

✓ L1.1: 1922
922

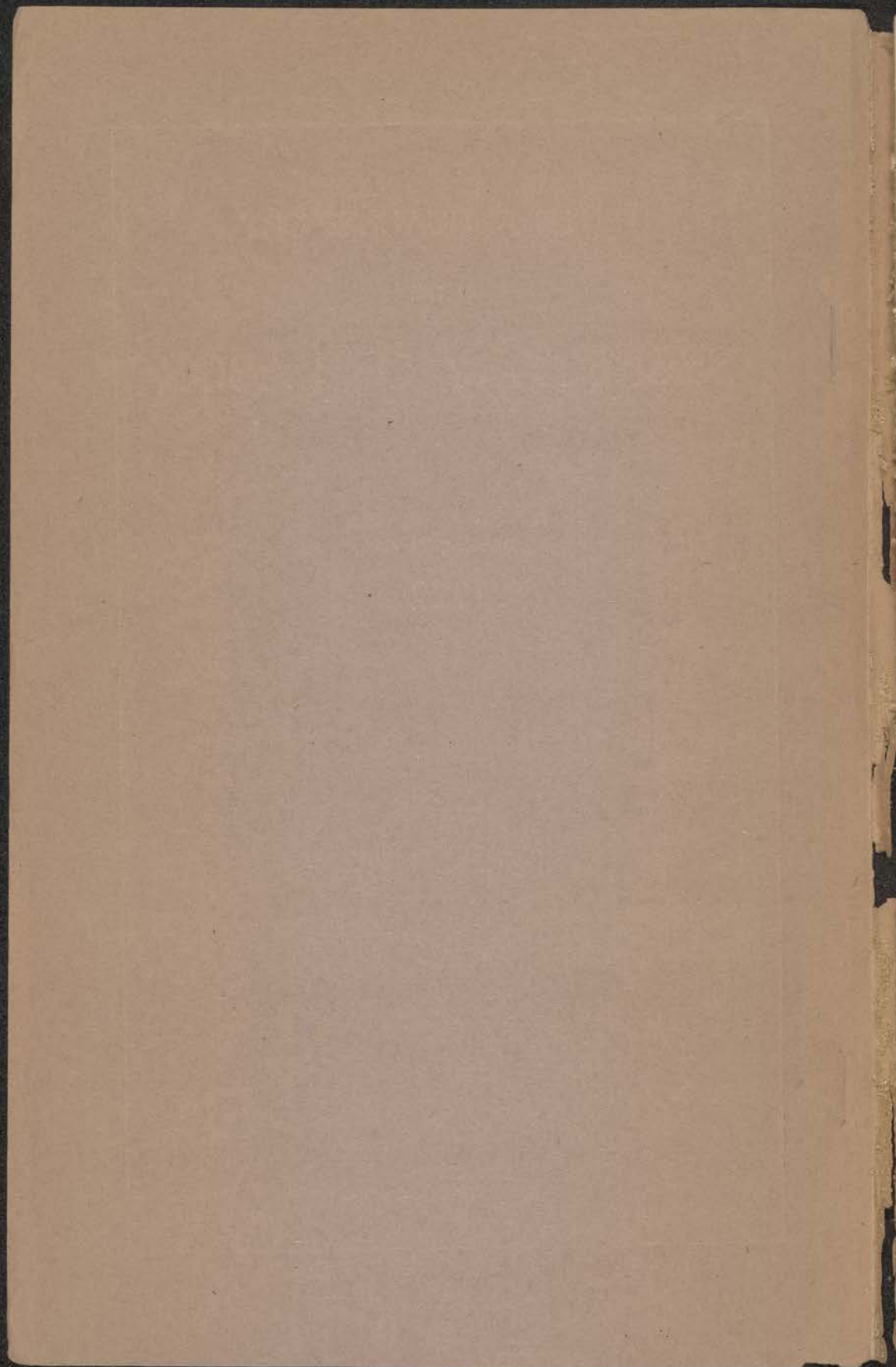
TENTH ANNUAL REPORT
OF THE
SECRETARY OF LABOR

FOR THE FISCAL YEAR
ENDED JUNE 30

1922



WASHINGTON
GOVERNMENT PRINTING OFFICE
1922



TENTH ANNUAL REPORT
OF THE
SECRETARY OF LABOR

FOR THE FISCAL YEAR
ENDED JUNE 30

1922



WASHINGTON
GOVERNMENT PRINTING OFFICE
1922

3 1336 05750 2552

TENTH ANNUAL REPORT
OF THE
SECRETARY OF LABOR

FOR THE FISCAL YEAR
ENDING JUNE 30

1922



WASHINGTON
GOVERNMENT PRINTING OFFICE
1922

CONTENTS.

