collection direct from litigants, a misdemeanor.

The variance between the judicial decision referred to above and the amended section of the Crimes act has resulted in a considerable confusion throughout New Jersey. An investiga-

* *Lane* v. *The State, 49 N. J. (20 Vroom), p. 673.*

tion has disclosed that in certain sections of the State an effort is being made to conform to the law, while in other counties, justices are continuing the practice of immediate charge for warrants issued.

In one county the assistant prosecutor of pleas testified that he knew of but one justice who had filed bills of costs. One justice of the peace in his testimony before the Commission declared that he had been a justice for fourteen years and in that time he had only once presented a bill of costs to the grand jury clerk and then was told there was no money for him. In another county, in May, 1912, thirty-eight complaints were issued by justices of the peace and filed in the office of the prosecutor of pleas. During this same period but two bills of particulars were filed by justices to cover costs for warrants issued.

In one of the larger counties in this State it has been impossible in recent years to secure a criminal warrant without the necessary fund to pay the justice of the peace. Among the foreigners a common expression is, "I am going down to buy a warrant against you." In one city, with a large foreign population, it is generally understood among them that they cannot get justice in any criminal court unless they are able to pay, and testimony taken by this Commission makes it evident that this belief is well founded.

Defective Character of Present Law.—In a number of cases investigated by the Commission, the payment has worked great hardship in that the complainant could ill afford the money necessary to secure a warrant. The assistant prosecutor of pleas of Hudson county testified that the present law is held by officials to be defective and should be revised. The framers of the act believed that the justices would automatically comply with this section requiring them to collect their fees from the county and they did not foresee the growth of the present custom whereby foreign complainants have to pay for their warrants. The prosecutor of pleas furthermore finds it a difficult matter to act in such cases in that failure to comply with the law is not made a misdemeanor.

The situation in this State is further confused by the "Dis-

orderly Persons" act of 1898, as amended by the Laws of 1906, which requires that magistrates shall—

> "in all cases file with the clerk of their respective counties the record of proceedings and conviction, and adjudges anyone who fails to do so a disorderly person."

It further provides that—

> "the fees for arrest and commitment of disorderly persons under the provision of this law shall be twenty-five cents to the magistrate and fifty cents to the constable or police officer making the arrest and no more, and that the sum specified shall cover all fees.
>
> "* * * That the magistrate making the commitment shall not be entitled to any fee unless in all cases of summary conviction before him, the complaint, warrant and record of proceedings shall have been filed with the county clerk."

Communication with the clerks of the various counties in the State makes it evident that this provision is not being complied with, as in but three counties from which clerks replied were such records filed.

The justices of the peace in the largest cities of our State have at the present time no authority to try any of the complaints they issue, these complaints being heard by the police judge and recorder. Recently the statute was passed taking away from justices of the peace the power to perform marriage ceremonies, so that in the cities where there are police judges and recorders, the only official act performed by the justices of the peace in criminal matters is the issuance of warrants and the taking of bail. Thus there is very little inducement for any man with character and standing to seek the office of justice. The result is frequently that those who do secure the office are absolutely unfit to perform its duties. The justice of the peace is a constitutional officer so that it is inadvisable at the present time to abolish this position. But it is reasonable and just that the State of New Jersey, having taken away most of the powers from the justices, should see to it that this lowering in the grade of justices

shall cease and some method be devised whereby men of character and standing in the community may be induced to hold this office, not so much for the profit they can make from it, as for aid to the proper enforcement of the laws of the State.

In 1913 a statute was passed authorizing police sergeants to take bail from prisoners booked in the police stations. This is a just and necessary law and should be taken advantage of by all police officers throughout the State. When this is done it will further decrease the necessity for a great number of the justices of the peace now existing and will also eliminate a great deal of the injustice caused by the professional bondsmen who can carry on the business only by standing in with the justice and dividing up with him.

There is to-day every reason why the Legislature should very carefully consider the advisability of making the necessary changes in order to raise the standard of the justices of the peace. The justices of the peace in this State who have gone to the trouble and expense of securing an election naturally feel that they must do something to recover the expense of the election. They also wish to retain their "dignity" as a "judge." Often unacquainted with the laws of the State, and simply knowing that they have the power to grant warrants, they are only too ready to issue them on the least provocation, and the more warrants they issue the more money they get.

The tendency to issue warrants without due consideration to the facts in the case is clearly illustrated in the thirty-eight cases for Essex county cited above. Of these the Grand Jury failed to return indictments in twenty-eight instances. Three more were reported as pending, leaving but seven which were held for trial. In other instances brought to the attention of the Commission, certain justices of the peace—especially in foreign districts—have referred numerous cases to the prosecutor of pleas' office on which it had been impossible to return even a single indictment. These instances illustrate a condition which we believe is common all over the State and which is a disgrace to its judicial system. If justices received all their fees from the county, much greater care would be taken in

the issuance of warrants, and many cases which now clog the administration of justice would never come up, while the poorest litigant would have opportunity to make complaint.

This Commission would therefore suggest that the Laws of 1898, page 904, as amended by Laws of 1901, page 201, should be further amended so as to provide that any justice of the peace who shall collect his fees from a complainant in a criminal case, instead of filing his bill of costs with the prosecutor and the county clerk shall be guilty of a misdemeanor and punished accordingly; and, further, that the Governor request the Attorney-General to call the attention of the various prosecutors of pleas of this State to the "Disorderly Persons" act, asking that it be obeyed and that justices who violate its provisions be punished.

EDUCATION OF THE ALIEN.

The education of the alien, taken in its broader sense, includes his adaptation to conditions which are often totally dissimilar to those where the major part of his life has been spent, and his assimilation within a group of people whose outlook, customs and languages are new and strange to him.

The Commission found that the greater difficulties in the way of adaptation and readjustment grew out of the fact that the alien comes largely from rural districts; he is unfamiliar with laws and regulations which to us have become axioms of everyday living. Traffic regulations, sanitary codes, licenses, compulsory education and child labor laws are strange and difficult for him to understand. In the country from which he comes law and order is visualized by the presence of soldiers and he cannot comprehend the absence of this concrete manifestation of government. In many cases the alien is judged by laws, whose very existence is unknown to him until he breaks them, and the State has been called upon to inflict penalties and to support in prison aliens whose excuse for crimes has been utter ignorance of the law. Ignorance of the law is for the average citizen no excuse, but to exact equal obedience from an alien, unless he has had at

least an elementary instruction in such matters, is obviously unjust.

The ideal of the nation is to produce through free and universal education a fairly homogeneous people having a uniform standard of social customs and political institutions. Unfortunately aliens coming to our State, and especially those taking residence in cities, are practically compelled to settle in colonies in congested quarters, where they tend to perpetuate alien groups which speak their native language, and which are frequently uninfluenced by American customs and traditions. The process of assimilation is retarded in these groups, and they are a hindrance to the full application of democratic principles of government. As long as the conditions exist which lead to this racial segregation, it is of the utmost importance that opportunities for acquiring a knowledge of the English language be placed in the reach of all these aliens, to remove as quickly as possible the inclination for continued segregation, and at the same time to make assimilation possible through contact with American thought and public opinion.

During the ten years preceding 1910, 228,138 foreign-born whites were added to New Jersey's population.* In that time over 330,000 arrived from foreign countries giving their destination as New Jersey, while 150,000 departed. Less than ten per cent. of these 228,000 were children under fourteen years of age. Of the remaining ninety per cent. two-thirds were men and one-third women.

The need for adequate educational provisions for adults becomes more apparent when we realize that this ninety per cent. being over fourteen years of age, cannot under our present law, be required to attend school. Germany, England and the Scandinavian Peninsula, which supplied so many of our earlier immigrants, had educational facilities similar to or even superior to those prevailing in America. During the last few decades, however, immigrants have come principally from Italy, Hungary and Poland, and between twenty-five and thirty per cent. of those entering are illiterate. Aside from the effect upon the com-

* Federal Census of 1910.

munity in general, the education of the alien is very important from his own personal standpoint. The lack of a knowledge of English debars him from any kinds of work for which he may be fitted, and the danger of accident or the loss of life, where he is employed in hazardous occupations, is increased. According to the present naturalization law he cannot become a citizen without a knowledge of English, which excludes him from a number of opportunities he might otherwise enjoy. The rapid advance of his children in their knowledge of English and American customs lessens their respect for parental authority and breaks down the home ties.

The Commission in its investigation has considered separately the education of the child and the education of the adult.

Education of the Alien Child.—The education law of the State of New Jersey makes no distinction between native and foreign-born children. It provides that children between the ages of seven and sixteen shall regularly attend a day school in which, at least, the common school branches of reading, writing, arithmetic, English, grammar and geography are taught, unless such child is above the age of fourteen, has completed a five-grade school course, and, in addition thereto, is regularly and lawfully employed in some useful occupation or service.

If a child is under sixteen and is not regularly and lawfully employed in a useful occupation, such child shall attend a high school or normal school. Any child above the age of fourteen, who submits satisfactory evidence to the Board of Education that it is necessary for him to be employed in some occupation, may be granted exemption papers.

The State believes that for its own well-being a child should wherever possible attend a public school or its equivalent from seven years of age until sixteen years of age, receiving the regular grammar and high school education. At the same time it realizes that there are cases where parents, for reasons which are beyond their control, become dependent upon the earning capacity of their children. The responsibility for determining whether a child of fourteen or sixteen should be at work is placed upon local boards of education, and it is for them to de-

cide, after a thorough investigation, whether exemption papers should be granted.

The great majority of those who seek exemption from school attendance at an early age are alien children. This is a natural result of conditions common to immigrant families. The wage of the immigrant worker is usually near the bottom of the industrial scale, while his family is large; consequently the fear of poverty leads him to make capital as quickly as possible out of the earning capacity of his children. Or if the alien comes from a country with laws entirely different from our own, he is totally ignorant as to our free public school system and our compulsory education law, and he places his children to work as a matter of course. Then there are also parents who are utterly indifferent to the benefits to be derived from education and who are more concerned with the present wage than the future welfare of the child.

To further complicate matters, the requirements of the child labor law hinder rather than assist in remedying the situation. The labor law provides that—

> "No child under the age of fourteen years shall be employed in any factory, workshop, mill, etc., or any mercantile establishment during any hour when public schools are in session."

To comply with this law, the child between fourteen and sixteen must obtain so-called working papers from the Department of Labor, which are granted upon the presentation of a birth certificate from the Board of Health, or a passport showing its age to be fourteen or over. These working papers do not exempt the child from school, but protect the employer. The employer keeps a record of all children in his employ between the ages of fourteen and sixteen open for the inspection of the agents of the Labor Department. The child, however, in order to fully protect himself must obtain two sets of papers, *i. e.*, exemption papers from the Board of Education and working papers from the Department of Labor. This results in a division of responsibility, which not only increases the difficulty of the school authorities, but works a hardship both upon the employer and child as well.

Newly arrived immigrant children, whose parents are ignorant of the school law, frequently obtain working papers before the school authorities have knowledge of their arrival. In this way there are many children who come to this State of whom the school authorities have no knowledge and who are put to work without any regard for their educational qualifications. At times it is necessary for attendance officers to enter factories and take children away from their work whom the Board of Education find have no legitimate excuse for not attending school, and it is a very difficult thing to convince foreigners that though they obtain working papers from the factory inspectors this is not all that is required.

In addition to the newly arrived immigrant child, children who have been educated in parochial or private schools may obtain working papers, although their parents are well able to keep them in school. Often when the attendance officer finds such children at work, it is necessary to take these cases to court before an adjustment can be made, because there are cities in which the parochial schools do not attempt to enforce the compulsory school laws.

To eliminate this confusion, the laws should be made to harmonize without interfering in any way with the purpose for which they were enacted. The labor law was enacted for the purpose of preventing any employer from exploiting children: the educational law was enacted for the purpose of compelling children to have at least a minimum amount of education, and to prevent exploitation of children by parents or employers. No child should work until he has at least completed a minimum requirement of schooling, except in extreme cases, when some agency, preferably the Board of Education, which is usually in closer touch with the home conditions of the child than other agencies, finds legitimate reasons why the child should be exempted from school and allowed to work.

For the sake of assuring the education of the child, this Commission believes that the granting of working papers should be vested in the Board of Education, and inspectors of the Labor Department should not give or certify such papers unless children

receive exemption from the school authorities. The Child Labor Law of the State of Pennsylvania places the responsibility of granting papers entirely upon the school authorities. The law provides that—

> "Section 2. Employment certificates, showing that children are fourteen and can read and write English intelligently, shall be issued by superintendents or supervising principals of public schools (where there are such officials) and in smaller places by principals of schools or secretaries of the school boards, or by persons deputizing in writing by any of these officials to do this work."
>
> "Section 4. No children between fourteen and sixteen may be employed in the *above-named* establishments without these certificates." "Above-named" refers to factories, mercantile establishments, etc., named in section one of the law.

Compulsory attendance is being enforced with increasing strictness. The New York State Commission of Immigration found in its investigations in 1909 that alien children were often employed illegally in factories, mercantile establishments, and in so-called home work, because no record of newly arrived immigrant children of school age was furnished to the school authorities, and there was, therefore, no way of knowing that such children had come into the community.

As a result of an experiment made by the North American Civic League for Immigrants for one year in supplying such records for children entering the Ellis Island port and destined for cities in New York State, a recommendation was made in 1911 to the Department of Commerce and Labor that the department furnish records of immigrant children of school age, arriving at Ellis Island, and destined for New York State, New Jersey, Massachusetts and Illinois for distribution to the educational authorities in these four States. Since March 1st of that year these records have been distributed to the educational authorities in New Jersey by the North American Civic League for Immigrants.

The records of the League show that during one year and seven months they have received and sent out the names and addresses of 4,316 immigrant children. Of this number the names of 1,229 are still in the hands of the school authorities, not yet having been reported on. Of the remaining 3,087, 1,698, or 55 per cent. have been placed in school: 482, or 15 per cent. were exempted for various reasons, such as under age, working papers granted, etc., and 907, or 30 per cent. were not located, due to incorrect addresses. This large percentage of wrong addresses is a considerable handicap upon the efficiency of the work.

At the first annual convention of the National Conference of Immigration Land and Labor Officials held in Chicago in November, 1912, resolutions were passed recommending that the Department of Commerce and Labor be urged to send to each State making the request, the names of alien children of school age upon arrival, and that existing penalties be enforced on steamship authorities for erroneous names and addresses of the same.

That this work is not only effective, but of great assistance to the school authorities, has been clearly demonstrated. The co-operation between them and the League has been most satisfactory. The attitude which the majority of superintendents and attendance officers take towards the system is well illustrated by the following expression of appreciation from one of them:

> "I would like at this time to express to you my appreciation of the splendid services the League is rendering in the aid of education. Of the total number of children reported by you, I think only two or three were found in school. You probably have the record of the number, but you may not have knowledge of the fact I am giving you. I doubt very much whether we would have been able to find these children without your help.
>
> "This town contains nearly forty miles of streets. When we received notice from you that several foreign children have come to town, in one way or another,

we locate them and get them into school. That they do not come of their own free will and accord is proved by the fact that the last family had been several months here, but the children were not in school.

