IN DEFENSE OF THE IMMIGRANT

On Friday, March 11, 1910, the Committee on Immigration and Naturalization of the House of Representatives granted a hearing to those opposed to any further restriction of immigration. Representative William S. Bennet, of New York, presided, in the absence of Mr. Howell, of New Jersey, the Chairman, who was ill. The other members of the Committee present were: Representatives Adair of Indiana, Goldfogle of New York, Moore of Texas, Sabath of Illinois, O’Connell of Massachusetts, Küstermann of Wisconsin, Burnett of Alabama, Edwards of Kentucky, Moore of Pennsylvania, and Elvins of Missouri. Those who appeared before the Committee were: Dr. Cyrus Adler, Mr. Cyrus L. Sulzberger, Mr. Louis Marshall, and Mr. Harry Cutler, representing the American Jewish Committee; Hon. Simon Wolf, Rabbi Abram Simon, Mr. Abram I. Elkus, and Mr. Max J. Kohler, representing the Independent Order of B’nai B’rith and the Board of Delegates on Civil Rights; and Judge Leon Sanders, representing the Independent Order B’rith Abraham.

The first speaker was Hon. Simon Wolf, who stated that those appearing did so as American citizens, whose sole desire was to contribute to the welfare of the country. He made an earnest plea for the retention of the Bureau of Information, provided for in the last immigration law, and emphasized its value to the immigrant. In reply to questions, he argued against the necessity and value of an educational test, and maintained that the immigrants of the present time are a valuable asset to the country, to whom the application of such a test is of no use. Such a test was entirely un-Ameri-
can, uncalled for, and diametrically in contrast with the experience with the immigration that has so far come to our country. He thought the immigrants from the regions of the Mediterranean made as good citizens as any others, and that the way to guard citizenship was not by more immigration laws, but by proper naturalization laws, which we now have. He also opposed any increased head tax, as it should be a minimum tax, and he held the expense incidental to the administration of the immigration service should be borne by the government. If the head tax were levied with a view of recovering the expense of the administration of the law, it might be fixed at an exorbitant amount. He thought the four-dollar head tax more than ample. He also protested against the proposed extension of the time for the deportation of alien criminals to five years as likely to prove dangerous and unjust. To him, the thought that a man coming from Russia or any other part of the world, a thoroughly good man in every way, who came in contact with our civilization and imbibed some of the villanies of our lower classes, should be punished by deportation after so long a period as five years, was obnoxious and repugnant. He was in favor of excluding the criminal and all those who, after three years' residence, became inmates of public institutions, but he could not see the justice of deporting a man who within five years became a victim of circumstances, but who was a perfectly sane, sound man when he landed.

STATEMENT OF CYRUS L. SULZBERGER, ESQ., OF NEW YORK CITY

Before taking up the question generally, I want to call attention to an interesting point in connection with white
IN DEFENSE OF THE IMMIGRANT

slavery, with reference to a statement in the Report of the Commissioner-General on page 117, dealing with the subject of white slaves. I desire to point out that, so far as white slavery and its attendant evils come to us by immigration, such immigration is only in very limited degree from Europe, but is chiefly from this continent. The total number of persons debarred from entering because of prostitution or procuring is 504. (Report of Commissioner-General, 1909, pp. 80, 81.) Of this number 279 were from Mexico, who sent us 11,000 immigrants over 14 years of age, and 225 were from the rest of the world, which sent us 651,523 immigrants over 14 years of age. (Commissioner-General's Report, p. 22.) Of the 225 coming from Europe who were debarred, the distribution was as follows:

French, 37, or 19 per 10,000 over 14 years.
Scotch, 19, or 13.7 per 10,000 over 14 years.
English, 39, or 11.7 per 10,000 over 14 years.
Irish, 21, or 7.2 per 10,000 over 14 years.
German, 31, or 6.4 per 10,000 over 14 years.
Dutch and Flemish, 4, or 6.3 per 10,000 over 14 years.
Hebrew, 15, or 3.5 per 10,000 over 14 years.
Italian, 22, or 1.3 per 10,000 over 14 years.

It will thus be observed that so far as the European immigration of this undesirable class is concerned, it is greatest among those races classed by the restrictionists as desirable and least among those classed as undesirable. Furthermore, it is observable that the Hebrews and Italians (which of the Europeans have the largest percentage of illiterates) have the smallest percentage of these miscreants, while the French, Scotch, English, Irish, and Germans have a much larger per-
percentage. It is also observable that the amount of money shown (Commissioner-General's Report, p. 23) is least among the Hebrews and Italians and greatest among the others. It would therefore appear that so far as white slavery is concerned, neither the illiteracy of the immigrant nor his lack of funds has any bearing.

I want now to direct your attention to the subject of criminality, and to point out an extraordinary blunder made in the Report of the Commissioner-General of Immigration for the year 1904, in which, on page 59, he gives the total population of the United States as 75,994,575, and the total alien population of the United States as 1,001,595. That is the report of the year 1904, referred to in the current report; the report for the year 1909 (p. 6) refers to the report for the year 1908; the report for the year 1908 refers back to this table in the report of 1904. I find, according to the census report of 1900, volume 1, part 1, page ccix, that of male aliens of voting age there are 1,004,217; that is to say, there are more male aliens of voting age than the total number of aliens given in the Report of the Commissioner-General. In addition thereto there are foreign-born persons of voting age as to whom it is not known whether they are alien or citizen, 748,506. Ignoring entirely all the female aliens of any age, and all the male aliens below voting age, we find that there were more male aliens of voting age than the total number of aliens upon which the whole table of statistics as to criminality and dependency is built, and the use of which in 1904 is repeated in 1908 and 1909. I have made some investigations on my own account upon this subject, and in view of the fact that there are 75 per cent or 748,000 persons of voting age as to whom we do not know whether they are aliens or citizens, but do know that they are
foreign born, it has seemed to me that it would be wiser to deal with the question of foreign birth rather than with the question of citizenship, inasmuch as if the man is to become a dependent or a criminal, he is just as apt to become so if he has taken out his citizenship papers as if he has not. I find, then, dealing with foreign born rather than with aliens, in the special reports issued by the Census Bureau (United States Census Report on Prisoners and Juvenile Delinquents in Institutions, 1904), it is said, on page 18:

If the general population of all ages be taken, the basis for comparison will not be equitable for several reasons. Inmates of the general prisons are all at least 10 years of age and nearly all over 15. For the most part the immigrants are between 15 and 40 years of age. The number of children under 10 years of age is extremely small among the white immigrants as compared with the native whites. In view of these facts, a comparison of the proportions of each nativity class in the white prison population with the corresponding proportions of the general population of all ages would clearly be unfair, for the inclusion of children under 10 years of age would so increase the proportion of natives in the general population that it would seem as if crime were more prevalent among the foreign born as compared with the native white than is actually the case. Therefore, children under 10 years of age are omitted, and the figures given for the population in Table 7 refer only to those at least 10 years of age. Even with this exclusion the figures are, on the whole, less favorable to the foreign-born white prisoners than the facts warrant, as no account could be taken of the large immigration between 1900 and 1904.

And on page 19 this report says:

The figures presented above give little support to the belief that the foreign born contribute to the prison class greatly in excess of their representation in the general population.

In the Census Report on Population, volume 2, pages 112 to 117, it appears that the total foreign-born population, 15 to 19 years of age, is 563,527. The total foreign-born population being 10,460,085, we find that of the foreign-born per-
sons, 5.4 were between 15 and 19 years of age, whereas of the foreign-born persons committed to prison during 1904, 4.6 were from 15 to 19 years of age, showing that there were fewer foreign-born persons from 15 to 19 years of age committed to prison than their percentage in the population.

The Industrial Commission Report, volume 15, part 2, page 287, calls attention to the fact that criminality is 3 to 5 times greater in males than females, and that persons under 20 seldom commit crime. Taking, therefore, male persons 20 years of age and upward, we find by the 1900 census, Population, part 2, pages 112 to 116, that there are 26 per cent foreign-born whites and 74 per cent native-born whites 20 years of age and upward. Turning to the report on prisoners, page 40, we observe that of the major offenders committed during 1904, 21.7 per cent were foreign born and 78.3 per cent native born, notwithstanding the fact that the percentage of foreign-born adult males is 26. That report says, on the same page:

The foreign born do not contribute to the white major offenders above their representation in the general population at least 15 years of age, except in the two Southern divisions, where they are comparatively unimportant. In the Western division, and more especially in the North Central, the proportion of foreign born is considerably lower among the white major offenders than in the white general population. Among the white minor offenders the proportion of foreign born is generally higher than among the white major offenders, and in the North Atlantic, South Atlantic, and Western divisions, exceeds the proportion of foreign born in the general white population. In the North Central division the foreign born contribute 23.3 per cent of the general white population at least 15 years of age and only 21.3 per cent of the white minor offenders. From these figures, as well as from those for the prisoners enumerated on June 30, 1904, it is evident that the popular belief that the foreign born are filling the prisons has little foundation in fact. It would seem, however, that they are slightly more prone than the native whites to commit minor offenses. Possibly to some degree this is
attributable to the fact that the foreign-born whites are more highly concentrated in urban communities.

Turning to New York State (Census Report, Population, vol. 2, pp. 112-116), we find that the number of native-born males of 20 years of age and upward in New York is 1,362,300; foreign born, 844,563, or 61.7 per cent native born and 38.3 per cent foreign born. In the Special Report on Prisoners, page 18, table 7, we find that of the white prisoners enumerated in New York State on June 30, 1904, 68 per cent were native born and 32 per cent foreign born, the foreign born contributing, therefore, six thirty-eighths, or about 16 per cent less than their ratio in the community, and in view of the fact that 38.3 per cent of the adult male population of New York is foreign born, the statement made by the Superintendent of Prisons and quoted by Mr. Burnett (Hearings, p. 41), as to 25 per cent of the prisoners in Sing Sing, Auburn, and Clinton, is favorable to the foreigners rather than otherwise. It must always be remembered, too, that the census figures are for 1900 and the report on prisoners for 1904, there being no allowance made for the number of foreigners who came into the country in those four years.

Interesting, too, is the following from page 18 of the Special Report on Prisoners:

Even the North Atlantic States, which have absorbed most of the late immigration, show a larger percentage of native prisoners than in 1890. It is evident, therefore, that the huge recent additions of foreigners to the population are not reflected in the prison returns in the degree the prison statistics of 1890 might have led one to expect.

And on pages 19-20:

Certain offenses, especially some comprehended under the general group "against society," are not crimes in the true sense of the word. For instance, no less than 4701 prisoners were sen-
tenced for drunkenness, 2773 for disorderly conduct (which is often only another term for drunkenness), 4287 for vagrancy, and 709 for violating liquor laws, but it does not by any means follow that all these persons, or even a majority of them, should be described as criminals.

There were, in 1890, 28.3 per cent foreign-born prisoners and 71.7 per cent native born. Comparing this with the figures for 1904, we find that there were 23.7 per cent foreign born and 76.3 per cent native born, showing a decline of foreign-born prisoners between 1890 and 1904—precisely those years that are coincident with the large immigration of the so-called "undesirable classes."

From page 14, "Report on Prisoners," the following figures are taken:

<table>
<thead>
<tr>
<th>State</th>
<th>1890</th>
<th>1904</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York</td>
<td>191</td>
<td>126</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>123</td>
<td>92</td>
</tr>
<tr>
<td>Illinois</td>
<td>102</td>
<td>60</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>233</td>
<td>187</td>
</tr>
<tr>
<td>New Jersey</td>
<td>169</td>
<td>131</td>
</tr>
</tbody>
</table>

These 5 States, which have the largest proportion of immigrants, all show decreases, whereas substantial increases are shown in New Hampshire, Vermont, West Virginia, Florida, Kansas, Wyoming, and Washington, where the immigrant population is small.

In the hearing given by this committee, Mr. Patten, a representative of the Immigration Restriction League, spoke of the fact that 21 per cent of the foreign-born prisoners were unable to read and write. I want to point out that this in itself shows nothing.

Of the native-born prisoners, only 7 per cent were illiterates and 93 per cent were literates, and the argument might be
made that literacy causes crime. The fact is that the entire foreign population, as shown by the statistics reported in the volume of prisoners, is less prone to criminality than the native. Instead of its being true, as Mr. Patten says, that "statistics show, as one would expect, that it is the illiterate who generally has criminal propensities," statistics show that of the more than 3,200,000 white illiterates in the whole country the total number of white illiterate prisoners was about 6000. Therefore, to draw any wild inference as to illiteracy generally showing criminal propensities, is a statement not borne out by the facts.

Mr. Patten also says, on page 69, that the literacy test is proposed merely as a means of sifting out the unassimilative elements. What constitute the unassimilative elements does not appear, but if the ability to read and write in the second generation is any test of assimilativeness, it would seem that all the foreign elements assimilate without delay. We find by the census report (Population, part 2, table 10, p. cvi) the following percentage of illiteracy:

<table>
<thead>
<tr>
<th>Division</th>
<th>Native whites of native parents</th>
<th>Native whites of foreign parents</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States</td>
<td>5.7</td>
<td>1.6</td>
</tr>
<tr>
<td>North Atlantic</td>
<td>1.7</td>
<td>1.5</td>
</tr>
<tr>
<td>South Atlantic</td>
<td>12.0</td>
<td>2.1</td>
</tr>
<tr>
<td>North Central</td>
<td>2.8</td>
<td>1.3</td>
</tr>
<tr>
<td>South Central</td>
<td>11.6</td>
<td>6.8</td>
</tr>
<tr>
<td>Western division</td>
<td>3.4</td>
<td>1.3</td>
</tr>
</tbody>
</table>

So that in every separate division the illiteracy is greater among native-born children of native parents than it is among native-born children of foreign parents. It would seem, therefore, that the immigration raises our educational standards instead of degrading them.
On page 50 of the Hearings Mr. Patten quotes the report of the commissioner at Ellis Island as follows:

Between these elements—

the very bad—

and those that are a real benefit to the country (as so many of our immigrants are) there lies a class who may be quite able to earn a living here, but who in doing so tend to pull down our standards of living.

These elements are presumably such as the Commissioner-General in his Report speaks of as "economically undesirable," and which under that heading are added to the excluded classes in the Elvins bill. I have seen no definition of what constitutes "an economically undesirable" immigrant, but I assume it to be one who arrives without much money and with a physique that would not qualify him for the United States Army, the test proposed in the Elvins bill, and who is, to a considerable degree, illiterate. If that be the correct description, the average Jewish immigrant would probably fall under that heading. The conditions under which he has lived and from which he is fleeing have restricted his educational possibilities, his physical growth, and his accumulation of wealth. He comes here with a percentage of illiteracy, a physical development somewhat below our own, and a depleted purse. Large numbers of such Jewish immigrants have arrived in this country since 1880. So far, however, from pulling down our standards of living, they have done the reverse.