	Page
Office of the Secretary	2
The solicitor.....	3
Disbursing clerk.....	4
Publications and supplies.....	8
Appointment clerk.....	11
The library.....	13
The conciliation service.....	14
Bituminous and anthracite coal strike—Anthracite strike—Railway shop crafts strike—Some typical cases.	
United States Employment Service.....	28
Farm and harvest work—Industrial employment survey—President's conference on unemployment—Junior division.	
United States Housing Corporation.....	32
Rentals and sales—Liquidation of transportation and public utility loans— Local taxes and assessments—The Norfolk County Ferries—The Govern- ment Hotel—Cradock, Va.	
Regulations of the Department of Labor.....	37
Bureau of Labor Statistics.....	38
Monthly Labor Review—Publications other than the Monthly Labor Review—Reports transmitted but not published.	
Bureau of Immigration.....	41
Immigration from foreign contiguous countries.....	43
Oriental immigration.....	43
Smuggling and surreptitious entry of aliens.....	45
Deportation of aliens.....	46
Head tax collected and administrative fines imposed.....	47
New legislation.....	47
Bureau of Naturalization.....	47
Naturalization.....	47
Citizenship training.....	48
Financial statement.....	49
Children's Bureau.....	50
Federal aid for the welfare and hygiene of maternity and infancy.....	50
Factors in infant and maternal mortality.....	52
Child labor.....	53
Dependency and delinquency.....	54
Child welfare in the insular possessions.....	56
Publications.....	57
Publicity and exhibits.....	57
The Women's Bureau.....	58
Function and authority.....	58
Type of work done.....	58
Publications and reports.....	60
The coming year.....	61

	Page.
Recommendations.....	63
Introductory.....	63
Conciliation.....	68
The copper industry—The oil industry—The packing-house industry—Industrial controversies of national concern.....	
United States Employment Service.....	77
The United States Housing Corporation.....	78
Bureau of Labor Statistics.....	79
“To improve their working conditions”.....	80
Immigration.....	82
Survey of world conditions—Field service—Medical inspection at ports—Examination of alien seamen—Mental and physical defectives, illiterates, etc.—Orientals—Selection of immigrants.....	
Bureau of Naturalization.....	107
Registration of aliens.....	110
Child labor.....	111
Procedure of Federal courts in children's cases.....	114
The Women's Bureau.....	114
Appendix I.—Recent decisions of the Supreme Court as to the constitutionality of statutes affecting labor.....	117
Appendix II.—Act creating the Department of Labor.....	120

TENTH ANNUAL REPORT OF THE SECRETARY OF LABOR.

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, October 1, 1922.

The PRESIDENT,
The White House,
Washington, D. C.

MY DEAR MR. PRESIDENT: In compliance with the requirements of section 9 of the act of Congress approved March 4, 1913, entitled "An act to create a Department of Labor," I respectfully transmit herewith for submission to Congress a report of the Department of Labor for the fiscal year ended June 30, 1922. This is the first report covering a full year's activities of this department during my incumbency as Secretary of Labor.

During the 16 months of my incumbency several changes through both legislation and administration have been made, affecting the functions and activities of the various bureaus comprising the department. There are other changes, some of them requiring legislation somewhat of a departure from the present policy of the Government, which I believe should be made. These are referred to in the conclusion and recommendations following the body of the report. I wish to call them to your attention. They concern the welfare of the American public and its institutions as relating to the everyday life and common affairs of our entire population.

Perhaps the most important recommendations concern the Bureaus of Immigration and Naturalization.

The Department of Labor performs its functions through five principal bureaus and a number of important divisions in the Office of the Secretary. For more convenient reference I enumerate these organizations. They are:

- Office of the Secretary.
- Bureau of Labor Statistics.
- Bureau of Immigration.
- Children's Bureau.
- Bureau of Naturalization.
- Women's Bureau.

OFFICE OF THE SECRETARY.

The Office of the Secretary includes the Secretary of Labor, the Assistant Secretary, the Second Assistant Secretary, the solicitor, the chief clerk, the disbursing clerk, the appointment clerk, the Division of Publications and Supplies, the department library, the Division of Conciliation, the United States Employment Service, and the Bureau of Industrial Housing and Transportation (United States Housing Corporation).

The Assistant Secretary and the Second Assistant Secretary perform the duties assigned them by statute and such other duties as may be assigned to them by the Secretary. The chief clerk performs the duties usually performed by similar officers in all the executive departments.