"I sincerely trust that you will keep up this good work, and please remember that the school men will be glad to reciprocate if at any time we are able to be of service to you."

Effective as this work has been, the Commission found that there was a serious stumbling block in the way of enforcement of the compulsory school law. The law provided that, "The Board of Education of each school district *may* appoint one or two persons, designated as truant officers." As the compulsory school attendance law was not mandatory, in many districts no such officers were employed and the county superintendents had no power to enforce the attendance law. The compulsory attendance law was inefficient in the districts where no officer was employed whose special duty it was to enforce it.

At the last session of the Legislature the Commission recommended that the law be amended to read "shall appoint" instead of "may appoint," and this amendment was incorporated in a bill which passed the Legislature and is now part of the law of the State.

Special Classes.—In our large cities where a large number of newly arrived immigrant children enter during the school year, the task of providing for their education becomes very difficult. When non-English-speaking children from eight to fourteen years of age are placed in a lower grade with native children from seven to nine years of age, the progress of both the alien and native children is naturally retarded. In only seven localities throughout the State do the school authorities attempt to meet these conditions by having special classes for the non-English-speaking children; in four other localities, although special classes are not organized, extra attention is given to the education of the immigrant child, in an endeavor to prepare him for the normal grades.

In some cases a child up to ten years of age is placed in a

number of different grades, giving him work in reading principally and allowing him to listen to work in arithmetic in a class which corresponds to the one in which he belonged in his home country. In still other cases children are placed in primary grades until they begin to master the English language; then, as rapidly as possible, they are sent forward into higher grades. The superintendents in these last four localities just referred to think that special classes will have to be established before the education of the immigrant child can be accomplished in a really adequate manner. One school, in one of our cities having a very large percentage of foreigners, had fifty children enter within a space of three months who should have started in a special class.

Chapter 234, Section 41, Laws of 1911, provides that:

> "In each school district in this State in which there are ten or more children three years or more below the normal, the Board of Education thereof shall establish a special class or classes for their instruction."

This section was enacted primarily for backward native children. As far as can be ascertained no board of education has taken advantage of it in the establishment of classes for foreign children below the normal. In cities where the schools are obliged to provide for a large number of newly arrived immigrant children, and where the superintendents and teachers realize the need for special instruction for these children before they are placed within the normal grades, the school authorities should be required to provide special classes for them.

Industrial Training.—Educators are now realizing more than ever before the value of manual and industrial training. The fact that alien children form a larger percentage of the children of school age in the State, especially in our cities, and the fact that the workers in the industrial world are largely recruited from among them, emphasize the value of industrial training. In a few of our larger cities, schools of this character have already been established and they are conclusively proving their value and importance. This Commission believes that more attention should be paid to the subject of manual and industrial schools throughout the State.

The New Jersey Laws with regard to manual training provide that:

> "Whenever in any school district there shall have been raised by special tax or any subscription a sum not less than $250 for the establishment in such district of a school for industrial or manual training. * * * There shall be paid for such purpose an amount equal to that raised therein as aforesaid and which amount shall be paid by the State Treasurer. * * * The course of study to be approved by the Board of Education."

In addition to the Public Laws of 1906, Chapter 20, provides that:

> "Whenever any board of education or school committee shall certify to the Governor that a sum of money not less than $3,000 has been contributed by volunteer subscription of a school for industrial education, it shall be the duty of the said Governor to cause to be drawn by warrant to the Comptroller out of the moneys of the State Treasurer an amount equal to that contributed by the said locality. * * * There shall be contributed annually by the State for the maintenance of such schools a sum of money equal to that contributed by said locality each year."

Both of these laws offer excellent opportunities for the educational authorities to establish manual and industrial schools to assist in fitting foreign children for their work in the industrial world.

Religious and Philanthropic Schools.—The schools for alien children other than the public schools in the State are the parochial schools of the Catholic Church and philanthropic schools or classes supported by societies and settlements.

No statistics are available as to the number of foreign-born pupils taught in these schools. Attention is again called to the need for more co-operation between the authorities of parochial and public schools with regard to the children who leave the former school when fourteen years of age and go to work with-

out having received exemption papers from the public school authorities. In a number of cities the parochial schools do not attempt to enforce the compulsory school law, and the attendance officers of the public schools find children of school age working in factories and shops. It becomes difficult to enforce the law with reference to children who never attended a public school. This lack of co-operation tends to create another division of responsibility, this time between the local board of education and the parochial school authorities.

The Child Labor Law of Pennsylvania quoted above further provides that:

> "Principals of private or parochial schools may issue certificates to their pupils, but must send copies each month to the public school official in their district who issues certificates."

In this way the work of the attendance officer is greatly facilitated.

Education of the Alien Adult.—The chief educational opportunity for the adult foreigner is found in the public evening schools. The number of schools which are conducted, however, throughout the State for this purpose are in no way proportionate to the number of our foreign-born adults who desire and need educational opportunities. The Commission found that twenty-eight cities in the State were conducting one or more evening classes for foreigners. The total number of classes in 1911–1912 amounted to 190, while the average number of pupils for all of these classes amounted to 7,492, or an average of 39 pupils per class. The night school session ranged from 64 to 94 nights; the average session, however, being four nights a week for sixteen weeks.

The City of Newark has the largest evening school system in the State, with 70 classes of foreign-born adults and a total attendance of 3,500; Elizabeth is second with 15 classes and an attendance of 548; Jersey City is third with 14 classes and an attendance of 500. The foreign-born population of Newark in 1910 was 71,050, over 50 per cent. of whom were adult men, which makes an average of one pupil in a night

school to every ten foreign-born men. The foreign-born population of Jersey City was 58,151, and Elizabeth 23,800, showing that the educational opportunities offered are utilized by one out of every 50 foreign-born residents in Jersey City and by one out of every 20 foreign-born residents in Elizabeth. In the other localities where there are numbers of foreigners living, practically no facilities for learning are offered. Twenty-nine per cent. of the aliens admitted are illiterate.

The education of the adult is a new duty, which is often difficult to place upon a locality. The presence of the foreigner is often temporary and, in fact, the result of educating him may be to hasten his departure by supplying him with information about better places where he may settle. In many places the local taxpayer would be overwhelmed even if alien adults should demand to be taught only the English language. For this reason, the Legislature in 1907 passed a law with regard to the establishment of evening schools for foreign-born adults, which provides—

> "That the Board of Education of any school district may establish a public evening school for the instruction of foreign-born residents of said district over fourteen years of age in the English language and in the form of government and the laws of the State and of the United States."

Section 2 of this law provides:

> "That whenever any school district shall have raised a special appropriation or special tax or by subscription such sum as shall be sufficient for the maintenance in such district of an evening school there shall be paid an amount equal to that raised, by the State Treasurer."

This law was enacted in order to facilitate the establishment of such needed evening schools for our foreign-born adults. The law, however, also provides that—"Every teacher employed in such a school shall hold a special certificate," and until July, 1913, according to the ruling of the State Board of Education, the teacher in order to obtain a special certificate must take an examination in the language of the pupils to be taught.

This ruling made it very difficult to obtain properly qualified teachers and interfered very seriously with the operation of the law.

Very few communities took advantage of this law principally owing to this difficulty.

The following statement shows the amounts appropriated, the amounts expended and the localities receiving the same from 1907 until 1912:

Year.	*Appropriation.*	*Amount Expended.*	*Locality Receiving Same.*	
1907	$2,500 00	$700 00	Hoboken, ...	$700 00
1908	$10,000 00	$2,346 36	Hoboken, ...	$500 00
			Elizabeth, ...	1,846 36
				$2,346 36
1909	$10,000 00	$9,260 00	Hoboken, ...	$4,000 00
			Caldwell (borough), ...	200 00
			Elizabeth, ...	60 00
			Princeton (borough), ...	5,000 00
				$9,260 00
1910	$10,000 00	$50 00	Princeton (borough), ...	$50 00
1911	$10,000 00	$2,200 00	Caldwell (borough), ...	$200 00
			Hoboken, ...	2,000 00
				$2,200 00
1912	$5,000 00	$4,000 00	Hoboken, ...	$4,000 00

Out of a total of $18,556.36 Hoboken obtained $11,200, the remaining $7,356.36 being utilized by Elizabeth, Princeton and Caldwell.

It has been unfortunate that more advantage could not have been taken of this law. All the cities which have night schools, except the four above, had to make special appropriation to finance their classes, and many other cities felt it impossible to establish evening schools for this very reason. Perth Amboy, a notable example, has a total population of 32,121—26,850 of whom are either foreign-born or of foreign-born parentage. The city has been growing very rapidly and the Board of Aldermen have had difficulty in raising sufficient funds to meet the

current expenses of street paving, sewer building, and the construction of public buildings. Where fifteen years ago there were only 1,100 school children, there were in 1911 6,000, and it has been necessary to build a new school every year and a half.

In 1912, Section 116, Article 9, of the Laws of 1903 was amended to read:

> "Public schools shall be free to all persons over five and under twenty years of age and to such persons over the age of twenty years as the board of education of any school district may deem it wise to offer instruction, who shall be residents of the school district."

This amendment makes it possible for communities to finance their evening schools in the same manner as their day schools, but it does not to any great extent meet the needs. Accordingly, the ruling which interfered with the operation of the law establishing evening schools for foreign-born adults was brought to the attention of the new State Board of Education in 1912, and in July of that year the State Board of Education approved the following recommendations by the State Board of Examiners:

> "The following are valid certificates to teach in evening schools for foreigners: Any regular teacher's certificate. A limited special certificate may be granted to any person not less than eighteen years of age who shall pass a successful examination in English and elementary civics relating particularly to common municipal and State regulations as to franchise, police, etc. This limited certificate shall be good for three years, at the end of which time it may be made permanent upon the holder's passing a successful examination in the History of the United States."

Hereafter any district which desires to establish an evening school for foreign-born adults and appropriates any sum of money under $5,000 is entitled to an equal amount from the State, and any regular day school teacher may be employed or any special teacher who has passed an examination in English and civics.

The establishment of evening schools for foreign or native-born should be compulsory in any locality where twenty or more persons apply for an education. In addition the term might be reduced to three instead of four evenings per week, as the work is very difficult, and when it is necessary to call upon a day school teacher to do this work the strain of four nights in succession is too great.

In about half of the evening schools for foreigners now open a prescribed course is used, but in a great many other schools the teachers have to work out, as best they can, a course which will meet the needs of the pupils. There are a number of text-books in use, but in most instances the conversational method is found to be most efficient. The lack of room and of sufficient appropriation makes it necessary to have classes so large that the men do not receive sufficient individual attention—a thing which is of greatest importance since they are illiterate. In addition to reducing the size of the classes, greater attention should be paid to the separation of the illiterate into distinct classes, so that the one will not retard the progress of the other.

As far as can be ascertained, only a very few public evening schools offer regular courses in civics looking toward citizenship. In some classes text-books in history or civics are used, but generally whatever information the alien adult receives with regard to our federal and municipal government or the requirements necessary in order to become a citizen is obtained in a more or less haphazard and superficial manner incidental to his lessons in English. In addition to learning the English language, the alien should have instruction in matters which more or less affect his daily life. The sooner he becomes familiar with the customs and the institutions which bear an intimate relation to his needs, the sooner he will be placed in an independent position and become an asset rather than a liability to the community in which he is living.

It is of primary importance for him to understand the educational opportunities and the laws governing compulsory education and child labor; the opportunities for work in various

parts of the State; municipal ordinances and the functions of the minor courts. It is also of great importance that he know where he can best keep his money or how it can be transmitted safely. No better place than the schoolroom can be found to bring this information to the ignorant foreigner. Before being admitted to citizenship he should be fairly familiar with the fundamental facts concerning the State and National government. It is far better that he should become familiar with our government from responsible teachers than from irresponsible neighbors.

There is still a difference of opinion regarding the type of teacher best fitted to conduct classes for foreign-born adults. A number of school authorities prefer teachers who cannot speak the language of the pupils. They assert that the pupils who hear nothing but the English language spoken become accustomed to it more rapidly. Other authorities, however, believe that the teachers should have some knowledge of the language of the pupils in order to make clear from the first moment, the word, the phrase or the idea which is presented to the pupils.

Private Agencies.—Some attention is being given by the Young Men's Christian Association to the teaching of English to foreign-born adults. The Commission found that this organization has in seven cities in the State a total of twelve classes with a total average attendance of 138 men. As far as can be ascertained very few classes are being conducted by settlements or churches.

The Commission has found conditions and facilities affecting the education of the alien in New Jersey very satisfactory on the whole. There are one or two recommendations, however, which they feel are of the utmost importance.

The present method of granting working papers works a hardship upon the school authorities as well as upon the immigrant child, and it is recommended that the granting of such papers be placed entirely in the hands of the local Boards of Education, but that all papers should be sent to and approved by the State Department of Labor before they are issued.

The Commission believes that greater attention should be

paid by school authorities to the establishment of special classes for immigrant children, to manual training and industrial schools and to more adequate courses in civics and citizenship.

The present law with regard to the establishment of evening schools for foreign-born adults has been found to be adequate wherever localities are willing to take advantage of it. Unfortunately, however, there are many local boards who do not appreciate the alien's need for a knowledge of the English language. The Commission recommends that in every town having a population of 2,500 and over, where twenty or more foreign-born adults request instruction in English, it should be made mandatory upon the local boards to comply with this request.

NATURALIZATION.

The Naturalization Laws and Regulations published October 1st, 1912, by the Federal government provide, under section 3 —"That exclusive jurisdiction to naturalize aliens as citizens of the United States is hereby conferred upon the following specified courts:

"The United States Circuit and District Courts now existing, or which may hereafter be established by Congress in any State. United States District Courts for the Territories of Hawaii and Alaska. The Supreme Court of the District of Columbia and the United States Courts for the Indian Territory. Also all courts of record in any State or Territory now existing, or which may hereafter be created, having a seal, a clerk, and jurisdiction in actions at law or equity, or law and equity, in which the amount in controversy is unlimited; that the naturalization jurisdiction of all courts herein specified, State, Territorial and Federal, shall extend only to aliens resident within the respective judicial districts of such courts." * * *

There are in the State of New Jersey twenty-two naturalization courts—the Federal court at Trenton and twenty-one county courts.

There has been no naturalization in the Federal court, how-

ever, since 1908, all of the work having been done in the county courts.

Because of the large number of applications for naturalization, a Naturalization Bureau apart from the county clerk's office is maintained in Jersey City, Newark, Paterson and New Brunswick. In all of he other courts naturalization is a part of the regular work of the county clerk's office.