The men's and women's clothing industry is one which is almost exclusively in the hands of these immigrants, both as employers and employees, and gives us, therefore, an almost perfect illustration of their influence upon industry and their tendency to reduce or elevate the standard of living. We find
by the Census Report on Manufactures (part 1, 1905, p. ccxxxiv, table clxix) that while the product of all industries increased from $11,411,000,000 in 1900 to $14,802,000,000 in 1905, an increase of 29.7 per cent, the clothing industry increased from $436,000,000 in 1900 to $604,000,000 in 1905, an increase of 38.5 per cent; in other words, while in 1900 clothing formed 3.8 per cent of all industries, in 1905 it formed 4.1 per cent of all industries. Only last month a clothing manufacturer from New York returned from abroad, having established agencies in London, Paris, Berlin, Vienna, Brussels, and other cities for New-York-made clothing. This is the second or third manufacturer who has recently put American-made clothing upon European markets, and in all likelihood a large foreign commerce in manufactured clothing, the product of immigrant labor, will ensue.

Taking the Special Census Reports on Manufactures (part 1, 1905, pp. 164-168) we find that in the production of $604,000,000 worth of clothing there was paid for wages to men, the sum of $60,943,153, or an average of $601 per capita against an average earning of men in all industries of $534 per capita (same vol., p. 22); and to women $46,864,351, or an average of $317 per capita, as against $298 per capita earned by women in all industries. Inasmuch as the 147,000 women engaged in the clothing industry are earning 6 per cent more wages than women in all industries, and the 101,000 men engaged in this industry are earning 13 per cent higher wages than the men in all industries, it would seem in this industry, almost monopolized by immigrant labor, as though immigrant labor were advancing rather than lowering the standard of living. Furthermore, between the census of 1880 and the census of 1905, we had the period of high immigra-
tion of the so-called "undesirable classes." In 1880 the average wages in all industries were $344; in 1905 they were $477, an advance of 39 per cent in the twenty-five years of high immigration.

Much concern is expressed about the cost to the country of maintaining foreign-born dependents. I do not suppose anybody will charge Mr. Prescott F. Hall, Secretary of the Immigration Restriction League, with being too friendly to the immigrants. I am going to read you an extract from his book, "Immigration," commencing on page 67:

In estimating the money value of the immigrant, attention may first be called to the fact that the bulk of our immigration is of the age of greatest productiveness; that is to say, this country has the benefit of an artificial selection of adults of working age. For example, in 1903, less than 12 per cent of all immigrants were under 14 years of age; leaving more than 83 per cent between the ages of 14 and 45. In other words, the expense of bringing up the bulk of our immigrants through childhood has been borne by the countries of their birth or residence, and this amount of capital therefore comes to us without expenditure. Professor Mayo-Smith refers to the frequently quoted estimate of Frederick Kapp that the cost of bringing up a child to the age of 15 is $562.50 in Germany and $1000 to $1200 in the United States. Taking the value of the immigrant at $1000, the immigration over 14 years of age in 1903 would have added $754,615,000 to the wealth of the United States if it had all remained in the country. A thoroughly conservative estimate is probably that of Mr. John B. Webber, formerly Commissioner of Immigration at the Port of New York. He assumes that there were 10,000,000 foreign born at the date of the Eleventh Census, and that 2,000,000 of these were working at an average wage of $1 per day; and he points out that these persons added $600,000,000 per year to the earnings of this country.

Taking these figures, we find that the immigration of a single year adds $754,000,000 to the wealth of the country by a saving in the cost of the upbringing of the immigrant, and that the industrial activity of the immigrant adds $600,
000,000 annually to the earnings of the country. In view of this statement we need not concern ourselves very much with the fact that a small percentage of immigrants become dependents. That the amount of dependency among immigrants should be larger than among natives is perfectly natural; they are engaged in those occupations in which they are subjected to the risk of physical injury, and being in a strange land when they fall into distress, they lack friends or relatives to care for them.

In view of the fact that the immigrant brings in $750,000,000 as new capital, and adds $600,000,000 annually to the product of the country, it seems to me that what it costs to maintain those in public institutions who may happen to fall into public institutions, becomes negligible.

Another statement that has been made is that of Gen. Francis A. Walker, a statement quoted with approval by Mr. Prescott F. Hall, that the foreign immigration does not add to our population, but that it simply supplants native population; that when immigrants come in by Ellis Island they do not come in by the natural route. Mr. Hall says in his book, on page 117:

In many of the older countries of Europe the birth rate has continued with full vigor. In the country from which there has been a considerable emigration, the birth rate immediately increases to such a degree that the pressure of population is soon restored to its former condition.

As a matter of fact, it is a universal symptom—there is not a single exception—that the birth rate nowhere increases, but almost everywhere decreases. The Encyclopedia of Social Reform, 1908, page 117, gives a comparative statement of the birth rates in the various countries of Europe.
<table>
<thead>
<tr>
<th>Country</th>
<th>1857-1899</th>
<th>1900</th>
<th>1906</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>38.0</td>
<td>...</td>
<td>1903</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>35.0</td>
</tr>
<tr>
<td>Belgium</td>
<td>30.1</td>
<td>28.9</td>
<td>1903</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>27.5</td>
</tr>
<tr>
<td>Denmark</td>
<td>31.3</td>
<td>29.8</td>
<td>1904</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>29.2</td>
</tr>
<tr>
<td>England and Wales</td>
<td>32.3</td>
<td>28.7</td>
<td>1904</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>28.0</td>
</tr>
<tr>
<td>France</td>
<td>23.7</td>
<td>21.4</td>
<td>1904</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>20.9</td>
</tr>
<tr>
<td>Germany</td>
<td>37.2</td>
<td>35.6</td>
<td>1904</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>34.1</td>
</tr>
<tr>
<td>Hungary</td>
<td>42.9</td>
<td>39.3</td>
<td>1903</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>36.6</td>
</tr>
<tr>
<td>Ireland</td>
<td>23.8</td>
<td>22.7</td>
<td>1904</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>23.6</td>
</tr>
<tr>
<td>Italy</td>
<td>36.6</td>
<td>32.9</td>
<td>1903</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>31.5</td>
</tr>
<tr>
<td>Norway</td>
<td>30.7</td>
<td>30.1</td>
<td>1904</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>27.9</td>
</tr>
<tr>
<td>Prussia</td>
<td>37.7</td>
<td>36.1</td>
<td>....</td>
</tr>
<tr>
<td>Scotland</td>
<td>32.2</td>
<td>29.6</td>
<td>1904</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>28.6</td>
</tr>
<tr>
<td>Spain</td>
<td>35.6</td>
<td>34.4</td>
<td>1902</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>35.6</td>
</tr>
<tr>
<td>Sweden</td>
<td>28.7</td>
<td>26.9</td>
<td>1903</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>25.7</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>31.1</td>
<td>28.2</td>
<td>....</td>
</tr>
</tbody>
</table>

At the hearing on February 22, Mr. Gardner, of this committee, is quoted as saying:

The greatest experiment in distribution that has been made was that made by the State of South Carolina. They received 762 immigrants from Berlin and Belgium and other places, and the result of that experiment was that, within a year, out of the 762 immigrants all but 72 had disappeared from the State and had gone elsewhere.

1 Statistisches Jahrbuch für das deutsche Reich.  
2 1888-1899.
Mr. Prescott F. Hall, in a recent letter, speaks of the distribution as being "a bluff on the part of the Jews and the steamship companies." Both Mr. Hall and Mr. Gardner are mistaken. "The greatest experiment in distribution" was not made by the State of South Carolina, but by the Industrial Removal Office, of New York City, and its work is no bluff. According to the latest report of this office, there have been sent from New York 45,711 persons, of whom 24,123 were breadwinners, the remainder being their wives and children. These 24,123 persons represented 221 occupations, and were sent to 1278 cities and towns, and the 3500 distributed in 1909 were sent to 298 cities and towns. These persons have been distributed to all parts of the United States, towns and villages as well as cities, and, according to the records of the office, 85 per cent of the breadwinners are engaged in gainful occupations at the places to which they were sent. These persons are distributed through the co-operation of friendly committees in the receiving places, excepting where the receiving places are small. Where we send a larger number, we have a reception committee to whom we send these people, not in response to immediate requisition, but from a general knowledge of the conditions as to what kind of workingmen they can use, and we send such classes of workingmen as may be useful in the particular community. These reception committees consist of public-spirited citizens of the Jewish community in the locality, who are interested in the work. They know perfectly well that they are able to place them; otherwise they would not ask us to send them. If they were to load themselves up with persons for whom no work was procurable, they would have upon their shoulders the responsi-
bility of caring for those people and making dependents of them.

In 1909 we sent 3504 breadwinners, of whom 33 went to the New England States, to 11 cities; 401 to the Middle Atlantic States, 78 cities; 254 to the Southern States, 51 cities; 2123 to the Central States, 126 cities; 680 to the Rocky Mountain and Pacific States, to 32 cities; and 13 to Canada, to 3 cities.

Here are the occupations of the 24,000 who were distributed between 1902 and 1909. They were engaged in 221 occupations; 9.97 per cent in wood working; 9.17 per cent in metal working, all classified here according to the various branches of metal and wood working; 8.03 per cent in the building trades; 0.93 per cent in printing and lithography; 20.86 per cent in the needle industries, clothing, and millinery supplies; 6.99 per cent in leather; 0.77 per cent in tobacco; 1.95 per cent in miscellaneous trades, as album makers, bedspring makers, bristle workers, being only a few of a kind; 1.52 per cent non-manufacturing—barbers, bartenders, bottlers, canvassers, cleaners, dyers, cooks, domestics, firemen, and so forth; men without trades, 31.65 per cent, being in numbers 7637. Of that number 7328 were unskilled laborers and 309 were peddlers. 1.74 per cent farming; 3.36 per cent small dealers in foodstuffs, bakers, brewers, butchers, confectioners, distillers, and so forth, making the number 809, out of 24,000. 3.6 per cent are office help, professional, and so forth.

Of the breadwinners whom we sent away 85 per cent are engaged at the places to which we sent them. Of the remaining 15 per cent some go to other places, about 3 per cent drift back to New York, 12 per cent get to other places and into other occupations, some of those, no doubt, into peddling. I
have no knowledge about that, because after we have lost sight of them in the place in which we originally put them, we do not know what has become of them, but we have the records to demonstrate that 85 per cent of them are engaged at the jobs in which we succeeded in getting them occupation.

In response to questions with regard to what steps had been taken to induce immigrants to engage in farming, Mr. Sulzberger made the following statement with regard to the work of the Jewish Agricultural and Industrial Aid Society: That society engages in placing Jews upon farms. I do not like to adduce figures without having the figures before me, so I will not mention figures at all. The abandoned farms of New England the Jews have made to flourish once more, and we have farmers in pretty nearly every State in the United States. We began a year ago the publication of the "Yiddish Farmer" (a farm journal in the Yiddish language), which, although it is only a year old, has a paid subscription list that many older established papers would be glad to have. The Jewish farmer is in every respect able to hold his own along with any other, and is showing a very strong tendency and desire to get to the farm.

In addition to this society there is one in Chicago, the Jewish Agriculturists' Aid Society, which does similar work.

A farm school, of which Rev. Dr. Joseph Krauskopf, of Philadelphia, is President, is conducted at Doylestown, Pa., where trained agriculturists are turned out, and the Baron de Hirsch Fund has a similar school at Woodbine, N. J., where they are conducting a similar work. The Government has taken from that school a large number of experts for its agricultural service all over the country. There is a greater tendency to-
ward farming on the part of the Jewish people than since its dispersion.

As respects congestion, our experience in New York is that, whereas a few years ago we had one Jewish quarter, we now have many. The Jews who come from Russia have a natural tendency to live together, because they wish to live where their language is spoken. But they do not all live in one part of the city by any means. We have a large Jewish settlement on the lower East Side, we have a large Jewish settlement in Harlem, we have a large Jewish settlement in the Bronx, and several large Jewish settlements in Brooklyn. I believe that the amount of congestion on the lower East Side of New York is to-day less than it was eight or ten years ago, because of this spreading. The same thing is true about the Italians. They have spread over various settlements, instead of being concentrated in one. I want to call attention to a matter, in connection with congestion, that is generally overlooked: While in the large cities there is always a state of more or less congestion, the persons involved are not the same persons. In other words, a man who comes to the City of New York and settles down on the lower East Side stays there three or four or five years. After the lapse of a few years he moves on and comes up into the Harlem settlement. From there he goes to the Bronx, and presently he is on Fifth Avenue.

The greatness of the City of New York has been brought about by its immigrant population. If we had no immigrant population in New York, perhaps it might be better upon some sides, but it might be worse upon others. That is a large question to decide. Hundreds of thousands of men have made New York their home. When I arrived in New York, I had what was left out of $25, after paying my railroad fare from
Philadelphia to New York. I have succeeded in making good to a reasonable extent. Hundreds of thousands have come from Europe who have made good in the same way, and it would have been a fatal blunder to have sent all these men off on the farms or to other parts, when they were fitted to work out and have worked out their salvation and economic success, and have done it right there in the City of New York. I appreciate the difficulties and dangers of congestion. I do not suppose that any man appreciates them any more than I, because I have spent a great deal of time in the study of that matter, but we must not get hysterical about it, because those men who have gathered there have made that city great, and are making it greater day by day. It is the greatest city in the country to-day, and in a short time it will be the greatest city in the world. If you say to the immigrant population that it must go there no more, but must scatter through various parts of the United States, it would be good for the various parts of the United States, but it would be bad for New York.

As respects the Americanization of the immigrants, it proceeds at the most wonderful rate. So far as their reading foreign newspapers is concerned, it does not seem to me that that at all interferes with their Americanization. A man's thought may be thoroughly sympathetic with our American thought, and yet he may express it in another language. I do not know why a man who reads a German newspaper or an Italian newspaper or a Yiddish newspaper should not think along American lines as well as if he expresses himself in the English language.

As to an educational test, I will add that if we had not the laborer, irrespective of his ability to read, we would find great
difficulty about getting our heavy work done, in view of the great demand for labor in this country to-day. From my observation of the matter I am convinced that with all the immigrants we have we are not to-day responsive to the demand for labor. As I have said before, illiteracy and crime have no connection, and the fact that a man is illiterate should not weigh either for or against him in considering admitting him to the country. There may be reasons for debarring him, but illiteracy is not one of them, because there does not seem to be anyone I can find anywhere who says there is a connection between illiteracy and crime.