All the activities of the Department of Labor, either in the Office of the Secretary or in the various bureaus, deal with human rights rather than with property rights. For that reason nearly all the questions that come to the Office of the Secretary for action involve decisions and rulings dealing with human rights and require the personal attention of the Secretary or of an Assistant Secretary. These questions always require prompt action. The law clearly contemplates that a responsible officer shall deal with these matters, and specifically requires that either the Secretary personally or an Assistant Secretary personally must make the decisions and sign the various orders, decrees, and warrants. With the tremendous growth of the number of appeals involving immigration, as well as the movements of Chinese and other excluded aliens, the time of the Secretary and the Assistant Secretary was almost entirely consumed by these matters arising through the Bureau of Immigration. The Office of the Secretary has always been overburdened with important functions other than the details relating to any bureau. You will note from the foregoing list that there are five important bureaus in the department in addition to a number of very important divisions in the Office of the Secretary. Three of these divisions, namely, Conciliation, United States Employment Service, and Industrial Housing, have assumed the importance of bureaus both in size and volume of business. The activities of all these bureaus are of the highest importance and all require close personal attention of some one with the power to assume responsibility and act for the Secretary. Prior to the end of the fiscal year here covered there was but one Assistant Secretary in this department. The great increase in the business requiring the personal attention of a responsible head made necessary the request for an additional Assistant Secretary. This request was made early during the present fiscal year through the Bureau of the Budget, which made a careful investigation and recommended that

the position of Second Assistant Secretary of Labor be created together with a private secretary for the Second Assistant. Congress finally passed the act creating this position on June 30, 1922. The appointment of the Second Assistant Secretary of Labor was made early in July, 1922.

The lease on the building at 1712-1722 G Street NW. was renewed on July 1, 1922, for five years, at the same rental as for the previous five years. This is a modern nine-story fireproof building containing 63,994 square feet net of floor space. It is occupied by the Office of the Secretary, the Bureau of Immigration, Bureau of Labor Statistics, and the Bureau of Naturalization. The Children's Bureau, Women's Bureau, and the United States Employment Service occupy 26,800 square feet of floor space in Tempo Building No. 4, at Twentieth and D Streets NW. Owing to the increased appropriations for the Women's Bureau and Children's Bureau, and for the administration of the Sheppard-Towner maternity act by the Children's Bureau, it was necessary to reassign space occupied by the various bureaus in that building. To secure necessary space for the proper functioning of these bureaus a request was made on the Public Building Commission for two additional rooms therein. The request was complied with, making the total space occupied by the department in that building as above stated.

During the year the Bureau of Industrial Housing and Transportation was, by direction of the Public Buildings Commission, moved to the Maltby Building, 200 New Jersey Avenue, where it occupies 5,935 square feet of floor space.

As in my last report, I call attention to the fact that while the department building is a modern, fireproof building, the scattering of the bureaus of the department in three separate buildings does not lend itself to efficient administration, and it is hoped that the Public Buildings Commission can find in one of the public buildings sufficient space to house the department as a whole. According to the report of the Public Buildings Commission of December 18, 1917, Senate Document 155, Sixty-fifth Congress, second session, the Government now owns a site bounded by Fourteenth and Fifteenth and C and D Streets NW., upon which it is proposed to erect a building for the Department of Labor. Economy in administration, efficiency in operation, and stability would be greatly increased if Congress should see fit to authorize the erection of this building.

The Solicitor.

While the solicitor, of course, is an officer of the Department of Justice, he has his office with the Department of Labor and his work is devoted entirely to matters of law arising in this department.

Details of the work performed by the office of the solicitor for the fiscal year ended June 30, 1922, are as follows:

Legal opinions rendered, formal.....	95
Contracts and leases examined, approved, or disapproved.....	267
Contracts, leases, forms of bonds, etc., drafted, redrafted, or modified.....	10
Bonds on contracts examined, approved, or disapproved.....	18
Bonds, alien immigrants, examined, approved, or disapproved.....	6,356
Bonds, official, examined, approved, or disapproved.....	5
Miscellaneous matters embracing everything submitted for advice or suggestion of the solicitor, or for the formulation of departmental action, not included in the foregoing items.....	445
Total.....	7,196

Disbursing clerk.

Functions.—The disbursing clerk prepares requisitions for public funds from appropriations for the department. He also pays its obligations and does the general accounting of the department. Naturalization fees and moneys received by the Secretary of Labor from aliens in lieu of bond are accounted for by him. His report for the fiscal year is appended.