The following table indicates the naturalization work in the New Jersey courts during 1911:

County.	County Seat.	*Declarations.*	*Petitions.*	*Certificates.*	*Number of Sittings of Court Each Year.*
Atlantic, ...	Mays Landing, ..	122	75	46	3
Bergen, ...	Hackensack, ...	329	198	88	4
Burlington, ...	Mt. Holly, ...	58	21	11	3
Camden, ...	Camden, ...	168	94	81	3
Cape May, ...	Cape May, ...	28	22	11	2
Cumberland, ...	Bridgeton, ...	45	19	18	3
Essex, ...	Newark, ...	1,666	1,086	685	24
Gloucester, ...	Woodbury, ...	21	14	9	3
Hudson, ...	Jersey City, ...	2,751	1,181	912	24
Hunterdon, ...	Flemington, ...	24	7	*8	4
Mercer, ...	Trenton, ...	1,411	486	322	2
Middlesex, ...	New Brunswick, .	563	269	229	4
Monmouth, ...	Freehold, ...	93	62	65	...
Morris, ...	Morristown, ...	137	160	63	3
Ocean, ...	Toms River, ...	16	8	3	4
Passaic, ...	Paterson, ...	1,088	500	496	12
Salem, ...	Salem, ...	15	19	8	3
Somerset, ...	Somerville, ...	48	34	13	3
Sussex, ...	Newton, ...	21	12	11	4
Union, ...	Elizabeth, ...	398	259	88	4
Warren, ...	Belvidere, ...	24	14	11	3
		9,026	4,540	3,178	

* One held over from previous year.

The total number of declarations of intention filed in New Jersey during the year 1911 amounted to 9,026.

The total number of certificates of citizenship granted during 1911 was 3,178, or about one-third of the number of declarations filed during the same period. This is about the average ratio of certificates granted to the number of declarations filed.

There are several reasons why two-thirds of those declaring their intention to become citizens never receive their final papers. The first and perhaps the most important of these reasons is the lack of co-ordination between the educational systems and the naturalization processes. Fully one-half of those declaring their intention to become citizens never make the petition for final papers. The reason given generally for this is inability to pass the examination. Of the 4,640 petitions in New Jersey for final papers in 1911, only 3,178 secured certificates of citizenship; about 1,500 failed to secure certificates, the reason in the majority of these cases being inability to meet the requirements.

Instructions in Civics.—With a few notable exceptions, no definite attempt has been made in the public evening schools of this State to give the educational qualifications required by the naturalization courts. The Federal Bureau of Naturalization publishes no instruction in regard to securing second papers, and from the time the immigrant arrives in this country until he makes his petition for final citizenship papers, neither the State, the county or the city takes any interest in his preparation for citizenship.

In some courts throughout the country the clerks have prepared pamphlets of instructions which are sold to the immigrants for from ten cents to twenty-five cents each when the declaration of intention is filed.

Private groups have printed for free distribution pamphlets covering questions of law, government and matters with which the candidate should be conversant, but no comprehensive effort has been made to co-ordinate educational work and naturalization requirements.

With the great changes in immigration to the United States during the past two decades, the large majority of immigrants

now coming from southern European countries and a large proportion belonging to the illiterate class, the importance of this co-ordination of educational systems and naturalization process cannot be over-emphasized.

Another reason why so small a proportion of those declaring their intention to become citizens secure final papers, is the time and expense involved.

The law provides that—

> "The petition shall also be verified by the affidavit of at least two credible witnesses, who are citizens of the United States, and who shall state in their affidavits that they have personally known the applicant to be a resident of the United States for a period of at least five years continuously, and of the State, Territory and district in which the application is made, for a period of at least one year immediately preceding the date of the filing of his petition, and that they each have personal knowledge that the petitioner is a person of good moral character, and that he is in every way qualified, in their opinion, to be admitted as a citizen of the United States."

In New Jersey the applicant after having filed the petition must then appear before the chief examiner for the State for a preliminary hearing.

The law further provides under Section 9 that—

> "Every final hearing upon such petition shall be had in open court before a judge or judges thereof and every final order which may be made upon each petition shall be under the hand of the court and entered in full upon a record kept for that purpose, and upon such final hearing of such petition the applicant and witnesses shall be examined under oath before the court and in the presence of the court."

As there are no night court sessions for naturalization in New Jersey, the applicant and his witnesses must lose from their work all that time necessary to appear before the court. This involves a loss of wage on the part of both applicants and witnesses, beside

whatever amount the applicant must pay his witnesses for their services. In cases where there are a number of applicants, it is necessary for some of them to appear three or four days before their cases can be heard. This is not only expensive, but also discouraging to applicants who have to appear three or four times and who frequently do not return after the third day.

Last year a bill was introduced into Congress providing for a Commission of Naturalization which "shall inquire into conditions of admitted aliens within the States with respect to facilities, methods and opportunities for naturalization in the various State and Federal courts, and the relation of such court procedure to the Federal Bureau of Naturalization; shall inquire into the educational preparation and opportunities afforded in each State for such admitted aliens to comply with the provisions of the naturalization law." This Commission feels that such an inquiry would undoubtedly lead to a standardizing of naturalization procedure and the more intelligent co-ordination of educational facilities and naturalization requirements.

It is the belief of this Commission that courses in citizenship, designed to give the alien the instructions necessary for citizenship and conducted according to the requirements of the Bureau of Naturalization, should be introduced in public night schools throughout the State where such provision has not already been made, and that Congress should be urged to pass a bill similar to the one introduced in 1913 providing for a Commission of Naturalization.

CONCLUSIONS.

This Commission has become convinced through its investigations that there are certain matters affecting aliens which no existing agencies are qualified to handle. Special disabilities already mentioned, arising through ignorance of the English language or legal and social customs, make the immigrant peculiarly subject to exploitation, with which the courts and the regular machinery of justice cannot adequately deal, since through his ignorance he finds extreme difficulty in properly pre-

senting his case. The Commission feels that a sense of security under the law is essential if the alien is to be a law-abiding citizen, and while not specifically empowered to do so, it has entertained numerous complaints from exploited aliens, and in cooperation with the North American Civic League for Immigrants has done much to secure justice for these individuals. These complaints embrace questions of industrial accidents, wage claims, embezzlement, swindles, non-transmission of money by private bankers, exploitation by notaries public, real estate agencies, loan societies, hotel porters and private individuals. During the weeks immediately preceding the presentation of this report, the Commission has deemed it unwise to receive any new complaints, but there are still a number of cases pending for which it has been impossible to obtain a settlement. The North American Civic League for Immigrants no longer maintains an office in New Jersey, and as this Commission is a temporary one, there will be agency in the State after February 1st to carry on this work of protection. A study of other States, where the interests of the immigrants are safeguarded and his assimilation is facilitated, shows that ther are three different methods employed by governing agencies.

The first method involves the creation of a separate bureau or a commission of immigration. In New York the Bureau of Industries and Immigration has been provided under the Department of Labor; in California there is a separate commission answerable directly to the Governor. The object of both these departments is the education, protection, distribution and assimilation of the immigrant to the end that the interests of both the State and the aliens may be conserved.

The second method is in operation in Pennsylvania where the Department of Labor has been authorized to appoint inspectors with the powers "to make inquiry and investigate into the condition, welfare and industrial opportunities of all aliens arriving and being with the State."

The third method involves the appointment of municipal agents as in Kansas City, where an agent is provided under the Board of Public Welfare, whose duty it is to look after the welfare

and the protection of the immigrants in that city, and in Cleveland, where section 101 of the city charter, adopted July 1st, 1913, provided for the creation of the commissioner of employment who "shall have charge of the division of employment of the free employment office, established to assist persons securing employment. He shall extend such information and assistants to immigrants and strangers and perform such duties in the collection of labor statistics and information relative to labor conditions in any city as may be required by ordinance." A city immigration officer has been appointed subject to this commissioner of employment.

It is the opinion of this Commission that a State bureau is the most effective means of correcting the abuses to which the alien is subject, and of promoting his well-being and that of the community in which he finds residence. Problems of transportation, of employment and protection in which immigrants are concerned are apt to involve persons in other communities than those in which aliens reside. A State bureau whose agents have power in all sections of the State is a much more effective instrument for dealing with these problems than a local agency could possibly be.

In urging the creation of a State bureau of immigration, this Commission is impressed with the fact that such a bureau could do more than interest itself in specific instances of abuse. It could greatly further the welfare of the immigrant and give protection from exploitation by stimulating the establishment or the extension of educational agencies designed to give a knowledge of the English language and which would lessen his helplessness and dependence upon the private banker, foreign notary public and other possible exploiters.

The relief of congestion in industrial centers and the stimulation of immigrant distribution throughout the agricultural districts of the State is not only desired by the community at large, but the immigrant himself is often anxious to locate upon a farm. The frauds practised on ignorant immigrant purchasers by unprincipled real estate dealers have given rise in centers of foreign-born population to a widespread distrust in

American land investiment. Each year over $10,000,000 is being transmitted abroad for deposit or investment from the State of New Jersey alone. With legitimate sources of information where the immigrant could obtain reliable data relative to opportunities for land investment, much of this money could be turned back into this State. Information which has been gathered in soil and agricultural surveys already conducted in this State should be placed at the disposal of immigrant investors. An immigration bureau could provide for the translation of this data into foreign languages and bring it to the attention of those who have accumulated savings and would invest their money in the State if they could duly be given comprehensive and reliable information for their guidance.

The report of the Commission of Economy and Efficiency is soon to be rendered, and with the possible reorganization of the various State Departments and with the cutting down of expenditures the Commission does not deem it wise to urge the creation at the present time of a bureau designed especially for immigrants. Instead it suggests the provision of special inspectors under the Department of Labor, similar to those in Pennsylvania, who shall concern themselves with that which pertains to the welfare of aliens within this State, especially with regard to transportation facilities, maintaining a supervision of dock and terminal conditions, and making from time to time such constructive recommendations as may be necessary on behalf of aliens. Such inspectors could do most effective work until this State adequately provides for its alien wards by the creation of a special bureau, as described above.*

This Commission is aware of the decided feeling in New Jersey against any attempt on the part of the State to assume what are deemed to be functions of local governing bodies. The appointment of city immigration agents would be in accord with this sentiment in favor of home rule, and while the Commission does not feel that they would be as effective as either a State Bureau or special inspectors with State-wide powers, they would be able to correct many of the evils cited in this report.

* Appendix IX.

In case State immigration officers cannot be appointed, city immigration agents should be provided in cities having large immigrant populations, such as Newark, Jersey City, Trenton, Paterson, Passaic, Perth Amboy and Hoboken.

SUMMARY OF RECOMMENDATIONS.

TRANSPORTATION.

That any porter who induces immigrants under false pretenses to remain over at a hotel, instead of going directly to their train, be made to give up his dock pass.

That hotels be compelled to post in conspicuous places all charges, including rates of vehicles, guides and the transfer of baggage, printed in large type and in languages which patrons of such hotels can understand.

That investigation of the record of every applicant for a porter's or hackman's license be made by the city license inspector, and licenses granted only to responsible individuals.

That rates of charges by public porters and hackmen be regulated.

That license inspectors rigidly enforce the law in regard to unlicensed porters.

That a transportation company be established to handle outgoing alien passengers and their baggage.

AGRICULTURAL.

That the State Board of Health require fruit and berry growers to supply living quarters for their transient laborers and adequate sanitary facilities, and to adopt and enforce adequate rules for sanitation.

That the Department of Labor enforce the present mercantile law upon cranberry bogs, and prohibit children under fourteen years of age from working thereon.

That provision be made for the voluntary registration of land

suitable for agricultural settlement in this State, with a description of the land accurately setting forth its location, quality, fitness for cultivation, prices and terms upon which it may be obtained, and that the lists of lands so registered be published, the same to be revised periodically and furnished to all inquiries.

LABOR.

That private employment agencies be regulated under the Department of Labor, and that the license fees be utilized for the enforcement of the law by that department.

That a system of State free employment bureaus be established under the Department of Labor.

That the Sunday closing statutes be enforced against shoeshining parlors.

That a State arbitration board be appointed.

SAVINGS.

That investments of private bankers be restricted similarly to those of savings banks.

That private bankers and money transmitters be required to pay an annual fixed fee for examination, and that the Department of Banking and Insurance be provided with an appropriation large enough to cover all contingencies.

Taht the reports of all private bankers be required to give the names of depositors who have neither made a deposit nor withdrawn from their accounts for a period of ten years or more.

That the Department of Banking and Insurance be authorized to take charge of the affairs of a private banker immediately after his death.

That the Department of Banking and Insurance be authorized to take charge of the affairs of any money transmitter or private banker when it shall be ascertained that such money transmitter or private banker has violated the law.

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That the Department of Banking and Insurance be given an appropriation sufficient to enforce the banking laws now in operation, and to carry out the foregoing recommendations.

That the Department of Banking and Insurance be given discretionary powers with regard to the licensing of fraternal beneficiary societies.

That it be made illegal for fraternal beneficiary societies to make transfers from the general fund to the expense funds.

That the Department of Banking and Insurance be given the power to draw upon its contingent fund in the examination of the affairs of any fraternal beneficiary society.

NOTARIES PUBLIC.

That any person who shall certify falsely in writing on any deed or other instrument acknowledged before him shall be guilty of a misdemeanor.

That any person not authorized by the laws of this State, who shall take an acknowledgment or proof to any deed or instrument in writing, shall be guilty of a misdemeanor.

JUSTICES OF THE PEACE.

That any justice of the peace who shall collect a fee for services to a complainant, in any manner other than approved by law, shall be guilty of a misdemeanor.

EDUCATION AND NATURALIZATION.

That the granting of working papers be placed in the hands of the local boards of education.

That greater attention be paid by school authorities to the establishment of special classes for immigrant children; to manual training and industrial schools and to more adequate courses in civics and citizenship.

That the New Jersey Board of Education co-operate with the Philadelphia Board of Education in an effort to secure special classes for immigrant children whose schooling is interrupted by work in the berry and fruit regions in New Jersey.*

That the New Jersey State Board of Education determine the advisability of passing a law similar to the one in operation in Massachusetts, which makes school attendance for illiterate minors compulsory.†

That whenever twenty or more adults shall petition a board of education for classes giving instruction in English, it shall be mandatory for such board of education to furnish the instruction desired.

That adequate courses in citizenship be introduced into the public night schools throughout the State where such provisions have not already been made.

That a Federal Naturalization Commission be appointed.

WM. FELLOWES MORGAN,
Chairman.

ROBERT A. FRANKS,
Secretary.

R. L. FLEMING.

Dated, February 25th, 1914.
Hoboken, New Jersey.

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* Page 39.
† Page 56.

APPENDICES.