**STATEMENT OF LOUIS MARSHALL, ESQ., OF NEW YORK CITY**

The question has been asked as to what was being done in the City of New York by the Jewish organizations and other organizations with regard to the education of the immigrant. I am a member of the board of directors of the Educational Alliance, and have been for about fifteen years. That organization was formed for the Americanization of the immigrant. That is its principal purpose. The extent to which the work of the Educational Alliance is carried on is evidenced by the fact that during the last four or five years the number of visitors who have come to the building for the purpose of getting instruction has averaged about two and a half million a year. The work consists largely in instructing the immigrant as to the duties of American citizenship and as to the resources of our country, and I would like to read for your information, from the report of the Immigration Commission of the State of New York, one of the appendixes which shows the various subjects which are discussed and lectured upon with respect to American history and civics, in the Educational Alliance:
1. The American character: An exposition of the characteristics of the American.
4. The beginnings of American liberty: Showing the reasons for the triumph in America of the English and their political ideas.
6. Franklin and life in the colonies.
9. The making of the American Constitution: Showing how and why the American nation was formed.
10. The American Constitution: The relation of the state and nation; amendments and Bill of Rights.
12. The American Constitution: Congress.
15. The American press and public opinion.
16. The American educational system and ideals.
17. The growth of America under the Constitution. Illustrated.
20. Economic conditions of the United States as compared with Europe.
21. The development of the West. Illustrated.
22. Life of the Jews in the United States, in the South and the West. Illustrated.
30. Ideals of American citizenship.
31. The duty of the foreigners to America.

The lectures are first conducted in Yiddish, so as to enable those who are unable to understand English to understand the
subjects in the earlier stages. Then the lectures are delivered in English, accompanied by illustrations and lantern slides.

A question was asked as to teaching English. In the Educational Alliance we have various classes organized solely for the purpose of rapidly teaching Jewish immigrants the English language. Those classes are very largely attended. We have now some 35 different classes taking care of the various portions of the population. The adults who work in the daytime are taught at night. The adults who work at night are taught in the daytime. The mothers have their own classes. The teachers in the Jewish religious schools have their classes in which they are taught the English language, so that they may give their instruction in religion in the English language. Then there are day classes for newly arrived children; and in that way every part of the Jewish population is saturated with the English language, so that in a very short time those children, and those men and women who have come to this country after they have reached majority, are better able to speak with their Yiddish brethren in English than in Yiddish; and, as a matter of fact, it is a very curious thing that the Yiddish of New York is an entirely different language from the Yiddish of Russia, because there is an interpolation of English words from the very beginning. So that in a very short time, by a natural process, the people speak the English language and do not speak the Yiddish language.

As to the newspapers, the Yiddish newspaper performs a very important function. I had the fortune, or the misfortune, of being the organizer of a Yiddish newspaper a number of years ago, to be published purely and solely from the standpoint of good citizenship. We tried the experiment of establishing a paper which would do the very kind of teaching
contemplated by this list of subjects which the Educational Alliance deals with. We had the Declaration of Independence translated into Yiddish. We had the Constitution of the United States translated into Yiddish. We had commentaries upon that; and we had the history of the United States from the landing of Columbus down to the present day. We had all kinds of subjects of that character, for the purpose of impressing upon the Yiddish-speaking population these ideas. To indicate the process of development there were two pages in English, so that they would gradually go from the Yiddish into the English. The effect of it has been that there has been a development of all the Yiddish papers in New York City in that direction; and anyone who is capable of reading Yiddish will find that all the important questions of economics and civics, and all the important questions of politics, are most intelligently discussed in the Yiddish language in these newspapers. You need not be afraid that the Jewish people of that city, however, are going to adhere to those papers alone. They are repeatedly reading others. They are great readers of the newspapers. Anyone going into the reading room of the Educational Alliance in the evening would be astounded at the number of readers. And the subjects about which they read there are as various as the mind of man can conceive. The public libraries in those parts of the city in which the Jews live are the best patronized libraries in the City of New York. The books read are not trash and not light literature, but deal with scientific subjects. To give an idea of the mental characteristics of the people, I will say that in the Educational Alliance we had a class of 100 men who met every Saturday night. Some of these men were push-cart peddlers, and some of them workers at tailoring trades, but they met on
Saturday night and discussed questions of science, of art, of the world's literature, and the higher mathematics. The people appreciated the subjects and took pleasure in the study of those particular matters.

I think this really is merely one of the side shows in this question, but still it indicates that the people who come here are being taken care of and are being advised; and the Educational Alliance is not the only organization that is doing it. There are the Young Men's Hebrew Association, the Young Women's Hebrew Association, and various settlements on the East Side. Other organizations are doing this work, not only in New York, but in Chicago, in Philadelphia, in St. Louis, in San Francisco, and in every quarter of America. Lest it be thought that the Jews are all segregated and congregated in the City of New York, let me tell you that there is scarcely a community in the country in which you will not find a settlement of Jews. I think those who know them know that they are a self-respecting part of the community and are doing their part toward becoming as rapidly as possible an integral part of the American people; and they resent nothing more than to be considered as a thing apart. They want to be considered as a part of the American people.

I have read some of the debates upon this subject, and they are really amusing when we use the parallel-column comparison. This same talk about inferior races has been used ever since immigration commenced.

In 1817, when the total number of immigrants to this country was 2800, see what Niles' Register said about the awful fate confronting the United States:

We have room enough, let them come. . . . . But the emigrants should press into the interior.
In the present state of the times we seem too thick on the maritime frontier already. Within, there is ample and profitable employment for all in almost any branch of business, and strangers should be encouraged to seek it there.¹

That was in 1817, when the total population of the United States was about 6,000,000. They wanted to get them away from the congested City of New York, which then had a population, I think, of 125,000 people.

In the report of the managers of the Society for the Prevention of Pauperism in New York City, in 1819, it is said:

First, as to the emigrants from foreign countries, the managers are compelled to speak of them in the language of astonishment and apprehension. Through this inlet pauperism threatens us with the most overwhelming consequences.

From various causes the City of New York is doomed to be the landing place of a great portion of the European population who are daily flocking to our country for a place of permanent abode. This city is the largest importing capital of the United States, and a position from which a departure into the interior is generally considered the most easy and practicable. On being possessed of more extensive and active trade than any other commercial emporium in the Union, it naturally occurs to the minds of emigrants that we possess great means of employment. Our situation is peculiarly healthy, and no local objection, either physical or moral, exists to arrest the approach of foreigners. The present state of Europe contributes in a thousand ways to foster unceasing immigration to the United States. . . . . An almost innumerable population beyond the ocean is out of employment, and this has the effect of increasing the usual want of employ. This country is the resort of vast numbers of those needy and wretched beings. Thousands are continually resting their hopes on the refuge which she offers, filled with delusive visions of plenty and luxury. They seize the earliest opportunity to cross the Atlantic and land upon our shores. . . . . What has been the destination of this immense accession to our population, and where is it now? Many of these foreigners have found employment; some may have passed into the interior, but thousands still remain among us. They are frequently found destitute in our streets; they seek employment at our doors; they are found in our almshouses and in our hospitals; they are found at the

¹ Niles' Register, VII, p. 359, 1817.
bar of criminal tribunals, in our Bridewell, our penitentiary, and our State prisons. And we lament to say that they are too often led by want, by vice, and by habit to form a phalanx of plunder and depredations, rendering our city more liable to increase of crime and our houses of correction more crowded with convicts and felons.²

That was in 1819. Some of those immigrants, I suppose, were your grandfathers; some of them may have been your fathers; and some arrived subsequent to that time; and still this country is what it is, and it has grown to be what it is. They are the people who have made the great Northwest, Wisconsin, Minnesota, and the neighboring States; and they are the people who have built up in the East all our great industries. When we think of the greatness of the State of New York, with its large percentage of foreign population, does it not seem utterly absurd to say that this country is going to ruin and destruction? Ah, but some of these gentlemen say it is because the people who are coming now are of a different class. They say that the people who were here before and who were the fathers of Senators and of Members of the House of Representatives, and who are in our State legislatures, were a different class. They were Germans, and they were Irish, and they were of a better quality. But let us see what they said in 1819. They said:

The Irish had an utter distaste for felling forests and turning up the prairies for themselves. They preferred to stay where another race would furnish them with food, clothing, and labor, and hence were mostly found loitering on the lines of the public works, in villages, and in the worst portions of the large cities, where they competed with the negroes—between whom and themselves there was an inveterate dislike—for the most degrading employments.

²Second Annual Report, Managers of Society for the Prevention of Pauperism in New York City, 1819.
I have other beautiful specimens of the same character, in which the German is put in the same category as the Irish. They are priest-ridden; they are ignorant people; have no Anglo-Saxon ideals, and words to that effect.¹

Later, still, we have criticisms of the Swedes and the Norwegians, and now the criticism comes of those from eastern Europe and from southern Europe.

I have had occasion to give a great deal of study to this question, with a view of seeing what the conditions are in this country to-day as the result of this eastern European and southern European migration into this country.

There is now very little immigration from Ireland, England, or Germany. The need for immigration, from those countries, no longer exists; but the immigration comes from other parts of Europe. Those people come, not for the purpose of being idle, not for the purpose of making themselves public charges, but for the purpose of being useful workers in the great American beehive. We are constantly engaged in great public works. Take the State of New York for example. At the present date the City of New York is spending over $100,000,000 on the new waterworks system and the Ashokan dam and aqueduct. And who are doing the work there? Italians, southern Europeans and eastern Europeans. The State of New York is also spending about $50,000,000 on the building of the new public-highway system throughout the State. Who is doing that work? The same people. No Germans, no Irish, no native-born Americans. They would not work at such jobs.

They are constructing a great barge canal, at an expense of over $100,000,000. And who is doing the work there? Not native Americans, not the sons of Irish immigrants, nor of

¹ See Appendix I, pp. 87-93.
German immigrants. The people who are doing that work are these same people from southern Europe and eastern Europe.

The railroads require trackmen. All the great public works require men to do manual labor. All that is done by the southern European and the eastern European. I do not mean that the "bossing" is done by the newly arrived immigrants. That is done by those of an earlier generation; and that merely indicates the advantages of our system of government. The man who comes to-day is ready to handle the pick and shovel. As a result of his imbibing American ideas his standard of living is raised and he becomes more expert, and in five years from now he will be the boss. In ten years from now he will be the contractor. In twenty years from now he will be the alderman. And so there is a development from time to time which is desirable, which is of great advantage to the country, and which adds to its strength. Every man who comes here in the vigor of manhood, and who has been admitted here, is an asset to this country of very great value. I have not any doubt but that every man who has the full possession of his faculties is worth at least $1000 net to this country the moment he arrives here; and of course it results in an increase and addition of wealth to the country. I am not discussing it as a Jewish question, but as a question which applies just as much to the Italian, the Croatian, and the Hun, as to the Jew, because they are all doing their part in the world's work and in the development of this country. The whole tendency of the country is upward and toward improvement. The laggards and the inferior people drop by the wayside. It is a question of the survival of the fittest.

As for the concentration of nationalities, people congregate because they like to be among those they understand and who
have the same ideas and associations and the same bringing up. They naturally congregate and have their own newspapers. There are probably 50 newspapers of that kind published in New York, in the Syrian, Armenian, and every known language of the world. That does not change the situation. That does not affect the Americanism of those people; because if you can speak in a dozen tongues you can preach the same doctrine and reach the people of a dozen tongues, whereas with one tongue you might be able to reach but one. The tendency is that they will all learn to speak the language of this country. The desire to get on will impel them to. There is not an Italian who does not in time begin, in his own way, to speak the English language. The children of the Italians are in a short time able to speak the English language as well as the children of any man whose ancestors came over in the Mayflower. The situation is no different. They will become accustomed to their environment, and they do. I am not discussing mere theories. The facts speak for themselves.

At the request of a member of the committee, I have sent copies of the report of the New York Immigration Commission, 1909, to the various members of the committee, and I hope that you will all take the pains to read the chapter on “Industrial and Agricultural Opportunities for Aliens,” running from page 130 to page 137. You will find there a discussion of this economic question as it has been taken up in New York.

We took pains to send a schedule of questions to the various manufacturers and various trades unions in all the different parts of the State of New York, as to the character of the labor they had, as to the nationality, as to the time they had been in the country, etc.; and we found—and we have here excerpts
from the reports—that in many cases where there had been previously American labor, and where there had been German or Irish labor, those of other nations were coming in. But these were the reasons given:

- Natives are not always available, and when available will not do the work required.
- American-born citizens find more lucrative employment.
- Foreigners are more reliable and do better work.
- Native-born are seeking other than mill work.
- In the manufacture of fiber ware and material, on account of labor troubles, foreigners are better workers, steadier, and more sober; also not inclined to look for easy work.

One says:

Foreigners on our work have not proven satisfactory.

Another says:

Our business is too particular and fine for foreign-born.

Another says:

The neatest workers are invariably American-born; they are cleaner, and more pride is seemingly taken by them in the execution of their work.

Then again they say they cannot get American labor. You cannot get the American-born to work in the mill, or to do the ordinary labor of a daily operative on public works, and therefore you must seek that labor somewhere, or else the country will be at a standstill.

Also the “birds of passage,” who come over in a flush season and return in the dull, are not found among the Jews, since they have nowhere to return to. The tendency of the Jew is rather to remain and become naturalized, and to become Americanized.

Much is made of the congestion of the immigrants in the large cities. But that is not a phenomenon peculiar to this
country, but is the tendency the world over. Let me give you a few facts on that subject. The tendency of modern times has been toward the increase of the urban population at the expense of the rural districts. Here are a few figures as to the growth of cities, for 1800, 1850, 1890, and 1900:

London: In 1800, 958,000; in 1850, 2,362,000; in 1890, 4,211,000; in 1900, 4,536,000.
New York: In 1800, 62,000; in 1850, 660,000; in 1890, 2,740,000; in 1900, 4,014,000.
Paris: In 1800, 546,000; in 1850, 1,053,000; in 1890, 2,448,000; in 1900, 2,714,000.
Berlin: In 1800, 173,000; in 1850, 378,000; in 1890, 1,578,000; in 1900, 2,033,000.
Vienna: In 1800, 232,000; in 1850, 431,000; in 1890, 1,341,000; in 1900, 1,674,000.

Whereas, at the beginning of the nineteenth century, the cities were comparatively small, at the beginning of the twentieth century they had increased fivefold in population throughout the world; not only in the country where the immigrant arrives, but in the country from which the immigrant comes. The tendency has been toward the building up of the city at the expense of the rural community, and the time has come when those who are wise will echo the cry "Back to the soil," because that will be the solution of many of the great economic problems that are confronting all parts of the world. Among the more recent immigrants the smaller proportion settle on the farms, or in the country. In the first place they come to New York or to Philadelphia and get employment there, but gradually they get into the country. By that I do not mean that they go on the farms, but they get into the smaller cities and then gradually into the villages and towns; and after a while when they get wise they buy farms.