Appropriations.—For the fiscal year ended June 30, 1922, the appropriations by Congress to the department and its services were as follows:

Salaries, office of the Secretary of Labor, 1922.....	\$140,380.00
Salaries and expenses, commissioners of conciliation, 1922.....	150,000.00
Salaries and expenses, commissioners of conciliation, 1920.....	2,500.00
Contingent expenses, Department of Labor, 1922.....	50,000.00
Rent, Department of Labor, 1922.....	24,000.00
Salaries, Bureau of Labor Statistics.....	172,960.00
Miscellaneous expenses, Bureau of Labor Statistics, 1922.....	69,000.00
Library, Bureau of Labor Statistics, 1922.....	300.00
Salaries, Bureau of Immigration, 1922.....	74,200.00
Expenses of regulating immigration, 1922.....	3,300,000.00
Expenses of regulating immigration, 1921.....	150,000.00
Refund to Calxico National Bank.....	500.00
Refund to Chin Fong, San Francisco, Calif.....	35.25
Refund to Felix Schimmer.....	170.50
Refund to N. Galanos & Co.....	240.00
Refund to Pacific Mail Steamship Co., Honolulu, Hawaii.....	1,000.00
Refund to Whitney-Bodden Brokerage Co.....	40.00
Refund to United States Shipping Co.....	340.00
Refund to Alfredo Saborde.....	50.00
Refund to Vaccaro Bros.....	10.00
Immigration station, Ellis Island, New York Harbor.....	107,270.75
Salaries, Bureau of Naturalization, 1922.....	97,010.00
Miscellaneous expenses, Bureau of Naturalization, 1922.....	550,000.00
Naturalization fees, publication Citizenship Textbooks.....	17,954.21
Salaries, Children's Bureau, 1922.....	106,040.00
General expenses, Children's Bureau, 1922.....	85,000.00
Investigation of child welfare, Children's Bureau, 1922.....	80,000.00

Promotion of the welfare and hygiene of maternity and infancy, 1922..	\$490,000.00
Salaries and expenses, Women's Bureau, 1922.....	75,000.00
Women in Industry, Department of Labor, 1920.....	1,200.00
Women in Industry, Department of Labor, 1921.....	600.00
United States Employment Service, Department of Labor, 1922.....	225,000.00
United States Employment Service, Department of Labor, 1920.....	400.00
United States Employment Service, Department of Labor, 1921.....	3,500.00
Increase of compensation, Department of Labor, 1922.....	502,101.07
Printing and binding.....	200,000.00
Total.....	6,676,801.78

Expenditures.—The expenditures, arranged according to items of appropriations, were as follows:

Office of the Secretary:

Salaries, Office of the Secretary of Labor, 1920.....	\$0.45
Salaries, Office of the Secretary of Labor, 1921.....	5,618.25
Salaries, Office of the Secretary of Labor, 1922.....	131,247.25
Contingent expenses, Department of Labor, 1920.....	217.88
Contingent expenses, Department of Labor, 1921.....	13,522.23
Contingent expenses, Department of Labor, 1922.....	35,075.38
Salaries and expenses, commissioners of conciliation, 1920.....	1,255.24
Salaries and expenses, commissioners of conciliation, 1921.....	16,132.41
Salaries and expenses, commissioners of conciliation, 1922.....	117,429.65
Rent, Department of Labor, 1921.....	2,000.00
Rent, Department of Labor, 1922.....	22,000.00
Advanced transportation, Department of Labor, 1918-19.....	61,180.87
Increase of compensation, Department of Labor, 1920.....	15.33
Increase of compensation, Department of Labor, 1921.....	26,863.85
Increase of compensation, Department of Labor, 1922.....	501,747.06
Total.....	934,305.85

Bureau of Labor Statistics:

Salaries, Bureau of Labor Statistics, 1921.....	6,839.01
Salaries, Bureau of Labor Statistics, 1922.....	158,983.98
Miscellaneous expenses, Bureau of Labor Statistics, 1920.....	122.54
Miscellaneous expenses, Bureau of Labor Statistics, 1921.....	14,140.38
Miscellaneous expenses, Bureau of Labor Statistics, 1922.....	57,352.44
Library, Bureau of Labor Statistics, 1920.....	4.00
Library, Bureau of Labor Statistics, 1921.....	51.50
Library, Bureau of Labor Statistics, 1922.....	256.36
Total.....	237,750.21

Bureau of Immigration:

Salaries, Bureau of Immigration, 1921.....	3,599.68
Salaries, Bureau of Immigration, 1922.....	68,542.50
Expenses of regulating immigration, 1920.....	5,568.72
Expenses of regulating immigration, 1921.....	423,418.99
Expenses of regulating immigration, 1922.....	2,983,626.24
Enforcement of laws against alien anarchists, 1920.....	283.84
Enforcement of laws against alien anarchists, 1921.....	53,152.97
Expenses of deporting aliens, 1920.....	112.84
Expenses of deporting aliens, 1921.....	37,067.52
Immigration station, Ellis Island, New York Harbor.....	84,791.26

Bureau of Immigration—Continued.