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APPENDIX I.

TOTAL NUMBER OF EMPLOYEES IN 500 ESTABLISHMENTS REPORTING, CLASSIFIED BY NATIVITY AND BY SELECTED GROUPS OF INDUSTRIES.

Industry.	Number of Establishments.	Total Number of Employees.		Foreign-born Employees.	
		Number.	Per Cent. to Total for All Industries.	Number.	Per Cent. to Total in Each Industry.
Grand Total for All Industries,..	500	157,321	100.0	75,691	49.4
Total In 13 Leading Industries, ..	374	133,033	84.6	65,800	49.5
Electricity, Machinery, Iron, Steel, and other Metal Works, ...	124	51,615	32.8	21,317	41.3
Silk, Woolen, Worsted, Cotton,, etc., Textile Mfg., ...	71	29,326	18.6	17,558	59.9
Oil Industry, ...	5	7,749	4.9	4,881	62.6
Brick, Tile, Sand, Clay, etc., Mfg.,..	33	7,672	4.9	6,086	79.0
Rubber Goods Mfg., ...	21	6,367	4.1	2,722	42.5
Chemical, Medical and Pharmaceutical Goods, ...	26	5,730	3.6	3,324	58.3
Clothing—Dresses, Underwear and other tailoring Mfg., ...	20	4,620	2.9	1,417	30.8
Leather, Shoes, Trunks and other leather goods Mfg., ...	22	4,217	2.7	1,525	36.3
Wood Works, including Musical Instruments, ...	24	4,021	2.6	1,486	30.7
Glasses, Bottles, Porcelain, Terra Cotta, etc., Mfg., ...	16	3,162	2.0	995	31.1
Pyroxylin, Powder and other Explosives, ...	4	3,130	2.0	791	25.5
Cigar Mfg., ...	5	2,951	1.9	1,736	57.9
Sugar Mfg., ...	3	2,473	1.6	1,962	75.5
All other industries, ...	126	24,288	15.4	9,891	40.7

APPENDIX II.

TOTAL NUMBER OF EMPLOYEES CLASSIFIED BY SEX AND NATIVITY.

Sex.	Number of Employees.			Percentages of Aggregate.	
	Aggregate.	Native-born.	Foreign-born.	Native-born.	Foreign-born.
Total (both sexes—adults and children),	157,321	81,630	75,629	50.6	49.4
Male Adults,	116,247	55,513	60,734	47.7	52.3
Female Adults,	37,497	23,483	14,014	62.6	37.4
Children under 16 years of age,	3,577	2,634	943	73.8	26.2

APPENDIX III.

TOTAL NUMBER OF FOREIGN-BORN EMPLOYEES, CLASSIFIED BY COUNTRIES OF BIRTH OR BY NATIONALITY.

Country of Birth (or Nationality).	Number of Employees of Each Nationality.	Per Cent. Total of Foreign-born Employees.
Total Number of Foreign-born Employees, ...	75,691	100.00
Western Europe (Total), ...	14,738	19.5
Great Britain (England, Wales, Scotland and Ireland, ...	7,686	10.2
Germany, ...	6,404	8.4
Scandinavia (Sweden and Norway), ...	644	0.9
Eastern Europe (Total), ...	47,854	63.2
Austro-Hungary, ...	15,034	19.9
Italy, ...	13,513	17.8
Poles (Russian, German and Austrian), ...	10,779	14.2
Russia(*), ...	7,127	9.4
Southeastern Europe(**), ...	1,401	1.9
Miscellaneous(***), ...	13,103	17.3

(*) Including all nationalities born in Russia, except Poles.
(**) Including all Balkan countries except Poland.
(***) Including all countries except those indicated in the above table.

APPENDIX IV.

CHAPTER 368, LAWS OF 1895.

STATE OF NEW JERSEY.

AN ACT in relation to individual or private bankers, and subjecting them to the supervision and control of the department of banking and insurance.

Individuals not to engage in business of banking except in accordance with this act.

1. BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey,* That no individual, association of individuals, partnership or joint stock association, shall engage in the business of banking, except under and in accordance with the provisions of this act, and that any such individual, association of individuals, partnership or joint stock association, and the individual members thereof, who shall violate the provisions of this act and carry on the business of banking without authority, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding five thousand dollars, or by imprisonment at hard labor for a term not exceeding seven years, or both.

Penalty.

Subject to same control and supervision as incorporated banks.

2. That every individual, association of individuals, partnership or joint stock association now engaged in carrying on the business of banking within this State, and every such individual, association or individuals, partnership or joint stock association, which shall hereafter engage in the business of banking within this State, shall be subject to the same control, supervision, inspection and examination to which incorporated banks are by law now subject; *provided, however,* that nothing contained in this act shall authorize any such individual,

Proviso.

association of individuals, partnership or joint stock association to issue his or their notes, bills, currency or other circulating medium of exchange.

Reports to the Department of Banking and Insurance.

3. That every such individual, association of individuals, partnership or joint stock association now engaged in the business of banking, or who hereafter may become engaged in the business of banking, shall make to the department of banking and insurance the same reports as near as may be as are now or shall hereafter be required by law of incorporated banks, and that such reports shall be vertified by the affidavit of such individual, and in all cases in which more than one individual shall be engaged in such business by at least two of the individuals who are concerned in the conduct of the said business, and that such reports shall be published at the same time and in the same manner as is required in the case of reports of incorporated banks.

Number of individuals who must reside in State.

4. That no individual, association of individuals, partnership or joint stock association, shall engage in the business of banking within this State unless one or more of the persons so engaged shall be residents in and inhabitants of this State, and that for every violation of the provisions of this section, the person or persons so offending shall be deemed guilty of a misdemeanor and upon conviction thereof shall be liable to a fine of not more than one thousand dollars, and that in all reports that shall be made by such individual, association of individuals, partnership or joint stock association, the full names and places of residence of each of the persons so interested shall be fully set out.

Penalty.

Proceedings in case of insolvency, etc. As amended by Chapter 130, Laws of 1906.

5. That in case it shall appear by any report made by any such individual, association of individuals, partnership or joint stock association, or upon any examination made of the affairs thereof by the Commissioner of Banking and Insurance, or by anyone under his direction, that the said individual, association of individuals, partnership or joint stock association is insolvent, or unable to pay his or their obligations as they severally

mature, or is unable to pay his or their depositors the moneys held by him or them on deposit whenever called upon so to do, or shall suspend his or their ordinary business for want of funds to carry on the same, or shall not be possessed of unencumbered assets of at least twenty thousand dollars in excess of his or their liabilities, the said Commissioner of Banking and Insurance, or any creditor of the said individual, association of individuals, partnership or joint stock association may apply by petition or bill of complaint to the Chancellor, setting forth the facts and circumstances of the case, for a writ of injunction, and if insolvent, the appointment of a receiver or receivers of the property and assets of such individual, association of individuals, partnership of joint stock association, and the Chancellor, upon being satisfied of the sufficiency of the said application and of the truth of the allegations contained in the said petition or bill of complaint, by affidavit or otherwise, and upon giving, when so ordered, such reasonable notice to be served or published as he may direct, the Chancellor may proceed in a summary way to hear the affidavits and proofs and allegations which may be offered by or on behalf of the parties, and if upon such inquiry into the matters or causes of complaint it shall be made to appear to the Chancellor that the said individual, association or individuals, partnership or joint stock association has become insolvent, and shall not be about to resume his or their said business in a short time thereafter with safety to the public and advantage to the creditors, or shall not be possessed of unencumbered assets of at least twenty thousand dollars in excess of his or their liabilities, it shall and may be lawful for the Chancellor to issue an injunction to restrain such individual, association of individuals, partnership or joint stock association from further carrying on his or their said business of banking, and if insolvent, from collecting or receiving any debts, or from paying out, selling, assigning or transferring any of the assets,

moneys, funds, lands, tenements or effects belonging to him or them, until the court shall otherwise order.

Court may appoint receiver, etc. As amended by Chapter 130, Laws of 1906.

6. That it shall be lawful for the Court of Chancery, if the circumstances of the case and the ends of justice require it, at the time of ordering the said injunction, or at any other time afterwards during the continuance of the said injunction, to appoint a receiver or receivers of the property and assets of the said individual, association of individuals, partnership or joint stock association, if insolvent, which receiver shall have all powers now conferred by law upon receivers of insolvent banking corporations, and with full power and authority to demand, sue for, receive and take into his or their possession all the property and assets of the said individual, association of individuals, partnership or joint stock association, whether the same was embarked in the said business of banking or not; and such further proceedings shall be had under said petition or bill of complaint as might be had in case the said proceeding was against an insolvent banking corporation; when any such individual, association of individuals, partnership or joint stock association, shall have been enjoined by the court from doing further banking business because of a deficiency in the amount of his or their unencumbered assets, as authorized by the last preceding section, the court may by order dissolve the injunction when satisfied, by due proof, that such deficiency has been restored.

Court empowered to settle claims and distribute assets.

7. That in such cases the Court of Chancery shall be and hereby is invested with full power and authority to settle and adjust all claims of every nature made or to be made against the estate in the hands of the said receiver or receivers and to make distribution of the assets among the creditors of the said individual, association of individuals, partnership or joint stock association, and that in making such distribution preferred creditors shall be paid in the same manner as if the proceedings were against an insolvent banking corporation, and that

all the laws now or hereafter in force in relation to insolvent banking corporations shall apply to the said proceedings in all cases where the same can be made to apply.

Individuals not to do business unless authorized by commissioner. As amended by Chapter 130, Laws of 1906.

8. That no individual, association of individuals, partnership or joint stock association shall engage in the business in this State unless authorized thereunto by the Commissioner of Banking and Insurance by his certificate to that effect, and such certificate shall not be made or issued by the said Commissioner until after the said individual, association of individuals, partnership or joint stock association, shall have made to him the report or reports required by this act, and not until after the said Commissioner of Banking and Insurance, or some person appointed by him, shall have made an examination of the affairs and financial condition of such individual, association of individuals, partnership or joint stock association, from which it shall appear to said commissioner that he or they are then solvent and able to pay his or their debts at maturity, and are possessed of unencumbered assets of at least twenty thousand dollars in excess of his or their liabilities; *provided,* the Commissioner of Banking and Insurance may refuse to issue such certificate of authorization if in his judgment the interests of the public would be best subserved by such refusal; no individual, association of individuals, partnership or joint stock association, not authorized under this act to do a banking business, shall make use of any office sign at the place where his or their business is transacted, having thereon any artificial or corporate name or other word or words indicating that such place or office is the place or office of a bank, nor in any manner advertise that he or they are engaged in a banking business, nor make use of or circulate any letter heads, bill heads, blank notes, blank receipts, certificates, circulars or any written or printed or partly written and partly printed paper whatever, having there-

Proviso.

Use of banking signs, advertisements, etc., by unauthorized persons prohibited.

on any artificial or corporate name or any other word or words indicating that his or their buisenss is that of a bank.

9. That this act shall take effect immediately.

Approved March 28, 1895.

APPENDIX V.

CHAPTER 106, LAWS OF 1907.

STATE OF NEW JERSEY.

AN ACT relating to persons or corporations engaged in the business of transmitting money to foreign countries, or of buying or selling foreign money, or of receiving money on deposit to be transmitted to foreign countries.

1. Hereafter no person other than an individual or private banker authorized by the Commissioner of Banking and Insurance to transact business in this State, nor any corporation other than a bank, a trust company, or an express company or telegraph company receiving moneys for transmission through its regularly authordize agencies, shall engage in the business of transmitting money to foreign countries, or of receiving money on deposit to be transmitted to foreign countries, without a certificate of authority to transact said business granted by the Commissioner of Banking and Insurance of this State. Said certificate of authority shall be renewed annually, and the person or corporation receiving the same shall pay to said commissioner a fee of ten dollars; *provided,* nothing in this act shall be construed to authorize any person or corporation to whom such certificate is issued to receive money on deposit or any other terms than that said money shall be forwarded to a foreign country forthwith, or not later than five days from the receipt thereof; *provided further,* no person shall be licensed under this act who is not a citizen of the United States.

Amended, Chap. 276, Laws 1910.

Amended, Chap. 276, Laws 1910.

2. Every applicant for such certificate shall present to the Commissioner of Banking and Insurance an application and statement in writing, upon a blank furnished or approved by said commissioner, setting forth the location of the office or offices where said business is to be carried on and the country or countries to which it is proposed to transmit money, and a statement of the assets and liabilities of the applicant, which statement must show that the applicant is possessed of unencumbered assets of at least five thousand dollars in excess of his or its liabilities. Such application and statement shall be verified by the oath of the applicant.

Amended, Chap. 276, Laws 1910. Chap. 104, Laws 1913.

3. Every applicant shall make, execute and deliver a bond to the Commissioner of Banking and Insurance in such sum not less than twenty thousand dollars, as said commissioner shall prescribe, conditioned for the faithful holding and transmission of any money or equivalent thereof, which shall be delivered to the applicant for transmission to foreign countries. Said bond shall be executed by the applicant as principal, with at least two good and sufficient sureties, who shall be residents of this State and together possessed of property to the value of not less than twice the amount of the bond required over and above all debts and liabilities. The bond shall not be accepted unless approved by the Commissioner of Banking and Insurance and upon such approval it shall be filed in his office. The bond of a surety company may be received if said surety company shall have complied with the requirements of the laws of this State relating to the giving of bonds by surety companies. Before granting a certificate of authority, or any renewal thereof, or at any time after the granting of such certificate, the Commissioner of Banking and Insurance, or some person authorized by him, shall have authority to make an examination of the affairs and financial condition of such applicant or licensee, and if it shall appear by

such examination that the applicant or licensee is not possessed of the minimum amount of net unencumbered assets required by section two of this act, said commissioner may refuse to issue a certificate of authority or may revoke the same if already issued. The certificate of authority issued to any licensee may also be revoked if it shall appear to the satisfaction of said commissioner that the moneys deposited with said licensee for transmission to foreign countries are not forwarded within the time limited by the first section of this act. All of the expenses of examinations of applicants or licensees shall be borne by such applicants or licensees, and said commissioner may maintain an action for the recovery of such expenses in any court of competent jurisdiction.

Amended, Chap. 276, Laws 1910. Chap. 104, Laws 1913.

4. If the said applicant shall carry on the business mentioned in section one of this act at more than one place within this State, such applicant shall furnish an additional bond in such sum not less than five thousand dollars, as the Commissioner of Banking and Insurance shall prescribe, for each and every additional place of business he or it may conduct. Every such additional bond shall be subject to the same requirements as to condition, execution and sureties as provided in the third section of this act with respect to the bond therein mentioned.

Amended, Chap. 276, Laws 1910.