1 See Tables. Appendix I, pp. 94-95.
That fact is illustrated by the circumstance that the number of Jewish farmers is increasing every day, and the number of Italian farmers is very largely on the increase. That is also true of the Greeks, who are well known as florists, and who do a very large business in floriculture. A great many of other nationalities are carrying on truck farms near the cities. In that way there is a tendency in that direction, although it is not as rapid as it might be if they went to the country in the first place, and the census figures show that the proportion of foreign-born on the farms now is constantly increasing.

Immigration has been at no time inimical to the prosperity of the City of New York. Anyone who studies the history of the country, at any period, will find that if we had not been aided by this providential influx of immigration we would be very much behind the state we are now in. All this talk about immigrants is, to me, very amusing, when we consider that we are all immigrants—every one of us. Beyond that, there are very few who are in any way, in this community, descendants of the Pilgrims, or of the original settlers of the South, who arrived in the country prior to the Revolution; because I understand the Sons and Daughters of the Revolution are not very numerous—although there is one daughter of the Revolution here to-day, who is of Jewish birth. You will find that the great bulk of our population is descended from people who have been on this continent not longer than one century. What is to be gained by all this talk about difficulty with immigrants, when we are all either immigrants ourselves or the sons or grandsons of immigrants?

Taking up the head tax: If you increase the head tax to $25 a head, it will be prohibitive in many instances. The people cannot raise the money. It is a difficult thing for them
to get the money with which to buy their transportation. If you add to that the artificial deterrent requiring them to pay a head tax of $25, you make it impossible in the great majority of cases for the immigrant to come in, and most usually the people excluded are in that class of cases where the people are coming to this country as refugees from persecution—the class of people to whom our doors have been opened from the earliest day of our history. We are still dealing in comparatively small figures, but $25 is an amount of money which it takes years and years for people to collect when they are obliged to live within the Russian Pale, are restricted from activities, and have their hands and feet tied, as well as their consciences. It is an absurdity to say, as has been said before this committee on another occasion, that the increase in the head tax is paid by the steamship companies. They would not do it. How can they do it? They certainly are not going to pay the head tax if it is $25 or $10. Whatever they pay, in some way or other, is added to the immigrant's fare. They are not here as eleemosynary institutions. They are here to make money.

(MR. BENNET. I just want to say that the statement was made to the committee that the fare had not been increased. I looked it up and found that that was technically correct, and that the steamship companies' third-class rate had not been increased, but that the steamship companies had commenced, since the act of 1907, the practice of collecting the extra $2 increase from the immigrant direct, in addition to the price he did pay.)

Any increase would be a burden under which they would have to stagger. If you put it at $10 or $25, as I say, it would be utterly prohibitive. You might as well not disguise the
measure, but say, "This is a bill for the prohibition of immigration into the United States," or "for the absolute restriction of immigration." The present law is all right, if you have proper administrative regulations which will make that law effective, and which will be fair and just to all concerned, which will give a man a hearing, and give him his day in court, and which will not introduce Russian methods into official administration. Further, it is a very serious question of constitutional law whether any increase of the head tax could be sustained. When the head tax was fixed at 50 cents under the act of August 3, 1882, the Supreme Court of the United States, in the "head-money case" (112 U. S., 580), had some considerable difficulty in even sustaining that, and the only way it could sustain that was by the reasoning of Mr. Justice Miller, who said it was not for the purpose of revenue, and that it was not exacted under the taxing power, but merely for the temporary care of paupers. The taxing power cannot be arbitrarily exercised. It must be for some specific governmental purpose.

With regard to section 7 of the Hayes Bill, which requires a certificate of residence to be taken out by every alien resident in the country for one year, I oppose this provision on the broadest and strongest grounds. These people come to this country for the purpose of aiding its development, and also of aiding themselves—for the purpose of doing their small part in the creation of a greater America. Is it not the most undignified thing in the world to say to a man who comes here with those purposes in view, "You are practically a man who is under surveillance; you must get a certificate from some official, which you must show on all occasions, to show that you have a right to be here"? Is it not an insult to
the dignity of manhood? Is it not introducing Russian methods into the United States? It is a re-introduction of the yellow badge that the Jews had to wear; and I would hate to see such a thing introduced into the United States in regard to the Jew, the Italian, or any part of our community. It is a degradation of manhood, and I hope that whatever you do, you will not put that blot upon people who, in time, will become citizens of the United States, and possibly members of a better stratum of society than that which they are supposed to occupy when they are called upon to make that acknowledgment of humiliation.

Then, look at what would happen. You would have to get that certificate. I think Congressman Bennet has been in the United States post-office building at times when people were there who wanted to become citizens of the United States; and they have been obliged to come day after day and to stand in line from 4 o'clock in the morning until 5 o'clock in the afternoon, and then be requested to come some other day. They are compelled to leave their work before they can go through the formula of becoming American citizens; and these people who come here for the purpose of earning a livelihood might be required to stand in line day after day before they could get a certificate, and be damned up hill and down by $2 clerks because they would feel that those people as yet had no vote, and might not, perhaps, get one. I think the administrative features of such a law would be abhorrent to anyone's sense of right and justice, and to anyone who has seen the workings of even that part of our system which relates to the act of naturalization. Under our immigration law you have the record of the man when he arrives. Why should he get a certificate of residence in addition to that after
he stays his time? In regard to the act of naturalization, that is a judicial act. It is a proceeding in court. You have to have evidence, and that is perfectly proper; and the stronger your requirements may be with regard to the possession by the applicant of thorough knowledge of the genius of our institutions, of knowledge of our Government, and of ability to speak the English language, the better I like it.

Taking up the Elvins Bill, here are the different classes to be excluded from admission into the United States:

Persons economically undesirable—

If we could review these questions in the Supreme Court of the United States as you can review almost every question, there would be a series of very interesting lawsuits which I would be very glad to argue, if I had the opportunity, without fee, to determine what the meaning of that phrase is; but inasmuch as under the law there is no way of reviewing those questions, and everything is left to bureaucrats—and I use the word without any intent to offend or to use slighting language—or to people who have arbitrary power, let us see what would happen.

"Persons economically undesirable." Undesirable to whom? How undesirable? What is meant by "undesirable?" What is meant by "economically undesirable?" Is it because they have not enough money, or is it because they have too much money? John D. Rockefeller might be economically undesirable to some people, and a man with only 50 cents in his pocket might be economically undesirable to other people, and yet they would not be, in fact, economically undesirable to the mass of mankind. But when you draft a great statute which is to be applied to 1,000,000 people a year, to use language of
that sort is to make it easy for any administrative officer to do just as he pleases. If he should say, "I think this man is economically undesirable," how are you going to refute it? What are you going to do about it? You have heard a great deal about the Chancellor's foot, but there are some feet which, if applied to that language, would use it purely as a kicking-out process. That language is absolutely dangerous. It is potent with mischief. We have gotten along without it so well, and this country has improved so much economically, as I have tried to show, notwithstanding the absence of that language, that I do not think we ought to have a law which would make every superintendent, or whatever he is called, of a landing station, a professor of political economy, and of his own political economy. It may be free trade in one place, it may be high tariff in another, and stand-pat in still another, and you do not know where you would get, in acting on these various kinds of economic ideas. As to undesirability, one man might consider that a red-headed fellow was undesirable, and another man might think that a man who had black hair would be undesirable, and some might think that a man without any hair would be undesirable. As you see, there is great vagueness, and that is a thing we ought to avoid. We have had enough vague language. Some of you gentlemen understand what has happened as the result of vague terms. When opening a Pandora's box we do not want to put additional mischief into the box so as to do harm beyond the dreams of anybody at the present time.

Here is the next thing:

Male persons over sixteen years of age who do not possess in their own right at least one hundred dollars in lawful money of the United States or other money of equal value.
One hundred dollars! Think of a man from Russia, from Roumania, fleeing for his life, the victim of a "pogrom," or the members of a family fleeing as the result of an insurrection or a mob's wild action, having $100 in their possession! Perhaps the argument I am now making would be considered by you as a good argument against my position, but I would not be here if anything like that had been in force when my father came to this country. My father had exactly 95 cents in his pocket when he landed in the City of New York on the 1st of September, 1849. It seems to me inconceivable, when people are coming here, ready to be deposited right at our door, full of hope and ambition, that we should say to them: "We will not let you come in unless you have $25, or $100." It is utterly contrary to the spirit of our institutions. I wonder what George Washington and Thomas Jefferson would have said if anybody had thought of such legislation in their day. I know what they would have said, because I have extracts from some of their writings, in which both Washington and Jefferson speak of the great desirability of having immigration. And Rush, in his diary, when minister to England, said that the desire of foreigners to emigrate to the United States was a very desirable thing, and that men are the best of all imports. I think it is a great deal better to have the man than to have the $100.

Now, here is the next thing:

Persons between the ages of sixteen and fifty years who cannot pass the physical examination prescribed for recruits by the military regulations of the United States Army.

I know that I could not pass that examination. I am near-sighted. There may be members of the committee who are
near-sighted, or who may have other ailments, or who in other respects, perhaps, may not come up to the qualifications. It may be a matter of eyesight or a matter of weight, but all this is unnecessary.

Our immigrants were in the Army of the United States and in the Confederate Army during the Civil War, and they were pretty good soldiers at that. There were Germans who came to this country as fugitives from their Government, and they helped to fight the battles of the Republic. There have always been a large number of immigrants in our army, and are now, and Mr. Wolf has written a book for the purpose of showing how many Jews there were in the army in the Civil War. At a time when there were probably not more than one hundred to one hundred and fifty thousand in the United States, there were 8000 at least on the rosters of the army, and most of those people were recent immigrants. They had not been here many generations. They fought for their country. Nobody tried to avoid military duty. On the East Side, in the Educational Alliance—and I come to that once more—we had young men clamoring for the privilege of enlisting during the Spanish-American War. I remember that it is one of the traditions of Syracuse, where I was born, that in the early part of 1862 there was enlisted a company from one Jewish congregation, Company A, One Hundred and Forty-ninth Regiment, every man of whom was a Jew, and every one of whom came from abroad, foreign-born, and some of whom had not even had time to become citizens.

The next thing is the illiteracy test:

Persons over sixteen years of age, physically capable of reading and writing, who cannot read and write English or the language of some other European country or Hebrew or Yiddish.
I think I have discussed the question of the illiteracy test sufficiently. A man's ability to work is not dependent upon the amount of learning he has. A man who has a willing mind and a strong body and a desire to work and to earn his livelihood is a man who is desirable; and as has been suggested by Congressman Moore, the students, and the men of that type, the editors, etc., are not always the best citizens we can get. Some of them are anarchists. Many of them have been leaders of the anarchistic movement, and have done a great deal toward disseminating the seed of discontent. The man who works hard eight or ten hours a day has not much time for disseminating the seed of discontent. He does his work and gives value for what he receives. What more can be desired? He will be educated. He has the opportunity of being educated after he is here; but so far as his usefulness is concerned, that is not dependent upon his ability to read or write. I have known men who starved in seven languages, and who were unable to earn their living. I had one write me a letter last night, a man who is a physician, a man of education, who does not know where to go for money to pay his rent. The industrious immigrant is able to fight his way, and he is not dependent upon the United Charities, and the statistics show that we are not troubled by the recent immigration with respect to the question of pauperism. The almshouses of the State of New York have a very small percentage of recent immigrants. There are many more people of native-born origin in the almshouse than those of recent immigration. The smallest percentage, according to the statistics of the New York State Immigration Commission's report, is composed of eastern and southern Europeans, so far as the almshouses are concerned; and as to the relationship of illiteracy and crimi-
nality, that subject has been fully discussed and established to the advantage of the immigrant by the argument made by Mr. Sulzberger.

Now comes another provision:

Persons over sixteen years of age who do not bring a certificate of good moral character signed by and under the seal of the proper official or officials whose duty it is to keep such record in the community from which they come, which certificate shall state that such person has not been convicted of or indicted for having committed any crime involving moral turpitude or been an inmate of any almshouse, insane asylum, or prison.

In other words, this requires that a man who comes to this country from Russia, or Roumania, for example, must bring with him a certificate of good moral character. Who gives him that certificate of good moral character? The police authorities, the public authorities. Gentlemen, do you think that people who are engaged in murdering the men of a certain race or of a certain class, and of stealing their property, are going to give certificates of good character to them? Do you think that that is such an easy thing to procure? Why, one of the noblest men of our time, Nicholas Tschaikovsky, could not get a certificate of good character from Russia; and Madame Breshovsky, one of the noblest women in all the history of the world, has been condemned to exile in Russia. She could not get a certificate of good character from that Government. Yet here we are trying to put upon the statute books of the United States a provision to the effect that before a person can be permitted to come here he must get a certificate of good character from such a government as that, or such a government as Roumania, which treats the Jews as aliens, although under the terms of the Treaty of Berlin they were bound to be treated as citizens.
That applies to all classes. It is only another way of indirectly saying that we will stop immigration. If you are going to do it, if the Congress of the United States has made up its mind that it can afford to do it, do it openly and aboveboard, and say, “There shall be no more immigration”; but do not do it by indirection, by saying that a man must have $100 when he cannot get it; by saying that he must be “economically desirable,” when you do not know what that is; that he must be able to stand the test of physical examination prescribed for recruits by the military regulations of the United States Army; that he must be able to read and write English or some other European language; and that he must bring a certificate of good character.

Let us suppose the case of a poor fellow who has just been driven out of his house and home in Odessa, or in any of these other places where “pogroms” are always being committed upon them. He says “I have got to go to America. Now, what have I got to do in order to go to America?” He looks at the Elvins and Hayes Bills; and I think he will blow out his brains. There would not be anything else for him to do, because he could not come here and he could not stay there. He is driven from pillar to post. He does not know what is required of him. He may be a man who is 5 feet 2 inches in height, and not knowing anything about the military regulations of the United States Army he may suppose that he would be required to pass the examination prescribed for the grenadiers of Frederick.

Other gentlemen here will discuss the question from other standpoints; but I have too much confidence in the good sense of the American people to believe that that kind of legislation is going to be put upon our statute books.
Judge Leon Sanders, of New York, made a brief argument in opposition to the educational test and increased head tax and the enactment of any laws having a tendency to restrict immigration.

He cited his own personal experience as a Russian refugee, and stated that if many of the laws now proposed had been in force when he arrived in this country, he would have been debarred from entry. The Jews, he said, welcomed increased immigration; and though it imposed a burden upon them, they were willing to assume it and see to it that the Jewish immigrants did not become charges upon the public charitable institutions.

STATEMENT OF ABRAM I. ELKUS, ESQ., OF NEW YORK CITY

I should like to answer one or two questions which were asked by members of the committee with reference to the working of the present act and its administration.