Refunds—

Falik Schimmer.....	\$170. 50
N. Galanos & Co.....	240. 00
Whitney-Bodden Brokerage Co.....	40. 00
Pacific Mail Steamship Co.....	1, 000. 00
Alfredo Saborde.....	50. 00
Vaccaro Bros. & Co.....	10. 00
United States Shipping Co.....	340. 00
Calexico National Bank.....	500. 00
Relief of Kristana Farjak.....	495. 00
Total.....	<u>3, 663, 010. 06</u>

Children's Bureau:

Salaries, Children's Bureau, 1921.....	4, 272. 59
Salaries, Children's Bureau, 1922.....	94, 787. 99
General expenses, Children's Bureau, 1920.....	464. 12
General expenses, Children's Bureau, 1921.....	15, 052. 24
General expenses, Children's Bureau, 1922.....	50, 257. 36
Investigation of child welfare, 1920.....	24. 39
Investigation of child welfare, 1921.....	7, 549. 28
Investigation of child welfare, 1922.....	64, 047. 07
Promotion of the welfare and hygiene of maternity and infancy, 1922.....	1 296. 39
Total.....	<u>236, 751. 43</u>

Bureau of Naturalization:

Salaries, Bureau of Naturalization, 1921.....	3, 941. 03
Salaries, Bureau of Naturalization, 1922.....	89, 987. 77
Miscellaneous expenses, Bureau of Naturalization, 1920.....	1, 044. 25
Miscellaneous expenses, Bureau of Naturalization, 1921.....	67, 124. 63
Miscellaneous expenses, Bureau of Naturalization, 1922.....	489, 990. 90
Total.....	<u>652, 088. 58</u>

Women's Bureau:

Women in Industry, 1920.....	951. 15
Women in Industry, 1921.....	5, 805. 96
Salaries and expenses, Women's Bureau, 1922.....	68, 010. 18
Total.....	<u>74, 767. 29</u>

Employment Service:

United States Employment Service, Department of Labor, 1920...	405. 67
United States Employment Service, Department of Labor, 1921...	16, 449. 99
United States Employment Service, Department of Labor, 1922...	195, 753. 05
Total.....	<u>212, 608. 71</u>

Salaries and expenses, International Conference of Labor, 1920.....	9. 28
Salaries and expenses, First Industrial Conference, 1920.....	4. 74

Grand total..... 6, 011, 296. 15

¹ Does not include \$204,638.58 transferred to States by Treasury Department, and which amount is included in "Claims settled by the General Accounting Office."

In addition to disbursements by the disbursing clerk, the following expenditures on behalf of the department were specifically made:

By special disbursing agents for—

Immigration Service.....	\$42,324.53
Children's Bureau.....	379.56
Claims settled by the General Accounting Office of the Treasury Department.....	772,182.46
	814,886.55

Miscellaneous receipts.—The following receipts from miscellaneous sources have been recorded during the year:

Bureau of Immigration:

Head tax.....	\$2,503,096.00
Fines.....	249,048.05
Forfeiture of bonds.....	216,963.50
Rentals and sale of exclusive privileges.....	3,591.40
Telephone service.....	2,616.19
Sale of Government property.....	2,086.93
Miscellaneous collections.....	300.06
Total.....	2,977,702.13

Bureau of Naturalization:

Naturalization fees.....	657,190.00
Nunc pro tunc examination head tax.....	11,677.97

Miscellaneous:

Proceeds sale of Government property.....	15,192.69
Total.....	3,661,762.79

Unexpended balances.—In accordance with the act of Congress of June 20, 1874 (18 Stat. L. 110, 111), the following unexpended balances of appropriations and repayments thereto were covered into the surplus fund of the Treasury Department June 30, 1922:

Salaries, office of the Secretary of Labor, 1920.....	\$920.07
Contingent expenses, Department of Labor, 1920.....	382.77
Salaries and expenses, commissioners of conciliation, 1920.....	39.13
Women in Industry, Department of Labor, 1920.....	195.38
United States Employment Service, Department of Labor, 1920.....	.94
Salaries and expenses, International Conference of Labor, 1920.....	119.40
Salaries and expenses, First Industrial Conference, 1920.....	144.56
Salaries, Bureau of Immigration, 1920.....	2,880.42
Expenses of regulating immigration, 1920.....	12,418.78
Expenses of interned aliens, 1919-20.....	13,519.68
Enforcement of laws against alien anarchists, 1920.....	3,266.11
Expenses of deporting aliens, 1920.....	17.84
Salaries, Bureau of Naturalization, 1920.....	1,461.24
Miscellaneous expenses, Bureau of Naturalization, 1920.....	6,629.58
Salaries, Bureau of Labor Statistics, 1920.....	2,261.31
Miscellaneous expenses, Bureau of Labor Statistics, 1920.....	1,499.65
Salaries, Children's Bureau, 1920.....	3,480.47
General expenses, Children's Bureau, 1920.....	53.77
Investigation of child welfare, Children's Bureau, 1920.....	1,607.24
Increase of compensation, Department of Labor, 1920.....	1,834.61
Total.....	52,732.95

Publications and supplies.

Printing and binding.—In the sundry civil act for 1922 there was allotted to the Department of Labor for printing and binding the sum of \$200,000. This allotment was apportioned by the Secretary as follows:

Office of the Secretary.....	\$12,500
Bureau of Labor Statistics.....	90,000
Bureau of Immigration.....	6,000
Immigration Service.....	19,000
Children's Bureau.....	36,000
Bureau of Naturalization.....	3,000
Naturalization Service and naturalization examiners.....	25,000
Women's Bureau.....	8,500
Total.....	200,000

During the year requisitions were made on the Public Printer covering \$195,643.04 of the appropriation. Bills were submitted by the Public Printer for \$162,908.65, leaving an estimated balance of \$32,734.49 on work at the Government Printing Office to be paid for out of the appropriation for 1923.

There were written and sent to the Government Printing Office during the year 1,295 requisitions, as compared with 1,378 for the fiscal year 1921, a decrease of 83, or 6.4 per cent.

Printed stationery.—During the fiscal year 1922, 342 requisitions for printed stationery were filled. Of this number 175 were for offices and bureaus within the department and 167 for services outside the District of Columbia.

Envelopes.—During the year 171 orders were placed with the envelope companies calling for 2,829,450 envelopes, at a cost of \$6,220.53, as compared with 204 orders in 1921, calling for 2,510,472 envelopes, costing \$9,277.72. The cost of the envelopes for the fiscal year has been very much reduced from the previous year, due to the fall in the price of paper. There were furnished to the bureaus and offices of the department more than a million envelopes which had been salvaged from the effects of the war services of the department and which were overprinted by mimeograph.

Periodicals.—The Monthly Labor Review and Industrial Employment Survey Bulletin issued, respectively, by the Bureau of Labor Statistics and the United States Employment Service, are the only periodicals issued by the department. The Monthly Labor Review is supplied to a free list of less than 2,000 copies, while the Superintendent of Documents maintains for that publication a paid list of about the same number. The Industrial Survey Bulletin was supplied for the greater part of the year to approximately 20,000 persons per month; this number, toward the close of the fiscal year, was reduced to 7,000. The printing of the Industrial Employment

Survey Bulletin was paid directly from the appropriation of the United States Employment Service, and not from the printing allotment of the department.

Editorial work.—Editorial and proof reading, expressed in figures, was as follows: Folios of copy (not including reprints) forwarded to the Government Printing Office, 20,483. Galley proofs received, 4,227. Page proofs received, 10,507. Proofs of forms received, 171.

This statement does not convey any idea of the painstaking care, devotion to duty, and zeal exhibited by the employees performing this work.

Books and blanks.—A tabulated statement of the books and blanks handled during the year, and of mail, freight, and express receipts and shipments is appended:

NUMBER OF REQUISITIONS FILLED.

Inside service.....	647
Naturalization Service, clerks.....	4,582
Naturalization Service, examiners.....	138
General (Immigration, Employment, Customs).....	801
Total.....	6,168

SHIPMENTS MADE.

Blanks:	Number.	Weight, pounds.
Boxes, registered mail.....	6	358
Boxes, regular mail.....	0	0
Boxes, freight.....	3	1,080
Packages, registered mail.....	3,767	32,041
Packages, regular mail.....	42,694	241,582
Immigration laws, etc.....	8,061	3,381
Bags, regular mail.....	1,674	133,920
Bags, regular mail (other divisions).....	821	65,680
Letters, invoices, etc.....	7,428	1,012
Total.....	64,454	479,054

Supplies:

Freight and express.....	7,620	381,844
Mail.....	630	1,846
Total.....	8,250	383,690

NUMBER OF BOOKS AND BLANKS SENT.