5. The Commissioner of Banking and Insurance shall keep a record of the certificates of authority issued by him and of such bonds filed with him, with the names and addresses of the sureties on said bonds, and such record shall be open to public inspection. Any person who suffers by the default of the principals named in said bonds in the transmission of money to foreign countries, may sue upon said bonds in any court of competent jurisdiction and recover thereon the amount that it shall be proven he has lost or suffered by such default; *provided*, that suit shall be begun with-

in one year after the date of such default. In an action against the licensee, to recover money deposited with such licensee for transmission, the burden of proving the transmission to and receipt of the money by the person to whom such money may have been transmitted for payment to the person to whom such money was to be paid, shall be upon the licensee to whom such money was delivered for transmission. Proof by a properly authenticated affidavit of such licensee or his or its duly authorized agent, showing the transmission of such money to the person to whom the same was to be transmitted, or to the correspondent of the licensee to whom such money may have been transmitted for payment to the person to whom such money was to be paid, together with a properly authenticated receipt signed by the consignee of such money, or in lieu of such receipt a properly authenticated affidavit of the agent of the licensee showing the fact of payment, shall be deemed sufficient evidence to shift the burden of proof to the plaintiff.

6. Any person or corporation who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and shall on conviction be punished by a fine of not less than fifty or more than one thousand dollars, or by imprisonment for not less than thirty days or more than one year, or by both such fine and imprisonment.

7. All acts and parts of acts inconsistent herewith are hereby repealed.

SUPPLEMENT.

CHAPTER 105, LAWS OF 1913.

1. Whenever the Commissioner of Banking and Insurance shall have reason to believe that any person or corporation not authorized to transact business under the act to which this is a supplement, except such persons

and corporations as are expressly exempted in the first section of said first-mentioned act, is engaged in the business of transmitting money to foreign countries or receiving money on deposit to be transmitted to foreign countries, said commissioner shall have authority, either personally or by his deputy or by such other person as he may appoint for the purpose, to examine such unauthorized person or corporation, and said commissioner, his deputy or other person appointed as aforesaid, shall have power to administer an oath or affirmation to any person whose testimony may be required or any such examination, and to compel the attendance of any such person for the purpose of such examination, by summons, subpœna or attachment, in the manner now authorized in respect to the attendance of persons as witnesses in the courts of record of this State; and all books and papers which it may be deemed necessary to examine by the said commissioner, his deputy or other person appointed as aforesaid, shall be produced, and their production may be compelled in like manner. If it shall appear by such examination that such unauthorized person or corporation is conducting such business, said commissioner shall communicate the facts to the prosecutor of the pleas of the county in which such unauthorized person or corporation is carrying on such business, who shall institute proceedings for the enforcement of the penalty provided for in the sixth section of the act to which this is a supplement.

2. The books and accounts of every such person or corporation now or hereafter authorized to transact business under the act to which this is a supplement shall be kept in such manner as the Commissioner of Banking and Insurance shall prescribe.

3. All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

APPENDIX VI.

STATEMENT OF REGULATIONS OF NOTARIES PUBLIC IN STATES OTHER THAN NEW JERSEY.

Eligibility.—Almost without exception citizenship and the age of twenty-one years or over is required. A few States make additional requirements. Georgia, Wyoming and Louisiana require good moral character; Indiana adds to this a qualification from the judge of the Circuit Court where the applicant resides and a petition of twenty-five legal voters; Illinois requires a petition of fifty legal voters; Arizona and Wyoming require ability to read and write English; California, resident of country for six months; Michigan and New Jersey the endorsement of legislator or judge.

Bond.—Thirty-eight States require a bond; nine fix the amount at five hundred dollars; thirteen at three thousand dollars; five at two thousand dollars; one at one thousand five hundred dollars; one at five thousand dollars; five vary the amount from two hundred and fifty dollars to ten thousand dollars, depending upon the population or city. Maximum ten thousand dollars in Philadelphia. Massachusetts, South Carolina and New Jersey do not require a bond.

Duties.—With a few exceptions, notably New Jersey, the duties are practically uniform, including administering oaths, taking affidavits, acknowledgments or proof of instruments.

Fees.—All States prescribe in detail the various fees which may be charged.

Records.—Twelve States require the notary to keep a record of all acts. Nine other States require only that a record shall be kept of certain acts. In other States there are no specific regulations.

Seal.—All States require a seal; thirty-two specifying what shall be contained on the face thereof; nineteen States alone

require that the seal shall authenticate all acts. A number of States make no provision whatever as to its use.

Supervision.—Texas provides for the inspection of records.

Penalties.—Five States provide penalties for charging a higher fee than that prescribed by law, and the remainder do not specify penalties. One State (Montana) punishes attempts at frauds and deceptions with imprisonment of from one to fourteen years. In Wyoming making a false certificate is a felony punishable by a fine of from twenty dollars to five hundred dollars. For the destruction, defacement or concealment of records six States impose fines varying from one dollar to one thousand dollars. In Oregon this fine may not be less than fifty dollars and in Maryland not less than two hundred dollars. In six States a notary who performs notarial acts after the expiration of his term or after he is removed, is guilty of a misdemeanor and is punishable by a fine, and in Ohio he is ineligible to reappointment. In Massachusetts a notary must be satisfied as to the identity of the parties who appear before him, and may be fined from ten dollars to fifty dollars upon the failure so to be. Iowa, Minnesota and North Dakota impose fines when a notary signs a document when the parties thereto have not appeared personally before him.

APPENDIX VII.

SUMMARY OF FOREIGN LEGISLATION SHOWING THE REQUIREMENTS, DUTIES AND STANDING OF NOTARIES ABROAD.

Italy.—Only a citizen who has attained the age of twenty-four years, or if there are no other applicants twenty-one years, may be appointed as a notary public. The applicant must furnish a certificate of morality, pass an examination at law, and practice for two years with a resident notary after such examination. He may then be required to pass a further examination of fitness by the notarial council or college. This examination is both verbal and written, and concerns matters of civil and commercial law. Notaries are appointed only to fill vacancies. The applicant is required to give security, to take the oath of office, and to write his own name in a register, together with the impress of his seal. The security required must represent an income of from 100 to 500 lire, depending upon the population of the district where he is located, and the fitness of this security is decided by a civil tribunal. The notary cannot refuse his services unless the act for which his service is requested is prohibited by law, or unless the parties before him are relatives in a direct line of collateral to the third degree, even if they appear before him as attorneys or administrators; or unless he or the person related to him in any of the above degrees is a party in interest to the act. The notary must know personally the parties who appear before him, or must ascertain their identity by two lawful witnesses known to him. In addition to acknowledging written instruments and drawing up legal documents he is also the custodian of all the acts drawn up by him, and regulations are prescribed for their safekeeping. His fees are regulated by a tariff, and if he charges a greater amount than that prescribed he is subject to a money fine and disciplinary measures.

Russia.—The notary must be a citizen of age, and the office is open only to those who pass an examination before a committee consisting of the president of the district court, the district notary and the district attorney. The notary must give security to the government and is placed under the supervision of the district courts, and performs his duties under direction of the court. They may perform their acts only in this district under the supervision of the court. They must attend to their duties not less than six hours per day, and may not be absent from town without a permit. They are required to keep a register of all their acts and are the custodian of documents.

Hungary.—Any adult citizen may become a notary who (*a*) is not a bankrupt; (*b*) has not been indicted or convicted of any crime, or convicted of default; (*c*) is of good moral character. The applicant must have passed an examination to practice as a lawyer or as a judge, and he must have had three years' experience with a notary, at least two years of which must have been after he passed the above-mentioned examinations, or have practiced for four years as a lawyer or judge or have been for four years a member of some legal board. While serving his apprenticeship with a notary he may perform certain acts, as duties of a guardian, but may not perform others, such as auctioning real estate. In each case he must be separately authorized and must show this authorization which is granted him by a board which has charge of the candidates for appointment to the position of notary. The notary who delegates his powers to such an apprentice is responsible for his acts to the extent of all his property. His powers include, among others, to draw up contracts, wills and testaments, to receive and hold in custody as trustee documents and valuables; to act as executor of wills and administrator of the estates of deceased persons, to carry out instructions of the board of guardians relative to the estates of orphans.

Germany.—The office is of great legal importance and of high standing, and is looked upon as the crowning conclusion of the practice of attorney-at-law. Appointment by the Emperor

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* Report of the Commission of Immigration of the State of New York.

is seldom conferred before an actual practice of twenty-five years. Only lawyers, duly admitted to practice, are eligible, and they are assigned to a certain district. The office may be designated as a part and parcel of certain courts.

Scandinavian Countries.—The notary as a general rule also holds the office of district judge, and is not authorized to administer oaths except in open court.

Greece.—Generally speaking, notaries are appointed by the King, and the number in each place is unlimited. They are not removable except for cause. They must give bonds on their appointment and are obliged to keep the originals of every act they make and furnish only certified copies.

Spain.—The notary is invariably a graduate at law and professional man of the highest standing.

APPENDIX VIII.

LEGISLATION PROPOSED BY THE NEW JERSEY COMMISSION OF IMMIGRATION.*

(*a*) Regulating Employment Agencies.

An Act to regulate the keeping of employment agencies.

Be it enacted *by the Senate and General Assembly of the State of New Jersey:*

1. Definition.

(*a*) The term "person," when used in this act, shall mean and include any individual, company, association or corporation, or their agents.

(*b*) The term "fee," when used in this act, shall mean and include any payment of money, or the promise to pay money, or the excess of money received by any person furnishing employment or employees, over what he has paid for transportation, transfer of baggage or lodging for any applicant for employment; it shall also mean and include the difference between the amount of money received by any person who furnishes employees and performers for any entertainment, exhibition or performance and the amount paid by him to said employees or performers.

(*c*) The term "privilege," as used in this act, shall mean and include the furnishing of food, supplies, tools or shelter to contract laborers, commonly known as commissary privileges.

(*d*) The term "employment agency," when used in this act, shall mean and include the business of procuring or offering to procure help or employment or the giving of information as to where help or employment may be procured, whether such business is conducted in a building or on the street or elsewhere; or

* Introduced in Legislature, 1914.

the business of keeping an intelligence office, employment bureau, or shipping agency, nurses' registry, or agency for procuring engagements for vaudeville or theatrical performers, or other agency or office for procuring work or employment for persons, where a fee or privilege is exacted, charged or received directly or indirectly for procuring or assisting or promising to procure employment, work, engagement or a situation of any kind, or for procuring or providing help or promising to provide help for any person, whether such fee is collected from the applicant for employment or the applicant for help.

2. Application.

The provisions of this act shall not apply to the employment agencies which procure employment for persons as teachers or in technical or executive positions exclusively in recognized educational institutions, or to registries conducted by duly incorporated associations of registered nurses or employment bureaus of registered medical institutions or incorporated hospitals; nor shall it apply to departments maintained by persons, firms, corporations or associations for the purpose of securing help for themselves where no fee is charged the applicant for employment, or to departments maintained by municipalities or charitable agencies where no fee is charged.

3. License.

(*a*) No person shall open, keep or carry on any employment agency as defined above unless such person shall procure a license therefor from the Department of Labor. Such license shall be posted in a conspicuous place in said agency. Any person who shall open or conduct such an employment agency without first procuring said license shall be guilty of a misdemeanor, and shall be punishable by a fine of not less than fifty dollars and not more than two hundred and fifty dollars, or by imprisonment for a period of not more than one year, or both, at the discretion of the court.

(*b*) An application for such license shall be made in writing to the Commissioner of Labor and shall state the name and address of the person applying for such license, the street and number of the building or place where the employment agency is

to be conducted. The application for such license shall be filed not less than one week prior to the granting of said license, and the Department of Labor shall act upon such application within thirty days from the time of such application.

(*c*) Every such applicant shall be required to furnish satisfactory proof in the form of affidavits by at least two reputable citizens of the State of good moral character, and any person may protest against the issuance or the transfer of any license. The names and addresses of all applicants for licenses or for transfers of licenses shall be posted daily in the office of the Department of Labor. The Commissioner of Labor shall investigate or cause to be investigated the character and responsibility of the applicant and shall examine or cause to be examined the premises designated in such application as the place in which it is proposed to conduct such agency.

(*d*) Such license shall contain the name of the person licensed, a designation of the city, street and number of the house in which the person licensed is authorized to carry on the said employment agency and the number and date of such license. Such license shall not be valid to protect any other than the person to whom it is issued, or any place other than that designated in the license, and it shall not be transferred or assigned to any other person unless consent is obtained from the Department of Labor, and no such agency shall be conducted in rooms used for living purposes or where boarders or lodgers are kept or where meals are served or where persons sleep, or in connection with a building or on premises where intoxicating liquors are sold to be consumed on the premises, excepting cafés and restaurants in office buildings. If said licensed person shall conduct a lodging house for the unemployed, separate and apart from such agency, it shall be so designated in the license. Unless sooner revoked by the Department of Labor, such license shall run to the first day of January next ensuing the date thereof, and no longer.

(*e*) 1. Every person licensed under the provisions of this act to carry on the business of an employment agency shall pay the Commissioner of Labor a license fee of twenty-five dollars be-

fore such license is issued. Before such license is issued, he shall also deposit with the Commissioner of Labor a bond in the penal sum of one thousand dollars with two or more sureties or a duly authorized surety company to be approved by the Commissioner of Labor.

2. The bond executed as provided in the preceding subdivision of this section shall be payable to the people of this State and shall be conditioned that the person applying for the license will comply with this article, and shall pay all damages occassioned to any person by reason of any misstatement, misrepresentation, fraud or deceit, or any unlawful act or omission of any licensed person, his agents or employees, while acting within the scope or their employment, made, committed or omitted in the business conducted under such license, or caused by any other violation of this article in carrying on the business for which such license is granted.

3. If at any time, in the opinion of the Commissioner of Labor, the sureties or any of them shall become irresponsible, the person holding such license shall, upon notice from the Commissioner of Labor, give a new bond, subject to the provision of this section. The failure to give a new bond within ten days after such notice, in the discretion of the Commissioner of Labor, shall operate as revocation of such license, and the license shall be thereupon returned to the Commissioner of Labor, who shall destroy the same.

4. Register.

(*a*) It shall be the duty of every such licensed person to keep a register, approved by the Department of Labor, in which shall be entered, in the English language, the date of the application for employment, the name and address of the applicant to whom employment is promised or offered, the amount of the fee received, and, whenever possible, the names addresses of former employers or persons to whom such applicant is known. Such licensed person shall also enter in a separate register, to be approved as aforesaid, in the English language, the name and address of every applicant accepted for help, the date of such application, kind of help requested, the names of the persons sent,

with the designation of the one employed, the date of employment, the amount of the fee received and the rate of wages agreed upon. The aforesaid registers of applicants for employment and for help shall be open during office hours to inspection by the officers of said Department of Labor. No such licensed person, his agent or employees, shall make any false entry in such registers.