The subject is germane to the present inquiry; after you hear what I have to say, based upon knowledge derived from actual experience of how the present act operates, you will readily see how much more serious and how much more difficult and oppressive will be the operation of the proposed act.

In the present act we have a provision that a man shall not be admitted who is liable to become a public charge. I propose to touch lightly upon one or two cases which have come within my own personal experience, and give you the facts about them in order that you may see how that provision operates.
A man came to this country who was 33 years old, and had a wife and two children, whom he left in Russia. He only had with him $4.95. He was in splendid health. He was excluded on the ground that he was liable to become a public charge. An appeal was taken in his case to the Secretary of Commerce and Labor. The appeal was not sustained; it was dismissed. When we came to look into that case, what do you suppose we found? That while the man had only that amount of money with him, he owned in Russia (a most unusual thing) the house he lived in and land that was worth over 4000 roubles (about $2000), and that he told the Immigration Commissioner: "If you will let me cable home, I can have $500 remitted to me by cable." Yet that man was excluded; and he was on the ship, about to be deported and sent back as an undesirable alien, when, with a writ of habeas corpus, we forced the Commissioner to admit him.

That was only one of four cases which we took up as test cases. We picked out four cases at random from a batch of over 50 men, I think, who were ordered to be deported.

There was at the same time another case of a man who was excluded because he had only a few dollars with him. He was young, able-bodied, active, and had a skilled trade; yet he was excluded. It was found that he had a large and successful business in Russia. He was a representative of the best class of immigrants that come here, yet he was excluded under that elastic phrase, that he was "likely to become a public charge."

What would have happened if we had had the "economically undesirable" clause in addition?

Boards of inquiry have been taking into consideration, before admitting an immigrant, whether there is an economic de-
mand for the immigrant in the place of landing. But I hold that they have no such right. Not only that, but I say that no higher official has such a right. I told the Secretary so, and Mr. McHarg said to me: "I would admit some of these men if they were going somewhere else than to New York." I said: "How do you know they are going to stay in New York? The fact that they say they have a cousin or a brother-in-law somewhere in New York or in Philadelphia does not prove that they are going to stay there. What business is it of yours, because you think they will be useful in some other part of the United States, to determine that you will admit them if they will go there, even if they have not got a dollar?" He said: "Well, I never looked at it in that way." But the point was this, and the whole trouble arose in this way, and you will see just what would happen if we had a statute containing such loose language as that referred to here.

The Commissioner in New York issued an order—we call it a rule, but he said it was an "intimation"—which was practically to the effect that no immigrant should come here and be admitted who did not have $25 in cash with him. He said: "I am going to raise the standard of inspection." Well, of course, after that broad "intimation" (if you want to be polite about it) every immigration inspector went to work and began to see how many immigrants he could keep out. Instead of asking these men, as was their duty, questions which would bring out all the facts, they asked them the bald and naked question: "How much money have you with you?" If you take a poor Russian immigrant, coming over here after going through what he has gone through with the Russian officials, and ask him how much money he has with him, which is usually followed by "Show it to me and give it to me,"
what do you think the result will be? Why, naturally, most of those men, even if they had several hundred dollars in their pockets, would say, "Four dollars and ninety-seven cents," because they would be afraid the next question of this uniformed official would be, "How much of it can I have? or you cannot get in."

When the inspectors got that "intimation" from the head of the office, they began to see if they could not live up to it. Commissioner Williams himself, after he got through investigating these cases on the facts that were laid before him, told me that one of the great troubles of his office was that his subordinates were not sufficiently competent to fulfil their duties. I said: "Then why do you not permit these men, who are on trial, really, for their liberty"—because it means liberty for them to enter this country—"to have counsel down here, who would bring out these facts?" If you will read the records in those cases, you will find that they are enough to astound any man who is used to a fair trial or a fair hearing on any question. They ask the baldest, simplest questions; and then they throw the burden on the poor immigrant, and say to him: "Why didn't you prove these facts?" They expect him to do that, with no knowledge of the law, with no knowledge of his rights, with no permission to have anybody to help him.

One of the gentlemen here asked what was being done in New York toward making these men go out on the farms, teaching them to be farmers, and teaching them trades. That is a work that I have been particularly connected with, as one of the trustees of the Baron de Hirsch Fund. I wish you gentlemen, who think nothing is being done to make the young Jew from the East Side a farmer, would come to Woodbine,
N. J., some day, and see that farm school there. I wish you would come and see these young men from the much-defamed East Side of New York—young men from 18 to 25 years of age, who have saved up enough money, earned by hard work, to be able to go there and learn to become farmers, or farmers' assistants, farmers' helpers. They stay there six months or a year, or two years, and graduate to the number of 75 a year, and go out all over the country as farmers' assistants. I wish you could read the letters the superintendent of that school has, not alone from these boys, but from their employers, asking for more help of the same kind, and praising those that have been sent to them. I wish you could read the letters from the boys themselves, from all over the country, telling of their successful life as farmers. So great has been the success, not alone of the school, but of the boys as farmers' assistants, that the superintendent wrote me the other day that he had found places a month before graduation for every boy who graduated this spring. The superintendent (a man of education and character and learning) is a Russian refugee, who fled from Russia by reason of one of the "pogroms" which have been alluded to here. He is a man of the highest culture and the finest type, who landed here without a dollar in his clothes. I suppose if he came to-day, he would be excluded because he did not have $25, on the ground that he was liable to become a public charge.

We have another school in New York—a trade school. It is not a school where we turn out, at the end of four or five years, skilled mechanics, or gentlemen who are fit to be superintendents; but after a course of training of six months as machinists, as electricians, as carpenters, or as painters, the pupils are turned out to become journeymen. And I should
like to refer here to the argument or suggestion that has been made that these men cut down the wages of the others. As a matter of fact, they all become members of unions.

A typical instance of what is accomplished by the young men who go through that school was shown the other day. In 1904 a young man, a Roumanian Jew, came to this country at the age of 18. He entered that school in 1905. He was there six months, took the course as an electrical worker, and graduated. He wrote the other day that at the time he entered he earned $4 a week as an errand boy. When he left he was able to earn $12 a week as an assistant electrician. A year afterwards he wrote that he had joined the union, and was receiving $5 or $5.50 a day. And the other day he wrote that he had successfully passed a competitive examination, and had received a position in Chicago, as an electrical instructor, at a salary of $2000 a year.

I think the cry about congestion that has been so much uttered is really very much of a false alarm. There are many Jewish farmers in and about New Jersey; and I know of many instances where they are successful farmers. I was told the other day of a farmer near Woodbine, a Russian refugee, a man with five or six children, who had been farming down there, I believe, for five or six years on a farm of 15 acres, and had managed to support himself and his family nicely. He had his own home, and had saved a thousand dollars in one year. That is the type of Jewish farmer that is going around the country; and I think it is a type that ought to be encouraged.

As Mr. Marshall and Mr. Sulzberger pointed out, these men have not any particular desire to stay in one city, or in one State, or in one part of the country. They would just
as soon make their homes in the West or in the South. No doubt you have all had that called to your attention by reason of the immigration to Galveston. They go there in great numbers, now that they have been diverted there by means of private enterprise.

Why should not this Government, through some one of its officials, and through proper channels, disseminate such information in a broader and wider and a more authoritative way, so that more of these immigrants—not alone Russians or Jews, but those from all parts of Europe—would go to those parts of the country that the Government thinks need immigration?

The fact that the country needs immigrants for its work has been amply demonstrated. There cannot be any question that certain parts of the country need immigrants. I was told by the managers of several of the New England mills that they welcome the immigrants there as workers in the mills; that they have found that they rapidly become Americanized and become citizens.

As to their becoming Americanized and becoming citizens in New York, it is only necessary to go to any of the public schools, the night schools, and the private schools that are provided by the Educational Alliance, to see how eager, how anxious, how more than willing, every one of these men and women and children is, not only to become acquainted with our language and our customs, but to become thoroughly acquainted with the spirit of Americanism and to try their best to become American citizens of the real type. That they value their franchise when they get it is beyond dispute, because it is the great East Side that over and over again has decided municipal elections and presidential elections. There they think before they vote. No party can claim them abso-
lutely as its own, because they, of all men, since they never had the right to exercise the franchise before they came here, really value it.

That they read at times newspapers printed in other than the English language, is so. One man said to me, when I spoke with him on the subject: “I work from 7 in the morning until 8 at night. I have learned English with great difficulty, because I came here when I was over 40 years old. I would like to read the English newspapers, but I find it difficult to read when I am tired. I want to know what is going on in this country, however, and so I read what I can read easily.” But each day he had set for himself a task of reading something in English, so as to force himself to learn it. So eager was he for knowledge of passing events—and he showed by his conversation with me in English how much he knew of what was going on in the world—that not only did he read the stint he had set for himself in English, but he read the Yiddish newspaper. He did that so that he might know what was going on. Is not that man to be encouraged? Is he to be forced (if we could force him to do so) to read only something that he understands with difficulty after his long day’s work?

The best evidence of their desire to learn English would be the case of a woman who came to this country at the age of 30 or 35, who is the mother of 4 or 5 children, and who has little or no spare time. Yet, if you will go to the Educational Alliance in New York City at certain hours in the morning, you will find large classes of those women, those mothers, stealing away the hours from their children to come and learn not only English, but American customs and American ideas.
If you make any such provision in an act as that anybody who is "economically undesirable" is to be kept out, just imagine what is going to take place at Ellis Island! The three immigration inspectors will solemnly convene. Inspector So-and-so will say: "Mister, how much money have you got in your clothes?" The man will say: "I have got a dollar and ninety-eight cents; I have got fine health and constitution, and I am a carpenter by trade." "Excluded as economically undesirable!" Or perhaps he has not a certificate of good moral character. There has been some reference made to certificates of good moral character. From what I know and from what I have read (and I am sure those of you who have been to Russia will agree with me), I assume that those certificates will be framed and ready for sale, and the price will be according to the frame that goes around them. If it is gilt-edged, it will cost so much. If it is only framed in plain wood, it will cost so much less.

In the last twenty years the City of New York has made wonderful strides in commercial success and in advancement, not only from a commercial but also from an artistic standpoint. Twenty years ago we had large tracts of land on the outskirts of the city that were wastes and deserts. They are now peopled by hundreds and thousands and hundreds of thousands of citizens—respectable, hard-working, law-abiding. Most of those are Russian immigrants and Roumanian immigrants, or their descendants. Who can say but that the great success of the City of New York is due to the much-despised Russian and Roumanian immigrant, or to the immigrant who comes from Europe? Who can say that without them those desolate places would now be so thickly populated by men who have done so much to add to the wealth of the
country? Look at the great parts of the city that the Germans have built up, and that the Italians have built up. There is one section in the City of New York, on the upper East Side, that is almost entirely populated by Italians. They, too, a great majority of them, become law-abiding citizens of the community.

Moreover, the fact that we have people in this country who are familiar with the various languages in itself aids us in reaching and doing business with the different nationalities and different sections of the world.

STATEMENT OF MAX J. KOHLER, ESQ., OF NEW YORK CITY

We have heard something said about the effects of the present administration of the law. As an attorney, I have had occasion to give quite a little attention to that branch of the law.

We notice, first of all, that according to the reports of the Commissioner-General of Immigration, 10,000 persons, roughly speaking, were excluded last year, about the same number the year before, and about 13,000 the year before that. In this connection I wish to refer to the group of cases that Mr. Elkus referred to—these habeas corpus cases of which we were going to make test cases, and would have done so but for the fact that the Government took our test cases away by admitting the men. We wanted a construction by the courts of the words "persons likely to become a public charge." But the men were discharged between adjournments. Those cases show that the greatest amount of misunderstanding prevails in administrative circles to-day, and also on the part of the immigrants, or prospective immigrants abroad, as to what our law requires.
Even now a great many persons are improperly excluded. I have here the reports covering about 25 separate cases out of about 100 excluded cases decided in January and February, 1910. In each of the 25 cases, on a proper test of the law, if we could have got into court, the men would have been admitted, as having been excluded without rhyme or reason. But the law makes those decisions non-reviewable unless you can show an utter lack of due process of law. But assuming (as is undoubtedly true) that the large majority, say 75 per cent, of those exclusions are justified, those persons ought to have an opportunity, before they come over here, to know what our law is.

Congress has had that matter in mind several times. In the last immigration act, the act of 1907, in section 1, it was expressly provided that some of this head-tax money should be utilized for the preparation of digests of the decisions of the courts upon the immigration laws, which of course means their publication. We find the same provision in an earlier act—section 1 of the act of 1903. Curiously enough, the digest has never been published, notwithstanding the mandate of Congress on each of those occasions. There is to-day no recent government compilation containing even the determinations of the courts or of the bureaus of the Government as to the meaning (very often more or less uncertain, as applied in practice) of such words as “pauper,” “persons likely to become a public charge,” and the prepaid-ticket provisions. There is no compilation giving those constructions later than one published in 1899 by the Treasury Department, which I sought for in vain in every public office in New York and in the libraries there.
It is most important that the meaning of these terms, as they have been construed by the courts and the Department, should be made known abroad, so that an immigrant who is debarred by those provisions may know what our law is. It was certainly the purpose of Congress to have this or similar compilations published before the persons are allowed or induced to come over here. They do not want to waste all their substance and their time in coming here if they are likely to be debarred. They ought to have an opportunity of knowing what our law is; and the mandate of Congress ought to be observed in those respects. Unfortunately, the amendment that was made last year, I think, which provided that the head tax should be turned into the Treasury instead of being kept as a separate fund, may possibly justify the present position, that there is no necessary mandate. Incidentally, if we had a compilation of that kind, it would be valuable also to the Government officers, because it would show them what the courts and the highest authorities in the Department have said as to the proper meaning of these more or less indefinite terms of the law. Ever since the famous Massachusetts Bill of Rights, it has been recognized that this is a government of laws and not of men; and where can we get proper judicial and other authoritative constructions of these indefinite terms aside from the courts and authoritative decisions based upon their holdings? So it is most important that we should have that done.

While I have given you the number of exclusions here, it is interesting to note a matter that seems to have been quite overlooked. In the report of the Commissioner-General of Immigration for 1907 he calls attention to the remarkable fact (I have the exact reference to it here; it is on page 83) that
over 65,000 persons were refused tickets abroad because of the presence of the medical defects which the law specifies, as disclosed by the examination by the steamship companies there. That is five times as many as were excluded here. That refers only to medical defects. As to the rest of the possible reasons for exclusion—that they may be paupers, or that they may be persons likely to become a public charge, or that they may be subject to the so-called prepaid-ticket provisions of the law, etc.—they are never even disclosed to the poor immigrant, particularly the Russian Jew, who has to cross the frontier clandestinely to get here at all. He certainly is not going to get correct and good advice on that point from the runners of the steamship companies that may help him across the border. So this very important matter would simply tend in the direction of enforcing our own law; but it has been neglected and disregarded, as many other provisions for the benefit of the immigrant unfortunately have been.