	Books.	Blanks.
Customs.....	217	8,900
Immigration service, general.....	1,306	1,086,335
Immigration service, New York.....	955	723,000
Employment service.....		2,196,680
Naturalization service, clerks.....	1,397	1,484,800
Naturalization service, examiners.....	380	425,725
Publications and supplies.....	2	247,815
Special and miscellaneous.....	2	1,152,500
Certificates of naturalization:		
309 books of 10.....	3,090	
171 books of 25.....	4,275	

Certificates of naturalization—Continued.

1,772 books of 50.....	88,600		
1,355 books of special.....	67,750		
	163,715	Books.	Blanks.
		3,607	.....
Total.....		7,866	7,325,755

PACKAGES RECEIVED.

Blanks and supplies:	Number.	Weight, pounds.
Blanks.....	15,984	231,514
Supplies.....	8,851	353,469
Total.....	24,835	584,983
Total parcels handled.....	97,539	1,447,727

Distribution of publications.—During 1922 there were distributed 2,043,007 publications on mail lists and franks, as compared with 2,978,000 in 1921.

Comparative statement of publications issued in 1921 and 1922.

Description.	1921	1922	Per cent of increase (+) or decrease (-).
Total publications issued.....	2,978,000	2,043,007	-31
On mail lists.....	255,918	403,428	+58
On franks.....	2,722,082	1,639,579	-40
Franks handled.....	143,256	153,725	+7

Sixty-three mail lists, comprising 103,867 addresses, are now maintained by the department.

Children's Bureau issues.—The demand for the Child Care series of the Children's Bureau has become so great that that bureau has adopted a policy, wherever possible, of inducing organizations interested to purchase them from the Superintendent of Documents, thus accomplishing a material economy.

Bureau of Immigration.—The Bureau of Immigration has adopted a policy of referring most of the requests for copies of the annual report and the Immigration Laws and Regulations coming to it to the Superintendent of Documents, with the result of greatly increased sales of that booklet by him.

Supplies.—Appropriations for contingent expenses of the department for the fiscal year ended June 30, 1922, amounted to \$50,000, with an addition of the transfer of \$13,500 from the appropriation "Expenses of regulating immigration," for the purchase of supplies for the immigration field service. The unused balance in this appropriation as of October 1, 1922, is \$18,152.10, and will be sufficient to meet the outstanding liabilities.

Transactions in the purchase of supplies showed the handling of 1,586 requisitions and the placing of 2,159 orders.

Appointment clerk.

Officials and employees.—There was a decrease of 292 employees in the department at the close of June 30, 1922, as compared with the number employed on the same date of the previous year, the reduction being mainly in the Immigration Service and the Bureau of Labor Statistics. These reductions totaled 346, while the annexed table shows an increase of 5 in the number of commissioners of conciliation (due to nominal appointments at \$1 a year) and 33 additional employees in the Children's Bureau. A slight increase was shown in the Bureau of Naturalization, Women's Bureau, and the Employment Service. The number of positions authorized by statute remains the same as last year, totaling 428. The report shows 424 statutory employees. The remaining 4 statutory positions authorized have not been filled, due to the department's desire to decrease the force wherever possible. It will also be noted that a reduction in force has been made in the nonstatutory positions outside the District of Columbia. It is interesting to observe that in the report for last year the Immigration Service had an increase of 208 employees and this year a reduction of 320. Last year the Children's Bureau reduced its force 38 employees and this year increased it by 33. The United States Housing Corporation shows an increase of 4 employees during the fiscal year.

Total number of officials and employees in the Department of Labor, July 1, 1922.

Bureau or office.	Statutory.	Non-statutory.	In District of Columbia.	Outside District of Columbia.	Total, July 1, 1922.	Total, July 1, 1921.	Increase (+) or decrease (—) during year.
Office of the Secretary.....	119		119		119	119	
Commissioners of conciliation.....		54	7	147	54	49	+5
Bureau of Labor Statistics.....	110	11	121		121	147	-26
Children's Bureau.....	75	95	121	49	170	137	+33
Immigration.....	53	1,610	61	1,602	1,663	1,983	-320
Naturalization.....	67	212	95	184	279	271	+8
United States Employment Service.....		494	32	462	494	491	+3
Women's Bureau.....		35	34	1	35	30	+5
Total.....	424	2,511	500	2,345	2,935	3,227	-292
Housing Corporation.....			57	16	587	583	+4

¹ Of this number, 26 are employed at the nominal compensation of \$1 per annum.