(*b*) It shall be the duty of every licensed person, whenever possible, to communicate orally or in writing with at least one of the persons mentioned as references by every applicant for work in private families, or employment in a fiduciary capacity, and the result of such investigation shall be kept on file in such agency; *provided, however,* that if the applicant for help voluntarily waives in writing such investigation of references by the licensed person, failure on the part of the licensed person to make such investigation shall not be deemed a violation of this act.

5. Fees.

(*a*) The fees charged applicants for employment as lumbermen, agricultural hands, coachmen, grooms, hostlers, seamstresses, cooks, waiters, waitresses, scrubwomen, laundresses, maids, nurses (except professional), and all domestics and servants, unskilled workers and general laborers, shall not in any case exceed ten per cent. of the first month's wages, and for all other applicants for employment shall not exceed the amount of the first week's wages or salary, or five per cent. of the first year's salary, except when the employment or engagement is of a temporary nature, not to exceed one month, in any single contract, then the fee shall not exceed ten per cent. of the salary paid. No such licensed person shall receive or accept any valuable thing or gift as a fee or in lieu thereof. No such licensed person shall divide fees with contractors or their agents, or other employers, or anyone in their employ to whom applicants for employment are sent.

(*b*) In case the applicant shall not accept or obtain help or employment, through such agency, then such licensed person shall, on demand, repay the full amount of the said fee, allowing three days' time to determine the fact of the applicants failure

to obtain help or employment. If an employee furnished an applicant for help fails to remain one week in the situation, or if such employee is discharged for cause, a new employee shall be furnished if said applicant for help so elects, or three-fifths of the fee returned, within four days of demand; *provided, however,* that said applicant or help notifies said licensed person within thirty days of the failure of the applicant for employment to accept the positioin, or of the applicant's discharge for cause.

If the employee is discharged within one week without said employee's fault, another position shall be furnished or three-fifths of the fee returned to the applicant for employment, if he so elects. Failure of said applicant for help to notify said licensed person that such help has been obtained through means other than said agency shall entitle said licensed person to retain or collect three-fifths of the said fee.

No such licensed person shall send out any applicant for employment without having obtained, either orally or in writing, a bona fide order therefor, and if it shall appear that no employment of the kind applied for existed at the place to which said applicant was directed, the said licensed person shall refund to such applicant, within three days of demand, any sums paid by said applicant for transportation in going to and returning from said place, and all fees paid by said applicant.

6. Receipts.

It shall be the duty of such licensed person to give to every applicant for employment from whom a fee shall be received a receipt, in which shall be stated the name of said applicant, the date and amount of the fee, and the purpose for which it was paid, and to every applicant for help a receipt stating the name and address of said applicant, the date and amount of the fee, and the kind of help to be provided. Every such receipt shall have printed on the back thereof a copy of sections five and six in the English language, or in any language which the person to whom the receipt is issued can understand.

Every such licensed person shall also give to each applicant for employment a card or printed paper containing the name of the applicant, name and address of such employment agency,

and the written name and address of the person to whom the applicant is sent for employment.

7. Employment Contract.

No such person shall induce or attempt to induce any domestic employee to leave his employment with a view of obtaining other employment through such agency. Whenever such licensed person, or any other acting for him, agrees to send one or more persons to work as contract laborers in any one place outside the city in which such agency is located, said licensed person shall file with the Department of Labor, within five days after the contract is made, a statement containing the following items: Name and address of the employee; nature of the work to be performed, hours of labor, wages offered, destination of the persons employed and terms of transportation. A duplicate copy of this statement shall be given to the applicant for employment in a language which he is able to understand.

8. Character of Employer; Fraud.

(*a*) No such licensed person shall send or cause to be sent any female to become a servant or inmate, or to enter any place of bad repute, house of ill-fame or assignation house, or to any house or place of amusement kept for immoral purposes, or to a place resorted to for the purpose of prostitution, or to a gambling house. No such person shall knowingly permit any person of bad character, prostitutes, gamblers, intoxicated persons or procurers to frequent such agency.

(*b*) No such licensed person shall accept any application for employment made by or on behalf of any child under the age of fourteen years, or shall place or assist in placing any such child in any employment whatever.

(*c*) No licensed person, his agents, servants or employees, shall induce or compel any person to enter such agency for any purpose by the use of force or by taking forcible possession of said person's property.

(*d*) No such person shall procure or offer to procure help or employment in rooms or on premises where intoxicating liquors are sold to be consumed on the premises, except as heretofore provided in subdivision (*d*), section three, of this act, whether

or not dues or a fee or privilege is enacted, charged or received, directly or indirectly.

(*e*) No such person shall publish or cause to be published any false or fraudulent or misleading notice or advertisement; all advertisements of such employment agency by means of cards, circulars or signs, or in newspapers and other publications, and all letterheads, receipts and blanks shall contain the name and address of such employment agency, and no such licensed person shall give any false information, or make any false representation concerning employment to any applicant who shall register for employment or help. For the violation of any of the foregoing provisions of this section the penalty shall be a fine of not less than fifty dollars and not more than two hundred and fifty dollars, or imprisonment for a period of not more than one year, or both, at the discretion of the court.

9. Every such licensed person shall post in a conspicuous place in each room of such agency sections five, six, seven and eight of this act, which shall be printed in large type, in languages which persons commonly doing business with such offices can understand. Such printed law shall also contain the name and address of the Department of Labor.

10. Enforcement.

The enforcement of this act shall be entrusted to the Department of Labor, which shall make at least bimonthly visits to every such agency. The inspectors of said department shall have a suitable badge which they shall exhibit on demand of any person with whom they may have official business, and said inspectors shall see that all the provisions of this act are complied with. The said Department of Labor may refuse to issue and may revoke any license for any good cause shown, within the meaning and purpose of this act, and when it is shown to its satisfaction that any licensed person is guilty of any immoral, fraudulent or illegal conduct in connection with the conduct of said business, it shall be the duty of the Commissioner of Labor to revoke the license of such persons; but notice of the charge shall be presented and reasonable opportunity shall be given said licensed person to defend himself. Whenever for any cause such

license is revoked, a license shall not be issued to said licensed person or his representative, or to any person with whom he is to be associated in the business of furnishing employment, nor shall a license be granted to anyone for conducting an employment agency at said place of business within the space of twelve months following date of revocation of said license.

11. The violation of any provision of this act, except as provided in sections three and eight, shall be punishable by a fine not to exceed fifty dollars, and any city magistrate, police justice, justice of the peace, or any inferior magistrate having original jurisdiction in criminal cases, shall have power to impose said fine, and in default of payment thereof to commit the person so offending for a period not exceeding sixty days.

The Commissioner of Labor shall have the power to designate such inspectors and department clerks for carrying on the work required by this act as may in his judgment be necessary, or to appoint not to exceed two inspectors, who shall receive such salary as the Commissioner, with the approval of the Governor, shall fix, and such inspectors may be used for such other work of the Department of Labor as the Commissioner of Labor shall deem fit.

12. All inspectors or department clerks appointed under this act shall be appointed by the Commissioner of Labor, and all inspectors or clerks shall be appointed, hold their offices and perform their duties subject to the provisions of an act entitled "An act regulating the employment, tenure and discharge of certain officers and employees of this State, and of the various counties and municipalities therof, and providing for a civil service commission, and defining its powers and duties," approved April tenth, one thousand nine hundred and eight, and amendments thereof and supplements thereto. All salaries and expenses incurred by the Commissioner, assistant and all inspectors, in the discharge of their duties, and all salaries and expenses necessary to carry out the provisions of this act, shall be paid in semi-monthly installments from the funds of the State, out of moneys appropriated for that purpose, by the Treasurer, upon warrant of the Comptroller, upon presentation of proper vouchers for the same, approved by the Commissioner of Labor.

All acts and parts of acts inconsistent herewith are hereby repealed, and this act shall take effect immediately.

(*b*) Regulating Child Labor.

(*P. L. Laws of 1904, p. 152.*)

An Act to amend an act entitled "An act regulating the age, employment, safety, health and work hours of persons, employees and operatives in factories, workshops, mills and all places where the manufacture of goods of any kind is carried on, and to establish a department for the enforcement thereof," approved March twenty-fourth, one thousand nine hundred and four.

Be it enacted *by the Senate and General Assembly of the State of New Jersey:*

1. Section one of said act to be amended to read as follows:

1. No child under the age of fourteen years shall be employed, allowed or permitted to work in any factory, workshop, mill or place where the manufacture of goods of any kind is carried on. The officers or agents of any corporation, the members of any firm or any person, or the parent, parents or custodian of any child who shall violate any of the provisions of this section, [shall be liable to a penalty of fifty dollars for each offense] *shall be deemed and adjudged to be disorderly persons, and upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisoned in jail for not more than ninety days, or both; provided, however, that any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and the officers or agents of any corporation, the members of any firm, or any person owning, operating and managing said business, shall be deemed to be guilty of keeping a disorderly house, and upon conviction thereof, shall be fined not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both.*

2. Section three of said act is hereby amended to read as follows:

3. *No corporation, firm, or person owning or operating a place or places coming under the provisions of this act shall employ, allow or permit any child under the age of sixteen years to work therein unless that child shall produce an age and schooling certificate, as provided and required by law. The officers and agents of any corporation, or the members of any firm or any person failing to comply with the provisions of this section shall be deemed and adjudged to be disorderly persons, and upon conviction thereof be fined not to exceed twenty-five dollars, or committed to jail, not to exceed sixty days, or both.*

[If at the time of the employment of a child, the proofs of age specified in subdivisions I and II of this section are filed with the corporation, firm or person employing the child, such proofs shall be conclusive evidence of the age of the child in a suit against such employer for a violation of section one; *provided, however,* that correct copies of all papers, certificates, passports and affidavits relating to such employment shall be mailed, postage prepaid, to the department having charge of the enforcement of this act, at Trenton, New Jersey, within twenty-four hours after the same are filed, together with a statement of the legal name of the person, firm or corporation employing such child.]

I. [Native-born children.]

[The parent, parents or custodian shall make and swear to an affidavit before some officer authorized by the law of this State to take affidavits, setting forth the following facts: The name of the child in full, his or her residence, giving street and number; place where and year, month and day when born; name of father; maiden name of mother; church attended, if any, school last attended and time when, if any, and where the church and school are situated; if child was baptized, name and location of church or parish in which such baptism took place; there must accompany such affidavit a transcript of the record of the child's birth, duly attested by an officer having by law the authority to keep records of birth in the State, county, town or city in which the child was born; if no such birth record can be obtained and the child was baptized, then a certified copy of the baptismal record of the church or parish in which such baptism took place, duly

certified as a true copy, under the hand of the person having the custody of such church or parish records, shall accompany the affidavit, and the affidavit shall set forth the age of child at the time of baptism.]

[II. Foreign-born children.]

[An affidavit to be made by the same persons and containing the same statement of facts as in the case of native-born children, with an additional statement that the child named in the affidavit is the same mentioned and described in the passport under which the child was admitted to this country; a true copy of said passport must in all cases be attached to the affidavit.]

[III. Other children.]

[The Commissioner shall have power to issue permits of employment to children upon the production of evidence of the child's age satisfactory to him; that he shall first be satisfied that the child cannot obtain a transcript of birth record, a baptismal certificate or passport, as provided in either subdivision I or II.]

3. Section four of said act is hereby amended to read as follows:

4. In any suit brought to recover a penalty for violation of section one of this act *or in any criminal proceedings wherein the defendant is charged with violating any of the provisions of this act,* a copy of the baptismal record, certified to be a true copy under the hand of the person having the custody of such records for the church or parish in which such child was baptized, shall be prima facie evidence of the child's age; *provided, however,* that in case the age of the child is not set forth in the baptismal record, that there shall be other proof showing the age of the child at the time he or she was baptized.

4. Section seven of said act is hereby amended to read as follows:

7. No minor under the age of sixteen years shall be employed, permitted or suffered to work at any of the following occupations or in any of the following positions: Adjusting any belt to any machinery; sewing or lacing machine belts in any workshop or factory; oiling, wiping or cleaning machinery or assisting therein; operating or assisting in operating any of the

following machines: circular or band saws, wood choppers, wood jointers, planers, sand paper or wood polishing machinery, wood turning or boring machinery, picker machines or machines used in picking wool, cotton, hair, fur or any other material; carding machines, paper lace machines, job or cylinder printing presses operated by power other than foot power; boring or drill presses; stamping machines used in sheet metal and tinware, or in paper and leather manufacturing, or in washer and nut factories; metal or paper cutting machines; corner staying machines in paper box factories; corrugating rolls, such as are used in corrugated paper, roofing or washboard factories; steam boilers, dough brakes or cracker machinery of any description; wire or iron straightening or drawing machinery; rolling mill machinery; power punches or shears; washing, grinding or mixing machinery; collender rolls and mixing in paper and rubber manufacturing; laundering machinery; or in proximity to any hazardous or unguarded belting, machinery or gearing, which, in the judgment of the Commissioner of Labor is a menace to the safety of such minor. No minor under the age of sixteen years shall be employed, permitted or suffered to work in any capacity in, about, or in connection with any processes in which dangerous or poisonous acids are used; or in the manufacture or packing of paints, colors, white or red lead; or in any process in which lead or its compounds are employed; or in soldering; or in occupations causing mineral, animal or vegetable dust in injurious quantities, including flint, clay, metal and talc dust; tobacco, rubber and cotton dust; silk, fur, wool and leather dust; or in the manufacture or use of dangerous or poisonous dyes; or in the manufacture or preparation of compositions with dangerous or poisonous gases or fumes; or in the manufacture or use of compositions of dye in which the quantity thereof is injurious to health; or in any trade, process which shall offer such exposure to excessive heat, cold, muscular exertion or other physical risk as shall, in the judgment of the Commissioner of Labor, be harmful to the health and future working efficiency of such minor.

The officers or agents of any corporation, the members of any firm, or any person, or the parent, parents or custodian of any

child, who shall violate any of the provisions of this section, shall be deemed and adjudged to be disorderly persons, and upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisoned in jail for not more than ninety days, or both; provided, however, that any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and the officers or agents of any corporation, the members of any firm, or any person owning, operating and managing said business, shall be deemed to be guilty of keeping a disorderly house, and upon conviction thereof, shall be fined not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both.

[The commissioner, assistant or the inspectors shall have power to demand a certificate of physical fitness from some regular practicing physician in the case of minors under the age of sixteen years, who, in the judgment of such officer, shall be physically unable to do the work in which such minor is employed, and shall have the power to prohibit the employment of such minor until he or she shall produce a certificate of physical fitness; and any manufacturer or employer who shall retain in his employ a minor after such certificate shall be demanded, shall be liable to a penalty of twenty-five dollars.]