(This number of 65,000 represents only intending immigrants who have paid for their steamship tickets in whole or in part; so there is no index at all as to the much greater number that have been refused permission to even buy tickets. These 65,000 had their names scratched off of the manifests after their tickets were purchased.)

The Report of the Industrial Commission of 1891 shows that in a prior year there were 50,000 such cases, according to the Government’s calculations; but that only deals with those where the medical examination disclosed the defect. Prospective immigrants ought, in common decency, to be advised of what our law is. Incidentally, as I have attempted to point out, it would also have the effect of enlightening a great many of our subordinate immigration inspectors as to their
duties. But the indefinite provisions of our statute are such that we ought to have constructions by the courts, or other authoritative officials, such as were published by the Treasury Department in 1899 in the document I referred to, but not since, notwithstanding the mandate of Congress.

There is a great deal of mistake and blunder, working great injustice to the immigrant, in connection with the so-called "prepaid-ticket provision." When that was reported to Congress, some language was used which throws more light upon the matter than anything else I know of. I will read a few lines from that. It is from the report of the committee on the act of 1891, page iv:

Those assisted by friends from this side of the water are the best class of immigrants, for they have relatives or friends who will care for them in their untried surroundings. But the immigrant assisted from the other side usually has no friends here; and if any on the other side, their chief interest is in getting rid of what is likely soon to become a burden.

The report goes on to say that the assisted-ticket immigrant should not be put in a prohibited class, but that our experience has been so unfortunate that it would seem prudent to require him to show affirmatively that he does not belong to one of the excluded classes.

That is the intent of the law. It is very badly phrased, though; and this is the way it works in practice:

First of all, the law says that persons shall come over here subject to the burden of affirmatively proving their right to come, when their ticket was purchased with the money of another. What does that mean? The more intelligent man, who has relatives and friends here, who sends his money here to them to buy the ticket, presents a ticket bought here. At once it is said: "Here is a ticket bought in this country; it
has been paid for with the money of another," though the immigrant himself may have sent the money—which is, of course, utter folly. Our laws here throw some safeguards around the purchase of tickets, and still we have this ridiculous blunder.

Next, the law did not contemplate that if a man borrows money on his own property, his ticket is paid for with the money of another.

But waiving that, and the uncertainty as to what that provision means, we come to the next clause, which has caused the utmost folly. The law simply says that the burden shall be upon such alien to show affirmatively that he is not within any of the prohibited classes. The law, however, does not give counsel to the poor alien coming over here ignorant of our language and of our laws. It does not tell him beforehand what our law is. And I actually heard it seriously stated by an inspector of immigration at Ellis Island that when he attempted to question an immigrant holding a prepaid ticket as to whether he did or did not belong to any of these prohibited classes, he was reproved and told: "Why, the law says he must affirmatively show that, and you have no business to assume the burden for him."

When we have such extraordinary conditions as that, we see how important it is to have a fair and proper administration of the law, which would work for the benefit of those desiring to exclude undesirables as well as avoid this gross injustice that is now being done to a great many deserving immigrants.

I come next to the bonding provision, about which I want to say a few words. The bill which you have under consideration follows in part, at least, the recommendations of the Commissioner-General of Immigration, in which he says that in
general immigrants should not be permitted to land on bond; and he advances two arguments, which are deserving of serious consideration, against the taking of bonds. He says that the pecuniary responsibility of the bondsman is often doubtful; and he says, in addition to that, that the people frequently disappear, change their names, and are lost track of.

With regard to the first objection, it is the simplest thing in the world to require proper sureties. The constitutional right to bail may be thwarted in the same way, but I do not think a court will have much patience with that argument. It is perfectly capable of requiring only a surety company bond or a proper real estate bond with large equity. That is an abuse that can be very easily disposed of in administration.

Next, with regard to the claim that the people disappear. As an administrative matter, it is the simplest thing in the world to insert a clause in the bond that the person shall report to the immigration officials who have charge of the bond, or to anyone else who may be designated, every six months or year, or forfeit the bond if he does not do it.

There is a very able opinion on that by Mr. Justice Brown in a case in the Federal Reporter (56 F. R. 427); and there have been cases for nearly one hundred years in Massachusetts and in New York involving those bonds, and they have been repeatedly enforced. When a doubtful case is presented—and there are many of them—a bond is the best possible guaranty against the person's becoming a public charge. Someone else with adequate means is made surety for the man, to help him along. Why should not such a bond be taken liberally and fairly, instead of speculating as to the man's possibly becoming a public charge? I think it would be proper to require a surety company bond or an adequate bond from the owner
of real estate having an adequate equity in it—such, for instance, as is required in criminal cases under our New York penal code. The surety companies are freely giving such bonds; and it is not once in a thousand or ten thousand cases that an individual surety becomes bankrupt. That is an ordinary business risk that everyone takes in other things. And to-day, in the United States Circuit Court of Appeals for the Second Circuit, in New York, a case is being re-argued in which the claim is made (which I think is likely to be sustained) that the Department is unjustifiably, unreasonably and contrary to law refusing individual bonds almost invariably, misled by this specious reasoning to which I have referred.

I want to say one word more in connection with the illiteracy test that has been referred to. It has been commonly thought among almost all persons familiar with the Jewish immigrants, particularly, that there are practically no male Jews in this country who are illiterate. The figures given in the report of the Commissioner-General of Immigration show that there is an appreciable percentage on arrival, as was shown to-day. This is due to the fact that in Russia, particularly, the Government studiously refuses to permit them to get the education they want. Our private agencies here do everything conceivable to help those immigrants along after landing. They acquire a knowledge of English or other languages—chiefly English—so rapidly that the impression upon those that I have referred to is that there are no Jewish illiterates. I happen to be honorary secretary of the Baron de Hirsch Fund. The immigrant classes that we subsidize in the Educational Alliance have been referred to, but we now have similar classes in every large place in the country where
there are Jewish inhabitants. We subsidize classes in Boston; we subsidize classes in Philadelphia; we subsidize them in Baltimore; we subsidize them in St. Louis, and in Pittsburgh, and in Chicago, and we are now going to do so in Cleveland.

The eagerness of these immigrants, who have been deprived of the opportunity of learning to read and write in Russia, is indicated by the fact that we have to have special summer classes in New York for the immigrants who are unwilling to wait until the night schools open. In New York, with its enormous number of Jewish pupils, the night schools are open between October and April only. We had, during the past year, 25 classes in New York running at night during the hot intermediate summer months, which were attended by 2346 Jewish immigrants who were not willing to wait until October to learn English. The Educational Alliance, which we subsidize, also has about 25 special immigrant day classes having 1076 students, who are prepared for the public schools, in order to get into them sooner. The course is in no event longer than two years for any of them. A number of adults also attend special adult day classes. So that almost everything conceivable is being done to Americanize the Russian and Roumanian Jewish immigrants and make them good citizens of the United States. We are acting along those lines by subsidizing different organizations throughout the United States, because we want to stimulate each locality to do the work instead of bearing the total expense ourselves. What we contribute is only a fraction of what is raised for that purpose in all the different places. I think, therefore, that the law proposing an illiteracy test would answer absolutely no useful purpose, certainly as far as the Jewish immigrant is concerned. As soon as he comes over here he almost invariably acquires
a knowledge of reading and writing, which possibly in some cases he has not when he arrives here. The night-school classes in New York, of course, are enormous. Even now the College of the City of New York has opened a night college course, because of the large number thirsting for knowledge even in its higher forms. There is no danger at all that the alien immigrant coming over here will remain alien—alien to our thoughts and our citizenship.

I think that branch of the law relating to the examination of the immigrant on landing requires important administrative corrections. The Ellis Island Commission, appointed by President Roosevelt in 1903, called attention to the fact that the words of the statute specifying that the examination before the board of special inquiry shall be separate and apart from the public do not and were not intended to exclude interested friends, such as representatives of the charitable organizations that are active at Ellis Island, or counsel, or other persons of that kind. They were simply intended to prevent a multitude interfering with the transaction of business. Notwithstanding that fact, counsel is refused before the board of special inquiry in the earlier stages of the examination; and the immigrant is left entirely without an opportunity even intelligently to understand this process, this trial, involving practically his liberty. And what is more, the statute provides that on the appeal, if he takes one, the evidence shall be limited to what was adduced before the board of special inquiry. So the immigrant, without counsel and without knowledge of our laws, even on the appeal, when he is given counsel, is hampered by the requirement that even the evidence on the appeal cannot be different from that before the board of special inquiry. I want to say to the credit of Mr. Williams (some of whose other
actions I have had occasion to criticise) that he has, in a measure, overcome this last hardship by granting new hearings before boards of special inquiry in cases that strike him as proper; so that evidence can now be supplied in cases that he approves of.

Of course, part of that course proceeds on the theory that the law allows evidence against the immigrant to be taken outside of the board of special inquiry. The statute says that all the evidence before the board must be reduced to writing, and it is that evidence that is to be taken up on appeal. But we know, as a matter of fact, that all sorts of extraordinary mis-statements concerning the immigrant crop out in the letters of recommendation which the commissioners of the various ports make to the Department, having no basis of fact in the evidence, and which, therefore, the immigrant cannot meet, even when he has counsel.

(Mr. Bennet. The intent of the statute was that the board of special inquiry should pass on the matter, and that from its decision there should be an appeal to the Secretary through the Commissioner-General; that if there was to be any new evidence adduced, the case should be sent back to the board of special inquiry, and that the evidence should be there adduced, and on the record in each instance the appeal should be taken.)

In the group of cases that Mr. Elkus referred to, which culminated in four habeas corpus cases (though there were 20 cases almost precisely alike that came up at the same time), a request was made, because it was an important matter, for a personal hearing before the Secretary of Commerce and Labor; or, in default thereof, for an opportunity to submit briefs. Before we knew of it, before any letter was sent in answer to our request granting either one or the other, all of
these men were ordered deported, and 16 of them had, in fact, been deported before we could do anything.

It is most important that the different charitable institutions represented on Ellis Island should have a right to have their representatives present freely and adequately at the hearing before the board of special inquiry. We want daylight, and we want publicity, and we want justice, and there is no reason whatever why they should be denied. The matter was thoroughly thrashed out before the Ellis Island Commission that President Roosevelt appointed some years ago. It is a most important matter that there should be an opportunity to bring the administration of the law more in accord with the law of the land and have it a government of laws and not a government of whim and caprice.

I will admit that the total number of these exclusions is only from 1 to 2 per cent; but the injustice done to the individual excluded is irreparable, and no man can tell who will be visited by such miscarriage of justice. We find that about 25 per cent of the Jewish exclusions at Ellis Island—and it is undoubtedly the same with regard to the non-Jewish ones—are unjust and not warranted by this digest of immigration-law decisions published by the Government in 1899, containing the decisions of the courts as well as the rulings of the Department.

There is no statute that prohibits the immigrant from having counsel; and that is the recommendation of the Ellis Island Commission. But I am not so much interested in counsel and the expense of having counsel. I do want, though, to have the representatives of the charitable organizations of the different nationalities handling immigration matters at Ellis Island officially recognized by the Government, afforded an oppor-
portunity freely and fairly to be present, and let the light of day in upon the proceedings of the board of special inquiry in every case. That is our procedure as to all trials outside of immigration matters; and it has worked well wherever the Anglo-Saxon law prevails. Every one, including the 48 agents of immigrant societies at Ellis Island, is excluded, except as a stray curiosity-seeker may happen to interest the officials in his desire to go through Ellis Island, and may thus see for a moment what is happening. The counsel of these representatives are very eager to be present. The fact is that it is not deemed expedient, as I understand it, to allow anyone else in. But it is a clear misconception of the law, which President Roosevelt's Ellis Island Commission called attention to in its printed report; but the matter has not yet been remedied.

I have here 25 cases of the past two months, where I know an injustice to have been done by reason of the failure of the immigrant to have counsel and to be properly advised.

Here is a case which I have picked out—the case of Jacob Granat, 19 years of age, who came over on the steamer Bluecher. He was a teacher; single; his country is Galicia. He was destined to an uncle, H. Granat, living at 199 East Seventh Street, New York City. He had $32 in cash. His passage was paid by himself. Why that man should have been excluded, when this is a full and fair transcript of the case, I cannot tell.

MR. GOLDFOGLE. What was the ground assigned for his exclusion?

MR. KOHLER. He was excluded as likely to become a public charge.

MR. GOLDFOGLE. How was it possible that he would become a public charge?
Mr. Kohler. I have stated that in every one of these 25 cases, I have not any doubt that if we could have gotten them into court the applicant would have been admitted.

Mr. Moore, of Pennsylvania. But the Department surely must have assigned some reason for excluding him.

Mr. Kohler. The ground assigned was that he was likely to become a public charge.

Mr. Burnett. Was it not perhaps because of physical defects?

Mr. Kohler. No; there were no physical defects in his case. In every case where there is a physical defect our records show just what it is.

Mr. Sabath. I can give you the reason that was given to me, viz., that if they deport them, it will discourage immigration. That was the reason given me about these 20 Bulgarians.

Mr. Moore, of Pennsylvania. I cannot conceive of that reason.

Mr. Burnett. Who gave it to you?

Mr. Sabath. That was the reason that was given to me by an official. They had no other reason.

Mr. Ben net. Suppose you give us another case.

Mr. Kohler. Certainly. Here is the case of Gulda Oliver. The exclusion was on the 18th day of February of this year. I ought to have stated that the other case was decided on the 20th of January, 1910. That is probably the date of application for admission. This Gulda Oliver, a woman of 27 years of age, came over on the steamer Marne. She was a domestic. She was single. She came from Galicia. She was destined to a cousin, Morris Halpern, 155 Rivington Street. She had $24. Her passage was paid by herself. She was
formerly in the United States for two years. And we need domestics.

Mr. Moore, of Pennsylvania. What was her age?
Mr. Kohler. Twenty-seven.
Mr. Burnett. What ground was assigned?
Mr. Kohler. Likelihood to become a public charge.
Mr. Bennett. Is it not stated in connection with those cases that the reason they are likely to become a public charge is that they are going to a congested city, to wit, New York City?
Mr. Kohler. I do not think so.
Mr. Bennett. I have seen cases of that kind.
Mr. Kohler. It does happen on occasion; but they say that though they introduce no evidence as to that. It is utterly illegal. The law requires the board to decide the cases upon the evidence adduced before it.