5. Section eight of said act is hereby amended to read as follows:

8. [A] Any corporation, firm or person, owning, or operating a place coming under the provisions of this act and employing, allowing or permitting minors under the age of sixteen years to work therein, shall keep or cause to be kept in the main office of such place, in the town or city where such place is located, a register in which shall be recorded the names, places of residence and time of employment of all such minors [working under certificates, transcripts, passports or affidavits] *and shall keep on file the age and schooling certificates issued to said minors as provided and required by law;* such registers and [certificates, transcripts and affidavits] *age and schooling certificates* shall be produced for inspection upon demand of the commissioner, assistant or any of the inspectors; *all police officers, and officers and agents*

of any society incorporated under the laws of this State for the prevention of cruelty to children, and all attendance [truant] officers shall have the same right as inspectors to examine such registers and the *age and schooling* certificates, [transcripts, passports, or affidavits, when authorized in writing so to do by the commissioner.] the officers or agents of any corporation, the members of any firm or any person failing to keep such register, or failing to keep on file the age and schooling certificates or refusing to permit the persons herein authorized to inspect the register of the certificates, [transcripts, passports or affidavits shall be liable to a penalty of fifty dollars for each offense] *shall be deemed to be disorderly persons, and upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisoned not to exceed sixty days, or both.*

6. Section nine of said act is hereby amended to read as follows:

9. No minor under the age of sixteen years shall be employed, permitted or allowed to work in places coming under the provisions of this act more than [ten] *eight* hours in a day or [fifty five] *forty-eight* hours in a week; *nor shall any minor under the age of sixteen years be employed, permitted or allowed to work in any place or places coming under the provisions of this act after seven o'clock in the afternoon or before seven o'clock in the morning of any day; nor shall any child under the age of sixteen years be employed, permitted or allowed to work on the first day of the week, commonly known as Sunday, or any time during said day,* [any] *the officers and agents of any* corporation, *or any* firm or person permitting or allowing any violation of the provisions of this section, [shall be liable to a penalty of fifty dollars for each offense] *shall be deemed and adjudged to be disorderly persons, and upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisoned in jail for not more than ninety days, or both; provided, however, that any place where a child or children are habitually employed, contrary to the provisions of this section of the act shall be a disorderly house, and the officers or agents of any corporation, the members of any firm, or any person owning, operating and managing said business shall be deemed to*

be guilty of keeping a disorderly house, and upon conviction thereof, shall be fined not to exceed one thousand dollars, and shall be committed to jail, not to exceed three years, or both.

(*P. L. 1911, p. 194.*)

AN ACT to amend an act entitled "An act regulating the age, employment, safety, health, and work hours of persons, employees and operatives in mercantile establishments," approved April seventh, one thousand nine hundred and eleven.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section one of said act to be amended to read as follows:

1. No child under the age of fourteen years shall be employed, allowed or permitted to work in any mercantile establishment *coming within the provisions of this act* [during any of the hours in which the public schools are in session in the district in which such child resides]; *the officers* or agents of any corporation, *or the members of any* firm or *any person* [individual] who shall employ, allow or permit to work in any mercantile establishment any child under the age of fourteen years [during the time prohibited by this section shall incur a penalty of fifty dollars] *shall be deemed and adjudged to be disorderly persons, and upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisoned in jail for not more than ninety days, or both; provided, however, that any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and the officers or agents of any corporation, the members of any firm, or any person owning, operating and managing said business, shall be deemed to be guilty of keeping a disorderly house, and upon conviction thereof, shall be fined not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both.*

2. Section two of said act be amended to read as follows:

2. No child under the age of sixteen years shall be employed, allowed or permitted to work in or in any connection with any mercantile establishment unless such child shall produce an age

and schooling certificate as provided and required by law, nor shall said child be employed more than *eight hours in any one day or more than forty-eight hours* [fifty-eight] hours in any one week, or before seven o'clock in the morning or after seven o'clock in the evening; *nor shall any child under the age of sixteen years be employed, permitted, or allowed to work on the first day of the week, commonly known as Sunday, or at any time during said day,* [excepting one day in the week, when such minors may be permitted to work until nine o'clock in the evening. The provisions of this section shall not apply to the employment of such minors between the fifteenth day and the twenty-fifth day of December, inclusive, when such minors may be permitted to work until ten o'clock in the evening]; *the officers or agents* of any corporation, *or the members of any* firm or *any person* [individual] who shall violate any of the privisions of this section [shall be liable to a penalty of fifty dollars], *shall be deemed and adjudged to be a disorderly person or persons, and upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisonment in jail for not more than ninety days, or both; provided, however, that any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and the officers or agents of any corporation, the members of any firm or any person owning, operating and managing said business, shall be deemed to be guilty of keeping a disorderly house, and upon conviction thereof, shall be fined not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both.*

3. Section three of said act be amended to read as follows:

3. It shall be the duty of the Commissioner of Labor, the assistant commissioner, [or] the inspectors of the Department of Labor [or] the [truant] *attendance* officers or other person empowered by law to compel the *attendance* of children at school, *and any police officer or other person designated by law to protect children from cruelty and neglect,* and they shall have power to investigate and inspect all mercantile establishments coming under the intent and provisions of this act, *in order to enforce the provisions of this act.*

4. Section four of said act be amended to read as follows:

4. Any [A] corporation, firm or person owning or operating a place or places coming under the provisions of this act, and employing, allowing or permitting children *between the age of fourteen and sixteen years,* [actually or apparently under sixteen years of age] to work therein, shall keep or cause to be kept in the main office of such place in the town or city in which such place is located, a register or record in which shall be recorded the name, place of residence and time of employment of such minors employed therein, *and shall also keep on file the age and schooling certificate of every such child during the time it is employed in said mercantile establishment,* [together with a transcript of the record of birth of such minors duly attested by an officer having by law the authority to keep records of birth in the State, county or city in which such child was born; if no such birth certificate can be obtained, and the child was baptized, then a certified copy of the baptismal record of the church or parish in which such baptism took place, duly certified as a true copy under the hand of the person having the custody of such church or parish records, which shall set forth the age of the child at the time of baptism.] [In the case of foreign-born children, the same transcript of the record of the birth or baptismal certificate shall be required as is required of a native-born child, and in addition to the passport under which such child was admitted to this country, or a true copy of the same.] [The Commissioner of Labor shall have power to issue permits of employment to children, upon the production of evidence of the child's age, satisfactory to the commissioner, provided that he shall first be satisfied that the child cannot obtain a transcript of the birth record or passport or baptismal certificate as above provided; such registers, certificates and transcripts shall be produced for inspection upon demand of the commissioner, assistant, or any of the inspectors, or any truant officer or other person empowered by law to compel the attendance of children at school; or any corporation, firm or person failing to keep such registers, or refusing to permit the persons herein authorized to inspect the same, or the certificates,

transcripts and passports, shall be liable to a penalty of fifty dollars for each offense.] *The officers and agents of any corporation, or the members of any firm or any person failing to comply with the provisions of this section shall be deemed and adjudged to be a disorderly person or persons, and upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisoned in jail for not more than ninety days, or both; provided, however, that any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and the officers or agents of any corporation, the members of any firm or any person owning, operating and managing said business, shall be deemed to be guilty of keeping a disorderly house, and upon conviction thereof, shall be fined not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both.*

5. Section five of said act be amended to read as follows:

5. *No child under the age of sixteen years shall be employed in any mercantile establishment coming within the provisions of this act in any employment that is detrimental to health or is dangerous to the life and limb of a child of that age, or that exposes him to excessive heat or cold, or that requires an excessive muscular exertion that is detrimental to the health and strength of a child of that age, or in the handling of any goods, wares or merchandise that are poisonous or that give off dust, fumes or gases, or in working around any heated metal, combination of metal or metals or their salts, that give off any dust, fumes or gases that are detrimental to the health, or on, in or around any scaffolding of any character whatsoever, or on, in or around any building that is under construction, or in any employment whatsoever which exposes him to conditions that will retard his growth or injure his health, or in any place that is damp or unhealthy, or that is injurious in any way to the health and strength of a child, or in any place where, on account of the light or the nature and character of the work the child's eyesight or hearing will be injured. The officers or agents of any corporation, the members of any firm or any person who shall employ any child, contrary to the provisions of this section of*

the act shall be deemed and adjudged to be disorderly persons, and upon conviction thereof, shall be fined not to exceed fifty dollars, or imprisoned in jail for not more than ninety days, or both; provided, however, that any place where a child or children are habitually employed, contrary to the provisions of this section of the act, shall be a disorderly house, and the officers or agents of any corporation, the members of any firm or any person owning, operating and managing said business, shall be deemed to be guilty of keeping a disorderly house, and upon conviction thereof, shall be fined not to exceed one thousand dollars, or shall be committed to jail, not to exceed three years, or both. [Anyone who shall swear falsely to any affidavit or present any certificate or passport which he or she knows to be false, and any person or persons who shall aid, assist or advise the making of a false affidavit or the obtaining of a false certificate or passport, shall be liable to a penalty of fifty dollars for each offense.]

6. Section six of said act be amended to read as follows:

6. The Commissioner of Labor, his assistant, or any inspector, or truant officer, or other person empowered by law to compel the attendance of children at school, *or any police officer or any officer or agent for any duly incorporated society or association for the protection of children from cruelty and neglect,* is hereby empowered to enter into and inspect at any reasonable time and without notice or request for permission, all mercantile establishments coming under the provisions of this act and to demand of any parent, custodian or guardian proof of the age of a child [satisfactory to the commissioner], and such parent, parents, custodian or guardians shall, within five days after such demand is made, furnish to such officer proof of such child's age; and in the event of the failure to procure and furnish such proof of age, such child shall be discharged by his or her employer upon notice in writing, signed by the Commissioner, and shall not be re-employed until such proof of age shall have been furnished [to the Commissioner].

(c) Regulating Justices of the Peace.

(P. L. 1898 p. 794.)

A Supplement to an act entitled "An act for the punishment of crimes (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight."

Be it enacted *by the Senate and General Assembly of the State of New Jersey:*

That hereafter no justice of the peace in any county in this State shall demand or receive any fee or compensation in money or any other valuable thing for any services rendered by any such justice of the peace in any criminal matter, for the issuance of any warrant, subpœna or other process, record, transcript, proceeding or part of any proceeding or duty required by law to be performed by any such justice of the peace in any criminal matter; but that for the doing of any of the things hereinabove mentioned in any criminal matter, such justice of the peace shall receive such fees and compensation only as are now, or may hereafter be by law provided, and any such fees and compensation shall be paid only by the county collector and in the manner which is now or may be hereafter provided by law. And any such justice of the peace who shall violate any of the provisions of this section shall be guilty of a misdemeanor.

(d) Regulating Notaries Public.

A Supplement to an act entitled "An act for the punishment of crime (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," making it a misdemeanor for any person not authorized by the laws of this State to take acknowledgments of proofs to deeds, or instruments in writing, who shall take acknowledgments or proofs to any deed or instrument in writing to that effect

Be it enacted *by the Senate and General Assembly of the State of New Jersey:*

1. Any person not authorized by the laws of this State to take acknowledgments or proofs to deeds or other instruments

in writing, who shall take an acknowldgment or proof to any deed or instrument in writing, and shall sign a certificate thereon certifying that the said deed or instrument in writing is acknowledged before him, shall be guilty of a misdemeanor.

2. This act shall take effect immediately.

A SUPPLEMENT to an act entitled "An act for the punishment of crime (Revision of 1898), approved June fourteenth, one thousand eight hundred and ninety-eight," making it a misdemeanor for any person who shall falsely certify in writing that any instrument in writing was acknowledged before him.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Any person who shall certify falsely by certificate in writing that any deed or other instrument in writing was acknowledged or proven before him by the party thereto shall be guilty of a misdemeanor.

2. This act shall take effect immediately.

(e) REGULATING COMPULSORY ATTENDANCE.

AN ACT to provide a system of compulsory education of children and providing the method of enforcement thereof and the penalties for failing to comply therewith.

BE IT ENACTED *by the Senate and General Assembly of the state of New Jersey:*

1. Definition.

(*a*) "Supervisor of School Exemption Certificates," as used in this act, shall mean any superintendent of schools, supervising principal, principal, teacher or attendance officer of any school district who shall be designated by the Board of Education in that district to carry out the provisions of this act.

(*b*) "Age and schooling certificate," as used in this act, shall mean a certificate granted by the Supervisor of School Exemption Certificates, and such certificate, when granted, pursuant to

this act, shall authorize the holder thereof to cease attending school when employed in some occupation lawful for children under sixteen years of age.

(*c*) "Age and working certificate," as used in this act, shall mean a certificate granted by the Supervisor of School Exemption Certificates, pursuant to section thirteen of this act, which certificate, when granted, shall not exempt the child from attendance at school, but shall allow such child to secure certain employment in the open air, which employment shall be lawful for children under fourteen years of age.

(*d*) "Employer's certificate," as used in this act, shall mean a certificate setting forth the fact that a child has secured employment, as provided in section twelve of this act.

2. Every parent, guardian or other person having custody and control of a child between the ages of seven and sixteen years, shall cause such child regularly to attend a day school in which at least reading, writing, spelling, English grammar, arithmetic and geography are taught in the English language by a competent teacher, or to receive equivalent instruction elsewhere than at school, unless such child is above the age of fourteen years, has been granted an age and schooling certificate, and is regularly and lawfully employed in some useful occupation of service. Such regular attendance shall be during all the days and hours that the public schools are in session in said school district, unless it shall be shown to the satisfaction of the board of education of said school district that the mental or bodily condition of the child is such as to prevent his or her attendance at school.

3. Age and schooling certificates and age and working certificates shall be granted by the Supervisor of School Exemption Certificates in the school district in which the child resides, on the application in person of the parent, guardian or custodian of the child for whom such certificates is desired.

4. Every child under the age of sixteen years who shall have completed the grammar school course prescribed for the district in which such child resides, who is not regularly and lawfully employed in any useful occupation or service, shall attend the

high school designated by the board of education of said district.

5. For the purpose of this act, evidence that the child is at least fourteen years of age shall consist of one of the following proofs of age, and shall be required in the order herein designated as follows:

(*a*) A duly attested transcript of the birth certificate filed according to law with a registrar of vital statistics or other officer charged with the duty of recording births, which certificate shall be prima facie evidence of the age of such child.

(*b*) A passport, or a duly attested transcript of a certificate of baptism, showing the date of birth and place of baptism of the child.

(*c*) In case the proofs required by paragraphs (a) and (b) cannot be produced, such other documentary evidence of age as shall be satisfactory to the officer issuing the certificate (except the school record of the child or the affidavit of the parent, guardian, or other person having control of such child) may be accepted, duly attested, as proof of age, in the discretion of the officer issuing the certificate.