Mr. Moore, of Pennsylvania. Mr. Kohler, did you have a chance to look at that testimony at all?
Mr. Kohler. I have not in these particular cases. I have compared these records with many full transcripts of the evidence.

Mr. Moore, of Pennsylvania. I agree with you that if the records given by you are complete there would appear to have been no reason for sending either of those persons back. Yet there must have been something, some other reason given, than that which you assign.

Mr. Kohler. I have seen scores of records—we had a number of them in these habeas corpus proceedings—that were just about the same.

Mr. Burnett. Why was not habeas corpus obtained there?
Mr. Kohler. Because Congress provided in 1891 that the decision shall be final, and reviewable only on appeal to the Secretary of Commerce and Labor.

Mr. Burnett. But you got some others off on habeas corpus.

Mr. Kohler. In those cases we applied to the court on the theory that because they had denied us any opportunity to argue the appeal, either personally or by brief, there was a denial even of the semblance of law. For that reason we got into court, and if the court took jurisdiction at all it would have had to decide the whole matter, including the merits. But when we came near getting a judicial construction of those words in these cases, between adjournments all four of our men were admitted. Of course we could not protest against that, and our test cases disappeared.

Mr. Bennett. Would you mind if we sent to the Department to get the records and see what are the exact facts in these cases?

Mr. Kohler. I shall be very glad to have you do so.

Mr. Bennett. Suppose you take ten of them.

Mr. Moore, of Pennsylvania. I would suggest that you pick out ten cases—the ten that you regard as the most flagrant—so that we may inquire into the facts.

Mr. Kohler. And I would also like to suggest that the letter of recommendation of the Commissioner at New York should accompany them, in order to intelligently present the case.

Mr. Bennett. There would be no letter of recommendation if they were not appealed.

Mr. Kohler. They were nearly all appealed.
MR. BENNET. Were all of them appealed? Pick out appealed cases, then.

MR. KOHLER. Yes; in this first case there was an appeal taken.

MR. MOORE, of Pennsylvania. Under what auspices was the appeal taken?

MR. KOHLER. The Hebrew Sheltering and Immigrant Aid Society, which Mr. Williams has commended as one of the two very best, if not the best, of these organizations on Ellis Island.

MR. MOORE, of Pennsylvania. Then the immigrant did have the benefit of counsel to that extent?

MR. KOHLER. After the board of special inquiry had decided the case and when he took an appeal.

MR. MOORE, of Pennsylvania. The appeal was taken under the auspices of the society, and by its advice?

MR. KOHLER. By its advice.

MR. MOORE, of Pennsylvania. And with its assistance?

MR. KOHLER. Exactly.

MR. MOORE, of Pennsylvania. And as the result of that appeal, the decision still was that he should be deported because he was likely to become a public charge?

MR. KOHLER. That is right.

MR. BURNETT. In other words, the decision of the board of inquiry was sustained by the Secretary?

The last speaker was Mr. Cutler. He spoke of himself as an example of the kind of immigrant who came here as a result of the Russian pogroms, in which his father had been killed and his mother and sisters had escaped through the friendship of some of their Christian neighbors. He argued
that the success which it has been his good fortune to meet
with, merely showed what possibilities for good to this country
lie in the immigrants from Russia, and how such restrictive
measures as the Hayes or any similar bills would not only
bring hardship upon refugees from political and religious
persecution, but would deprive the country of a population
which it needs and to which it owes its greatness. As evi-
dence of the extent to which the immigrant was contributing
to the importance of the country, he cited statistics showing
that in an old State like Rhode Island, in almost all pursuits,
the foreign born contribute a greater percentage of em-
ployees than the native born, a fact to which Rhode Island
owes its industrial importance. In conclusion, he protested
against any further restrictive measures as being obnoxious to
the welfare of the country and utterly bad.

APPENDIX I

XV, p. 462 (1819)

It had early occurred to those interested in bettering city con-
ditions that one means of relief would be to assist migration to
the interior, to country districts.

This means, indeed, was suggested at the very time the immi-
gration problem itself was formulated in the report of the Society
for the Prevention of Pauperism for 1819, already quoted from.
The managers say:

"It would prove a great relief could means of employment be
found (for the immigrants) when they enter our city. Many
thousands who arrive in this country from Europe have been
servants or manufacturers, and do not understand the art of hus-
bandry; yet many arrive in destitute condition who have worked
on the soil. A great many others are vigorous, healthy, and
capable of learning the art of agriculture. Could some communi-
cation be opened with our great farmers and landholders in the
interior, and ways and means be provided for the transportation
of able-bodied foreigners into the interior and labor be provided
for them, it appears to the managers that beneficial consequences
might flow from the expedient. Many, very many, foreigners
who are honest and industrious and who, for want of employ-
ment, are liable to become paupers, would gladly depart into the
country and labor upon the soil or in workshops, could they thus
obtain a bare living. In this case our city would be somewhat
relieved, the number on our criminal calendar diminished, and
the emigrant now on the brink of pauperism, or begging alms and
receiving charitable aid, become useful to himself and to the com-
community. Instead of bringing up his children in idleness, tempta-
tion, and crime, he would see them amalgamated with the gen-
eral mass of our population, deriving benefits from our school sys-
tems, our moral institutions, and our habits of industry.”

“...They (the Irish) had an utter distaste for felling forests and
turning up the prairies for themselves. They preferred to stay
where another race would furnish them with food, clothing, and
labor, and hence were mostly found loitering on the lines of the
public works in villages and in the worst portions of the large
cities, where they competed with the negroes, between whom
and themselves there was an inveterate dislike, for the most de-
grading employments.”

Extract from a Paper Entitled “Imminent Dangers to the In-
stitutions of the United States through Foreign Immigration,
etc.,” by “An American” (S. F. B. Morse). 1835

(In speaking of the immigration of previous years as compared
with that of the day:) Then, we were few, feeble, and scattered.
Now, we are numerous, strong, and concentrated. Then our
accessions of immigration were real accessions of strength from
the ranks of the learned and the good, from enlightened mechanic
and artisan and intelligent husbandman. Now, immigration is
the accession of weakness, from the ignorant and vicious, or the
priest-ridden slaves of Ireland and Germany, or the outcast ten-
ants of the poorhouses and prisons of Europe.

Extract from an Open Letter to Aaron Clark, Mayor of New
York City, Signed “A Native.” 1837

When foreigners come to us in large bodies, they are desirous
of living together, and by that course they preserve the whole

---

1 Second Annual Report, Managers of Society for Prevention of
Pauperism in New York City, 1819.
2 Association for Improvement of Condition of the Poor, 1860,
page 50.
current of their prejudices and national peculiarities and never become transformed to our habits of thinking and acting. . . .

Not one-half of their sufferings are made public. Living in small apartments, destitute of pure air, cleanliness, and wholesome food, they die in multitudes in every part of the country. . . .

Our lands, under the culture of foreigners, will yield but little more than half as much as under our own husbandry.

---

Extract from a Memorial to the Mayor and Board of Aldermen of the City of New York, by the General Committee of Native Americans, June, 1837

. . . During the last seven years 296,259 foreigners arrived at this port (New York) alone—equal in amount to the present population of the whole city. Sixty thousand five hundred and fifty-one arrived in the year 1836—double the amount that came in 1830. Four thousand nine hundred and twenty-eight arrived here between the 9th and 13th of the present month—June, 1837.

On the 1st of January, 1837, 982 foreigners and 227 native American citizens had been admitted to the hospital at Bellevue. The preceding year, on the 1st day of May last, there were in the almshouse 1437 paupers. Allowing the same proportion of foreigners as in the hospital, there would be 1068 foreigners and 369 native American citizens in the almshouse.

It appears from the report of a commission monthly appointed by the board of aldermen of this city that there are at the date of this report 3070 paupers in the almshouse, more than three-fourths of whom are foreigners. How many more of this class live upon private charities, let the swarm of mendicants who daily and nightly infest our streets attest.

. . . At a recent date it appears that the number of convicts confined in Sing Sing were 800, of whom 603 were foreigners. . . .

In the year ending in August, 1836, there were received in the Boston house of refuge 866 paupers, 516 of whom were foreigners. From the 1st of January to April 25, 1837, there were 264 paupers admitted to the same house of refuge, 160 of whom were aliens.

---

Extracts from the "Address of the Delegates of the Native American National Convention," Philadelphia, July 4, 1845

It is an incontrovertible truth that the civil institutions of the United States of America have been seriously affected and that
they now stand in imminent peril from the rapid and enormous increase in the body of residents of foreign birth, imbued with foreign feelings and of an ignorant and immoral character.

But for the last twenty years the road to civil preferment and participation in the legislative and executive government of the land has been laid broadly open, alike to the ignorant, the vicious, and the criminal; and a large proportion of the foreign body of citizens and voters now constitute a representation of the worst and most degraded of the European population—victims of social oppression or personal vices, utterly divested by ignorance or crime of the moral and intellectual requisites of political self-government.

The almshouses of Europe are emptied upon our coast, and this by our own invitation—not casually, or to a trivial extent—but systematically and upon a constantly increasing scale. The United States are rapidly becoming the lazar house and penal colony of Europe.

Extract from the Resolutions Adopted by the Convention, July 5 and 7, 1845

. . . . Believing that ruin, if it come, will come through a perversion and abuse of that right [suffrage];
Believing that such perversion and abuse to have already prevailed and to be now increasing to an alarming extent;
Believing that the greatest source of evil in this respect is to be found in the rapid influx of ignorant foreigners, and the facility with which they are converted into citizens.


"The almshouse returns show that about 86 per cent of the persons relieved by charitable aid are of foreign birth, of which 69 per cent were Irish and about 10 per cent German, or nearly 7 Irish to 1 German. As the Irish population, however, is nearly twice that of the German, the actual ratio is about 3½ Irish to 1 German, and 5 Irish to 1 American." ¹

¹Report of Association for Improvement of Condition of the Poor, 1860, p. 49.
In chronic pauperism, as contrasted with that temporary condition of want requiring relief into which any immigrant might fall while going through the process of industrial adjustment, the Irish were far in the lead. A confidential list published by one charitable society, of cases on their hands for three years and over, and giving names and addresses, showed that the great bulk of such cases were Irish. On this list, comprising 650 names, there were only 4 which could be recognized as distinctly German; of the rest, all might, and a great majority must, have belonged to persons of Irish birth or descent.


The crude impression, then, that the less crowded a country the easier and more rapid is the dispersion of population, would seem to be quite the reverse of the truth. There was apparently a greater tendency for immigrants to remain in seaboard cities in 1817, when the interior was an untrodden wilderness, than in 1860. The fact seems to be (within limits and subject to modifications) that as the population increases and becomes more highly organized, adjustment to the social framework and dispersion from cities become easier of accomplishment. Thus, in the first half of the nineteenth century the opening of the wilderness, the growth of manufacturing industries in interior towns and cities, the development of transportation and ways of communication by mail and telegraph, were all means of facilitating the passage of the emigrant from the place where his presence was not desired and his labor not especially needed to places where his presence was not particularly objected to and his labor was greatly needed.


"So large are the aggregations of different foreign nationalities," the report goes on to say, "that they no longer conform to our habits, opinions, and manners; on the contrary, create for themselves distinct communities, almost as impervious to American sentiments and influences as are the inhabitants of Dublin or Hamburg. . . . . They have their own theaters, recreations, amusements, military and national organizations; to a great ex-
tent their own schools, churches, and trade unions; their own
newspapers, and periodical literature."

The inhabitants of the district were largely of foreign
birth; about one-half the population were Irish, about one-fourth
Germans, the remainder were Americans, Swedes and Danes.
About two-thirds of the population were laborers and mechanics
with their families; the remainder were retail shopkeepers and
keepers of hotels and sailors' and immigrants' boarding houses.
A large element of the population was a floating one, consisting of
travellers, immigrants, sailors, and "vagabonds without a habita-
tion and almost without a name."

**Church and State in the United States**

**[By J. P. Thomson, Boston, Osgood, 1873]**

A very large percentage of vice and crime in the United States,
especially in the great cities, is chargeable to European immi-
gration. The police statistics of New York show that the vast
majority of prisoners arrested for criminal offenses are of Euro-
pean birth, and of these, again, the great majority are natives
of Ireland. Thus, reared under the European systems of state
religion, prisoners, baptized, taught and confirmed in state
churches or, as in Ireland, reared under the imperious ecclesi-
astical authority of Rome, become outlaws of American society.
America owes to Europe those two deadly foes of evangelical re-
ligion, Romanism and Rationalism; while Mormonism is recruited
almost entirely from Northern Europe.

Hence the feeling is quite prevalent in the United States that
a system of state religion tends toward practical heathenism and
unbelief; that its training tends to substitute forms and dogmas
for a personal religious faith, and its restraints and compulsions
tend to produce a reaction against all belief; while the free
religious system of the United States develops in church members
the sense of personal responsibility and the spirit of religious
activity; and the exhibition of these commands the respect of
the community for religion and infuses into society a healthy
moral sentiment, which in turn sustains the state in enforcing
essential morality by the authority of law.

---

1 Report of the Association for Improvement of the Poor, 1867,
p. 42.
2 Report Council of Hygiene, p. 5.
Note.—Of 80,532 prisoners arrested by the police of New York in 1867, only 27,156 were of American birth; and of the 53,376 foreigners who disturbed the peace of the city, 38,128 were Irish. From 1860 to 1868 there were within the precincts of the New York metropolitan police, 706,288 arrests. Of these there were 204,129 Americans, the foreigners numbering 502,159, of which 373,341 were Irish. This preponderance of foreign-born criminals is peculiar to New York, where naturally the worst elements of immigration would remain. The same ratio appears in the country at large.

The following facts are authentic. In prison in the United States on June 1, 1871, there were 32,901 prisoners thus distributed:

<table>
<thead>
<tr>
<th>Category</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Native whites</td>
<td>16,117</td>
</tr>
<tr>
<td>Colored people</td>
<td>8,056</td>
</tr>
<tr>
<td>Foreign-born</td>
<td>8,728</td>
</tr>
<tr>
<td><strong>Total prisoners</strong></td>
<td><strong>32,901</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Population</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Native white population</td>
<td>28,111,133</td>
</tr>
<tr>
<td>Colored population</td>
<td>4,880,009</td>
</tr>
<tr>
<td>Foreign-born population</td>
<td>5,567,229</td>
</tr>
<tr>
<td><strong>Total population</strong></td>
<td><strong>38,558,371</strong></td>
</tr>
</tbody>
</table>

showing that (assuming all in prison to be criminals) there is at least one criminal in every 1172 of the population, one in every 1744 of our native white population, one in every 637 of our foreign-born population, and one in every 605 of our colored population.

When European journals picture crime as abounding in the United States, they should have the candor to add that, though foreigners compose only one-sixth of the total white population, they furnish one-third of the white criminals, and, in the ratio of criminals, are on a level with the ignorant and degraded negroes.