(*d*) In case no documentary proof of age can be produced the officer authorized to issue the certificate may receive and file an application for a physician's certificate signed by the parent, guardian, or other person having control of the child for whom the application is made. Such application shall contain the name, alleged age, place and date of birth, and present residence of the child, together with such further facts as may be of assistance in determining the age of such child, and shall also contain a statement certifying that the person signing such application is unable to produce any of the documentary evidence specified in paragraphs (a), (b) or (c). Within twenty days after the date of the filing of such application, a careful investigation shall be made as to the truth of the facts set forth in said application and if no facts shall appear tending to discredit or contradict any material statement in the application, the officer authorized to issue the certificate may direct the child to appear, at a time and place to be designated by him, for physical examination by a medical inspector employed by the board of

education of the school district in which said child resides. In case said medical inspector shall certify in writing that he has examined said child, and, that in his opinion, such a child is at least fourteen years of age, such officer shall, for the purpose of this act, accept the certificate of said medical inspector, as sufficient proof of the age of said child. The officer issuing the certificate shall require the evidence of age specified in paragraph (a) in preference to that specified in any subsequent paragraph, and shall not accept the evidence of age specified by any paragraph other than paragraph (a) unless there shall be filed in his office, in addition thereto, an affidavit of the parent, guardian, or other person having control of the child, showing that no evidence of age specified in any paragraph preceding that specified in the affidavit can be produced. Said affidavit shall also contain the age, date and place of birth and present residence of the child.

6. All oaths, affirmations and affidavits required to be made or taken in any proceeding had pursuant to this act in any application for an age and schooling certificate, or age and working certificate, shall be taken by the Supervisor of School Exemption Certificates, and said Supervisor of School Exemption Certificates is hereby granted the power to administer oaths and take affidavits and affirmations in all such proceedings held pursuant to this act. Any person who shall swear or affirm falsely at any hearing or any proceeding taken pursuant to this act to an application for an age and schooling certificate or age and working certificate, or shall sign and swear or affirm to any affidavit containing a false statement to be used in any such proceeding, shall be guilty of committing perjury, and upon conviction thereof, shall be fined not exceeding one thousand dollars, or imprisonment with or without hard labor as the court may direct for any time not to exceed three years, or both.

7. Before granting any age and schooling certificate or age and working certificate the child shall appear before a medical inspector employed by the board of education, who shall examine said child and file with the Supervisor of School Exemption certificates a certificate signed by said medical inspector describ-

ing the physical condition of said child and certifying as to whether such child is physically fit to work, in the occupation specified in the petition.

8. No age and schooling certificate shall be issued until there shall have been filed with the officer authorized to issue the same, satisfactory proof that the child for whom such certificate is requested has regularly attended a public school, or has received instruction equivalent to that provided in the public schools, for the period of not less than one hundred and thirty days during the twelve months next preceding the date of the application for such certificate, is able to read intelligently and write legibly simple sentences in the English language, has completed a course of study equivalent to five yearly grades in reading, writing, spelling, English language and geography, is familiar with the fundamental operations of arithmetic, up to and including simple fractions, and that such child is able to perform the work in which he or she expects to be employed.

9. Satisfactory proof on behalf of a child applying for an age and schooling certificate pursuant to the provisions of this act having been produced as to the age, physical condition and schooling of said child, it shall be lawful for the Supervisor of School Exemption Certificates to issue in accordance with section three of this act an age and schooling certificate to said child, dated on the days it is issued and signed by the person issuing the same, which certificate shall state the color, name, sex, date and place of birth, residence, color of hair and eyes, height, weight, and any distinguishing facial marks of the child, and shall contain a statement that the proofs of age, education and physical condition required by this act have been filed with the officer issuing the certificate, and that the child named in the certificate has personally appeared before the medical inspector and been examined. Every such certificate shall be signed in the presence of the Supervisor of School Exemption Certificates by the child in whose name it is issued and by the child's parent, guardian, or the person having custody and control of such child.

10. It shall be the duty of every Supervisor of School Exemption Certificates, before issuing an age and schooling certificate of age and working certificate, to send immediately the certificate

properly filled out and the original papers upon which said certificate is to be granted, to the Department of Labor at Trenton. It shall be the duty of the Department of Labor to examine said papers and if the papers show that the provisions of this act have been complied with, to stamp the certificate "Approved by the Department of Labor," with the date of the approval, and return them to the Supervisor of School Exemption Certificates within ten days after the receipt thereof, and it shall be the duty of the Department of Labor, whenever it finds an age and schooling certificate, or an age and working certificate granted contrary to the provisions of this act, to order the same cancelled and to notify the board of education of the district issuing the same of the cancellation.

11. The Supervisor of School Exemption Certificates shall keep a record of every such certificate issued by him giving all the facts contained in such certificate, and also a record of the name and address of every child to whom a certificate has been refused, together with the name or number of the school which such child should attend, and the reason for refusal.

12. The Supervisor of School Exemption Certificates shall give to each child to whom an age and schooling certificate is issued a blank form of "Employers' Certificate" which shall be filled in by the person employing said child, setting forth the nature of the work the child is to do, the date the child starts to work, and also the salary a week to be paid the child, which form, correctly filled out, shall, within two days, be surrendered or returned by the person, firm or corporation employing said child, to the Supervisor of School Exemption Certificates of the district in which the child resides. The child, upon securing employment, shall surrender the age and schooling certificate to his employer, who shall retain said certificate during the time said child is in his employ; said employer shall, within two days after the child is discharged or cease to work for him, surrender or return the age and schooling certificate to the Supervisor of School Exemption Certificates of the school district in which said child resides, who shall file the same in his office and keep said certificate until such time as the child shall again

secure employment. If, however, said employer does not know, or cannot find, the location of said child's residence, he shall surrender or deliver the age and schooling certificate to the Supervisor of School Exemption Certificates for the district in which the business of the employer was located, and said Supervisor of School Exemption Certificates shall make inquiry and search for said child, and if he cannot find where said child resides, he shall return the certificate to the Supervisor of School Exemption Certificates who issued the same.

Whenever a child shall find other employment it shall apply to the Supervisor of School Exemption Certificates of the school district in which said child lives for the return of the age and schooling certificate, together with a blank form of employers' certificate, and the employer shall retain and file in his office said age and schooling certificate, and fill in and return the employers' certificate as provided above. Any person, the members of any firm or the officers or agents of any corporation failing to comply with the provisions of this section of this act, shall be deemed and adjudged to be a disorderly person or persons, and upon conviction thereof, shall be fined not to exceed twenty-five dollars, or imprisoned in jail not to exceed thirty days, or both.

13. Whenever it is necessary for a boy between the ages of ten and sixteen years to work in order to assist in supporting himself or the family, it shall be lawful for the parent, guardian or other person having the custody and control of said child between the ages of ten and sixteen years to file a petition with the Supervisor of School Exemption Certificates of the school district in which the child resides, which petition shall set forth the fact that it is necessary for the child to secure employment, in order to help support himself and family, together with evidence which shall comply with the provisions of this act as to the age of said child and the character of the work the child is to perform, which work shall only include selling newspapers, blacking shoes, running errands, and other outdoor employments, not otherwise prohibited by law for children under sixteen. If upon investigation it shall be found that the facts set forth in

the petition are true and that the work will not interfere with the child's standing in school, or with the child's health, it shall be lawful for the Supervisor of School Exemption Certificates to grant to said child an age and working certificate, to work at such times as the public schools in the district shall not be in session, but not before seven o'clock in the morning nor after seven o'clock at night. Any person, the members of any firm, or the officers or agents of any corporation employing, permitting or allowing a child to work, contrary to the provisions of this section, shall be deemed and adjudged to be a disorderly person or persons, and upon conviction thereof, shall be fined fifty dollars, or imprisoned not to exceed one year, or both.

14. Every child between the ages of seven and fourteen years, and every child between the ages of fourteen and sixteen years who is not lawfully employed in some useful occupation or service, who shall repeatedly be absent from school, or any child found away from school during school hours whose parent, guardian or other persons having charge and control of such child is unable to cause him to attend school, or any pupil who shall be incorrigible, actually vagrant, vicious or immoral in conduct shall be deemed to be a juvenile disorderly person or a juvenile delinquent.

15. Any parent, guardian or other person having custody and control of any child between the ages of seven and sixteen years who shall fail to comply with the provisions of section two of this act, or any parent, guardian or other person having custody and control of any child between the ages of seven and sixteen years, who shall fail to comply with any of the provisions of this act shall be deemed to be a disorderly person, and upon conviction thereof, it shall be lawful for the magistrate or judge before whom such person is convicted to sentence such person to the workhouse, penitentiary or county jail of the county in which such person may be convicted, for a period not to exceed one year, or to impose a fine not to exceed fifty dollars, or both.

16. It shall be the duty of the parent, guardian or other person having custody and control of any child to whom an age and schooling certificate has been issued to see that the child

is either continuously employed or regularly attends school, and it shall be the duty of the Supervisor of School Exemption Certificates of the district in which the child resides to take the proper proceedings, as provided in sections fourteen and fifteen of this act, to enforce the attendance at school of any child who fails to secure employment and also to secure and retain the age and schooling certificate for such child until such times as it shall secure lawful employment.

17. For the purpose of enforcing the provision of this act the board of education of each school district shall appoint a suitable number of qualified persons to be designated as attendance officers, and shall fix their compensation. The State Board of Education shall fix the qualification of attendance officers and make rules and regulations not inconsistent with the provisions of this act for the government of said attendance officers.

18. Every attendance officer shall have full police power to enforce the provisions of this act and shall have the power to arrest without warrant any vagrant child or habitual truant or any child who is habitually incorrigible or who is vicious or immoral in conduct or illegally absent from school. The sheriff and his officers and all police officers and constables shall assist all such attendance officers in the performance of their duties, and any keeper of a prison or jail or school or house of detention for juvenile offenders, shall receive all juvenile delinquents or juvenile disorderly persons who shall be arrested by the attendance officers and shall produce them at the next session of court to abide by the action of the court.

19. No fees or expenses shall be charged to or paid by any parent, guardian or other person having custody or control of any child for any services or proceedings had under this act.

20. It shall be the duty of the State Board of Education to prepare, or cause to be prepared, all blanks, forms and records necessary for carrying into effect the provisions of this act, which blank forms and records shall be used by all school districts of the State and shall be so prepared as to assist and facilitate the work of inspection of the State Department of

Labor. It shall be the duty of the State Department of Education and the Commissioner of Education to see that all school districts comply with the provisions of this act.

21. All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

APPENDIX IX.

LETTER TO MR. JOSEPH MAYPER, ACTING CHIEF INVESTIGATOR, STATE OF NEW YORK, BUREAU OF INDUSTRIES AND IMMIGRATION, TO THE COMMISSION.*

The Bureau of Industries and Immigration was created October 1st, 1910, upon the recommendation of the New York State Commission of Immigration, appointed by Governor Hughes in 1908. The report of this Commission, filed in 1909, set forth in detail the problems which the immigrant must face until he has overcome the difficulties of language, customs and laws so foreign to his own habits of life and form of government. It seemed necessary to the Commission that in order to give the immigrant a fair chance, a helping hand should be extended to him by a duly constituted governmental bureau which would look after his needs and provide for his welfare, assist in his proper distribution, protect him from exploitation and raise his standards of living. In January, 1911, the bureau was finally organized on these broad lines of activity. Starting with an appropriation of $9,700, exclusive of the cost of supplies, rental and traveling expenses, and a staff of seven; the work of the bureau has grown so rapidly during its three years' existence that its total appropriation is now about $44,000 and its staff has grown to twenty-six.

From the start our work has naturally divided itself into two classifications—that of inspection and investigation on the initiative of the bureau, and the adjustment of complaints of grievances, exploitation, etc., filed at the bureau offices by aggrieved aliens.

The inspection work included under transportation, the transit conditions in New York City, for departing and incoming

* November 29th, 1913.

aliens, and at the redistribution centers—Buffalo and Albany, and the conditions of the immigrant quarters on coastwise steamers. In our study of the labor and living conditions of the alien, inspections of labor camps and industrial communities were made. In matters affecting his savings, the bureau co-operated with other State authorities having supervision over private banks in the enforcement of the private banking laws. In his real estate investments all questionable advertisements were followed up, inspections also being made of the lands advertised. As the alien so often finds it necessary to adjust his legal affairs in his native country through notaries public, information bureaus, collection agencies, those catering particularly to such business were inspected periodically and compelled to comply with the law. In order to improve the living conditions of the alien in the isolated communities and camps and to protect him from exploitation in the waterfront lodging places of New York City, the bureau had the Legislature enact Chapter 845 of the Laws of 1911 and became empowered to lincense and regulate all such places. The enforcement of the various steamship ticket laws, inspection of immigrant homes, the distribution of the names of newly arrived alien children of school age and the studies in the instruction of the adult alien in English and civics in order to aid in his rapid assimilation, are also among the bureau's activities.

Under the law creating the bureau, it was empowered to affect as far as practicable an amicable settlement or adjustment of any complaint which an alien resident might file. As the bureau became better known to the alien, its work gradually increased. In the first year of its existence only 500 individual complaints were filed; in the second year more than 1,100 and in the third year more than 2,100. The bureau offices at New York and Buffalo have become centers of constant activity, as from 150 to 200 aliens apply weekly for assistance, advice, or information. Every alien is given a hearing and his complaints include those against steamship ticket agents, runners and hackmen, transfer and express companies, withheld baggage, employment agents, wages, accidents, labor and camp conditions,

private banks, real estate, lawyers, notaries public, frauds of every conceivable nature, larceny, assault, extortion, white slavery, domestic relations, deportation, lost articles, etc., etc. The investigation and adjustment of these complaints involved many personal investigations, bureau hearings, court processes and a considerable amount of correspondence, office interviews, etc. It is difficult to estimate the number of the persons who have profited by the advice received or by the publication of warnings sent out in the form of "stories" during its existence. As a clearing house for the thorough sifting, study and disposal of the State's immigration business, the bureau has been able to urge and succeeded in enacting legislation for the protection of the immigrant and in amending and strengthening existing laws for the same purpose.

APPENDIX X.

STATEMENT OF DONATIONS RECEIVED FOR THE WORK OF THE NEW JERSEY STATE COMMISSION OF IMMIGRATION.

New York-New Jersey Committee of the North American Civic League,	$5,000 00
William Fellowes Morgan,	1,180 00
Andrew Carnegie,	1,000 00
John D. Rockefeller,	500 00
M. Taylor Pyne,	500 00
Sidney M. Colgate,	400 00
Mrs. C. B. Alexander,	150 00
Robert L. Flemming,	180 00
Robert A. Franks,	180 00
Miles Tierny,	100 00
Russell Colgate,	100 00
Richard M. Colgate,	100 00
Mrs. Wm. Barr,	100 00
J. William Clark,	100 00
Mrs. S. Hartshorn,	100 00
Allison Dodd,	100 00
Richard Stevens,	75 00
Percy R. Pyne,	50 00
	$9,915 00