Their crimes are not a fruit of American society.
### Growth of Cities (Population in Thousands)

[Encyclopedia of Social Reform, New York, 1908, p. 234]

<table>
<thead>
<tr>
<th>City</th>
<th>1800</th>
<th>1850</th>
<th>1890</th>
<th>1900</th>
</tr>
</thead>
<tbody>
<tr>
<td>London</td>
<td>958</td>
<td>2,362</td>
<td>4,211</td>
<td>4,536</td>
</tr>
<tr>
<td>New York</td>
<td>62</td>
<td>660</td>
<td>2,740</td>
<td>4,014</td>
</tr>
<tr>
<td>Paris</td>
<td>546</td>
<td>1,053</td>
<td>2,448</td>
<td>2,714</td>
</tr>
<tr>
<td>Berlin</td>
<td>173</td>
<td>378</td>
<td>1,578</td>
<td>2,033</td>
</tr>
<tr>
<td>Tokyo</td>
<td>232</td>
<td>431</td>
<td>1,341</td>
<td>1,574</td>
</tr>
<tr>
<td>Vienna</td>
<td>30</td>
<td>1,009</td>
<td>1,296</td>
<td></td>
</tr>
<tr>
<td>Chicago</td>
<td>81</td>
<td>408</td>
<td>1,047</td>
<td>1,226</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>270</td>
<td>490</td>
<td>1,003</td>
<td>1,373</td>
</tr>
<tr>
<td>St. Petersburg</td>
<td>360</td>
<td>560</td>
<td>1,053</td>
<td>1,126</td>
</tr>
<tr>
<td>Moscow</td>
<td>300</td>
<td>400</td>
<td>873</td>
<td></td>
</tr>
<tr>
<td>Bombay</td>
<td>160</td>
<td>560</td>
<td>822</td>
<td>1,092</td>
</tr>
<tr>
<td>Rio de Janeiro</td>
<td>125</td>
<td>170</td>
<td>800</td>
<td>872</td>
</tr>
<tr>
<td>Calcutta</td>
<td>800</td>
<td>400</td>
<td>741</td>
<td>776</td>
</tr>
<tr>
<td>Hamburg</td>
<td>120</td>
<td>205</td>
<td>711</td>
<td>760</td>
</tr>
<tr>
<td>Manchester</td>
<td>170</td>
<td>388</td>
<td>703</td>
<td>543</td>
</tr>
<tr>
<td>Buenos Aires</td>
<td>70</td>
<td>120</td>
<td>677</td>
<td>1,000</td>
</tr>
<tr>
<td>Glasgow</td>
<td>77</td>
<td>329</td>
<td>658</td>
<td>736</td>
</tr>
<tr>
<td>Liverpool</td>
<td>82</td>
<td>376</td>
<td>618</td>
<td>694</td>
</tr>
</tbody>
</table>

1 Including Altona.

### Population in Cities of 100,000 or Over

[Encyclopedia of Social Reform, New York, 1908, p. 235]

<table>
<thead>
<tr>
<th>Country</th>
<th>1800</th>
<th>1850</th>
<th>1890</th>
<th>1900</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Canada</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Great Britain and Ireland</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>1,035,745</td>
<td>4,731,886</td>
<td>13,193,487</td>
<td>30.5</td>
</tr>
<tr>
<td>Prussia, Saxony and Bavaria</td>
<td>767,386</td>
<td>1,666,900</td>
<td>4,876,869</td>
<td>12.2</td>
</tr>
<tr>
<td>Holland and Belgium</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Spain</td>
<td>167,607</td>
<td>658,921</td>
<td>1,606,699</td>
<td>8.7</td>
</tr>
<tr>
<td>Portugal</td>
<td>360,000</td>
<td>275,286</td>
<td>447,417</td>
<td>8.9</td>
</tr>
<tr>
<td>Italy</td>
<td>800,000</td>
<td>1,456,000</td>
<td>2,452,851</td>
<td>9.3</td>
</tr>
<tr>
<td>Austria</td>
<td>282,000</td>
<td>484,942</td>
<td>2,452,851</td>
<td>9.3</td>
</tr>
<tr>
<td>Hungary</td>
<td>156,503</td>
<td>505,763</td>
<td>111,485</td>
<td>4.5</td>
</tr>
<tr>
<td>Greece</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Norway, Sweden and Denmark</td>
<td>100,975</td>
<td>123,123</td>
<td>878,069</td>
<td>8.8</td>
</tr>
<tr>
<td>Russia</td>
<td>595,000</td>
<td>1,123,698</td>
<td>5,723,918</td>
<td>5.3</td>
</tr>
</tbody>
</table>

1 Approximate date.
2 Including Salford.

---

1 Including Altona.
2 Including Salford.
3 England and Wales.
4 Holland.
5 Sweden.
6 Germany.
## Population of Cities of 20,000 or Over

**[Encyclopedia of Social Reform, New York, 1908, p. 235]**

<table>
<thead>
<tr>
<th>Country</th>
<th>1800 total population in such cities</th>
<th>Per cent of population</th>
<th>1850 total</th>
<th>Per cent</th>
<th>1900 total</th>
<th>Per cent</th>
</tr>
</thead>
<tbody>
<tr>
<td>United States</td>
<td>201,416</td>
<td>3.8</td>
<td>2,271,680</td>
<td>9.8</td>
<td>20,795,716</td>
<td>25.2</td>
</tr>
<tr>
<td>Canada</td>
<td></td>
<td></td>
<td>175,237</td>
<td>7.4</td>
<td>689,448</td>
<td>11.9</td>
</tr>
<tr>
<td>Great Britain and Ireland</td>
<td>2,283,868</td>
<td>26.9</td>
<td>7,640,912</td>
<td>35.0</td>
<td>21,000,000</td>
<td>48.3</td>
</tr>
<tr>
<td>France</td>
<td>1,840,386</td>
<td>6.7</td>
<td>3,911,500</td>
<td>10.6</td>
<td>8,668,036</td>
<td>22.2</td>
</tr>
<tr>
<td>Prussia, Saxony and Bavaria</td>
<td>845,500</td>
<td>6.0</td>
<td>2,781,000</td>
<td>37.8</td>
<td>14,300,000</td>
<td>25.4</td>
</tr>
<tr>
<td>Holland and Belgium</td>
<td>721,342</td>
<td>43.4</td>
<td>1,182,703</td>
<td>41.7</td>
<td>3,587,525</td>
<td>28.9</td>
</tr>
<tr>
<td>Spain</td>
<td>1,112,877</td>
<td>3.7</td>
<td>1,448,688</td>
<td>9.6</td>
<td>3,600,000</td>
<td>10.3</td>
</tr>
<tr>
<td>Portugal</td>
<td>380,000</td>
<td>10.5</td>
<td>415,289</td>
<td>10.7</td>
<td>470,606</td>
<td>8.7</td>
</tr>
<tr>
<td>Italy</td>
<td>2,000,000</td>
<td>3.5</td>
<td>2,500,000</td>
<td>4.2</td>
<td>5,000,000</td>
<td>15.1</td>
</tr>
<tr>
<td>Austria</td>
<td>449,000</td>
<td>3.5</td>
<td>726,548</td>
<td>4.2</td>
<td>4,004,000</td>
<td>14.1</td>
</tr>
<tr>
<td>Hungary</td>
<td>228,000</td>
<td>2.3</td>
<td>526,602</td>
<td>4.5</td>
<td>1,709,688</td>
<td>8.5</td>
</tr>
<tr>
<td>Greece</td>
<td>31,125</td>
<td></td>
<td></td>
<td></td>
<td>212,762</td>
<td></td>
</tr>
<tr>
<td>Norway, Sweden and Denmark</td>
<td>173,527</td>
<td>3.0</td>
<td>297,795</td>
<td>3.4</td>
<td>1,233,326</td>
<td>12.2</td>
</tr>
<tr>
<td>Russia</td>
<td>1,038,000</td>
<td>2.4</td>
<td>2,530,954</td>
<td>3.5</td>
<td>10,792,247</td>
<td>8.4</td>
</tr>
<tr>
<td></td>
<td>10,865,141</td>
<td></td>
<td>26,546,965</td>
<td></td>
<td>96,103,364</td>
<td></td>
</tr>
</tbody>
</table>

1 Approximate date.  
2 England and Wales.  
3 Prussia.  
4 Holland.  
5 Sweden.  
6 Germany.

### Some Comparative Statistics

**[Encyclopedia of Social Reform, New York, 1908, p. 234]**

<table>
<thead>
<tr>
<th>City</th>
<th>Population</th>
<th>Area</th>
<th>Density per acre</th>
<th>Death rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>London</td>
<td>4,664,437</td>
<td>75,575</td>
<td>61</td>
<td>16.6</td>
</tr>
<tr>
<td>New York</td>
<td>4,014,000</td>
<td>197,760</td>
<td>20</td>
<td>18.2</td>
</tr>
<tr>
<td>Paris</td>
<td>2,714,000</td>
<td>19,239</td>
<td>142</td>
<td>17.2</td>
</tr>
<tr>
<td>Berlin</td>
<td>2,036,000</td>
<td>15,576</td>
<td>130</td>
<td>16.9</td>
</tr>
<tr>
<td>Vienna</td>
<td>1,674,000</td>
<td>43,980</td>
<td>38</td>
<td>18.3</td>
</tr>
<tr>
<td>Chicago</td>
<td>2,050,000</td>
<td>131,220</td>
<td>17</td>
<td>16.2</td>
</tr>
<tr>
<td>Philadelphia</td>
<td>1,500,000</td>
<td>82,330</td>
<td>18</td>
<td>21.2</td>
</tr>
<tr>
<td>St. Petersburg</td>
<td>1,487,000</td>
<td>71,679</td>
<td>20</td>
<td>23.7</td>
</tr>
<tr>
<td>Hamburg</td>
<td>872,000</td>
<td>94,693</td>
<td>9</td>
<td>17.0</td>
</tr>
<tr>
<td>Manchester</td>
<td>631,185</td>
<td>19,893</td>
<td>31</td>
<td>21.3</td>
</tr>
<tr>
<td>Glasgow</td>
<td>798,775</td>
<td>12,796</td>
<td>63</td>
<td>21.2</td>
</tr>
<tr>
<td>Liverpool</td>
<td>710,937</td>
<td>17,792</td>
<td>40</td>
<td>22.6</td>
</tr>
</tbody>
</table>

1 With suburbs.
APPENDIX II

LETTERS TO REPRESENTATIVE JOSEPH F. O'CONNELL

CAMBRIDGE, MASS, February 14, 1910.

MY DEAR SIR: I beg leave to invite your attention to the following statement of the principles which should govern the national legislation on immigration:

(1) Our country needs the labor of every honest and healthy immigrant who has the intelligence and enterprise to come hither.

(2) Existing legislation is sufficient to exclude undesirable immigrants.

(3) Educational tests should not be applied at the moment of entrance to the United States, but at the moment of naturalization.

(4) The proper educational test is capacity to read in English or in the native tongue, not the Bible or the Constitution of the United States, but newspaper items in some recent English or native newspaper which the candidate can not have seen.

(5) The attitude of Congress and the laws should be hospitable and not repellent.

The only questions which are appropriate are, is he healthy, strong, and desirous of earning a good living? Many illiterates have common sense, sound bodies, and good characters. Indeed, it is not clear that education increases much the amount of common sense which nature gave the individual. An educational test is appropriate at the time when the foreigner proposes to become a voting citizen. He ought then to know how to read.

Very truly, yours,

CHARLES W. ELIOT.

NOTRE DAME, IND., February 26, 1910.

MY DEAR CONGRESSMAN O'CONNELL: In reply to your request for an expression of my views on the subject of immigration and naturalization, I desire to say that I am well pleased with the present laws relating to the exclusion of undesirable immigrants.

I am not in favor of any educational test as applied to immigrants desiring to enter the United States, though an educational test is entirely proper before naturalization. It is not advisable to insist on ability to read the English language, however, before an immigrant can be naturalized.

I am strongly in favor of excluding from this country all immigrants who profess the doctrines of anarchy.

Very sincerely, yours,

JOHN CAVANAUGH, C. S. C., President.
IN DEFENSE OF THE IMMIGRANT


DEAR SIR: Your favor of the 23d instant was received. I am not in favor of the restriction of immigration on the basis of the ability to read some European language. There is no doubt that the ability in question is desirable. At the same time, the conditions of workingmen in the old country and their conditions in our country are radically different. If they are industrious and honest and thrifty they will make useful citizens, and their children, having the opportunity of attending our free public schools, will acquire the needed education. In my opinion the requirements for naturalization ought to be made more strict, and at that point it might well be that an intelligence requirement should be embodied. A man should not become a citizen of this country and thereby, as under the laws of most of our States, entitled to the suffrage, unless he has a fair understanding of the nature of free government.

Very truly, yours,

HARRY PRATT JUDSON.

GEORGETOWN UNIVERSITY,
WASHINGTON, D. C., February 28, 1910.

SIR: Regarding the educational test as a means of restricting immigration, on which question there is an agitation to report out a bill, I beg leave to submit the following:

(1) The educational test should be applied to the voter, not to the immigrant.

(2) The laws restraining immigration are sufficiently drastic, and, if put into execution, will safeguard the country. Those who have openly taught immorality and favored anarchy should be excluded rather than the illiterates.

An illiterate artisan is not necessarily an ignorant or undesirable immigrant. Our whole past history proves that such men may serve the country in their proper sphere.

Very truly, yours,
JOSEPH HIMMEL, President.

CORNELL UNIVERSITY,
ITHACA, N. Y., March 4, 1910.

DEAR SIR: I have your communication of February 23, with the inclosed copy of the letter of ex-President Eliot, of Harvard University, on the subject of the admission of immigrants into the United States.
I fully concur in the views expressed by President Eliot, and I do not think I can express them in clearer, more forcible or appropriate language.

Very truly, yours,

J. G. SCHURMAN.

BOSTON COLLEGE,
BOSTON, MASS., February 25, 1910.

MY DEAR MR. O'CONNELL: I am pleased to know that you are a member of the Committee on Immigration and Naturalization, because I think that you can render the country effective service. The proposed educational test seems to me to be a fatal mistake.

(1) Does not the country need the toil of every intelligent, active, and moral worker who comes to us?

(2) The proper time for the educational test is when the immigrant seeks to be naturalized.

(3) Let existing legislation be enforced before new laws are enacted. The wise regulations already made, if enforced, would bar out undesirable subjects.

(4) There are millions of acres in the West waiting for these farm-loving immigrants. I am sure that you will insist upon these truths.

Ever yours, sincerely,

T. I. GASSON, S. J.