² Of this number, 3 are employed at the nominal compensation of \$1 per annum.

³ Of this number, 34 are employed at the nominal compensation of \$1 per annum.

⁴ Of this number, 312 are employed at the nominal compensation of \$1 per annum.

Changes in personnel.—The table following indicates the changes of personnel throughout the executive offices and bureaus of the department during the fiscal year ended June 30, 1922.

Appointments, separations, and miscellaneous changes in personnel during fiscal year 1922.

Bureau or office.	Appointments.					Separations.					Miscellaneous changes
	Permanent.			Temporary.	Total.	From permanent.			Temporary.	Total.	
	Competitive.	Excepted.	Unclassified.			Competitive.	Excepted.	Unclassified.			
Office of the Secretary.	11	4	.....	2	17	12	3	.....	.....	15	46
Commissioners of conciliation.	.....	30	.....	1	31	.....	24	.....	.....	24	19
Labor Statistics.	17	.....	.....	39	56	24	.....	.....	45	69	39
Children's Bureau.	21	55	.....	59	135	17	4	.....	34	55	104
Immigration.	111	40	2	72	225	282	33	8	239	562	3,076
Naturalization.	30	.....	.....	49	79	22	2	.....	29	53	299
United States Employment Service.	2	385	.....	180	567	23	333	.....	25	381	237
Women's Bureau.	5	.....	.....	12	17	5	.....	.....	4	9	15
Total.	197	514	2	414	1,127	385	399	8	376	1,168	3,835

There was a total of 1,127 appointments, 1,168 separations, and 3,835 miscellaneous changes of personnel during the year. There were 414 appointments to and 376 separations from temporary positions; 197 appointments to and 386 separations from competitive positions; 514 appointments to and 399 separations from excepted positions; and 2 appointments to and 8 separations from unclassified positions.

Transfers.—In the matter of transfers to the Department of Labor from other departments and to other departments from the Department of Labor the figures show only a slight change, there being a total of 28 coming into the department from other establishments and 13 going from this department to other establishments.

The following table shows the number of transfers to and from the department during the fiscal year ended June 30, 1922:

Transfers to and from the Department of Labor during the fiscal year 1922.

Bureau or office.	From—										To—				
	Treasury Department.	Department of State.	Department of War.	Department of Navy.	Post Office Department.	Veterans' Bureau.	Department of Interior.	Department of Commerce.	Government Printing Office.	Department of Agriculture.	Total.	Treasury Department.	Department of State.	Bureau of Internal Revenue.	Department of Commerce.
Office of the Secretary.	.....	.....	1	.....	.....	1	1	.....	.....	.....	4	.....	.....	.....	.....
Bureau of Labor Statistics.	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	3	.....	.....	.....	.....
Children's Bureau.	.....	.....	5	.....	2	.....	.....	1	.....	.....	11	.....	.....	1	.....
Bureau of Immigration.	3	.....	1	1	.....	.....	.....	.....	1	.....	4	7	1	.....	.....
Bureau of Naturalization.	.....	2	1	.....	1	.....	.....	.....	.....	.....	4	1	.....	.....	.....
United States Employment Service.	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	1
Women's Bureau.	1	.....	1	.....	.....	.....	1	.....	.....	.....	3	.....	.....	.....	.....
Total.	5	2	11	2	1	2	1	2	1	1	28	9	1	1	1

Comparative statements.—The following table shows the number of persons employed in the Department of Labor at the close of June 30, 1922, and the number who will be on the rolls on July 1, 1922. These changes come about by change in appropriations. The statement shows a decrease of 207 employees between the close of business on June 30, 1922, which is the end of the fiscal year, and the beginning of July 1, 1922. This decrease in the number of employees in the department affects 15 in the District of Columbia and 192 in the field service.

Comparative statement of the number of employees of the Department of Labor, June 30, 1922, and July 1, 1922.

Bureaus.	June 30, 1922.			July 1, 1922.		
	In District of Columbia.	Field.	Total.	In District of Columbia.	Field.	Total.
Office of the Secretary.....	119		119	119		119
Conciliation.....	7	147	54	7	147	54
Bureau of Labor Statistics.....	125		125	121		121
Children's Bureau.....	125	48	173	121	40	170
Bureau of Immigration.....	56	1,827	1,883	61	1,602	1,663
Bureau of Naturalization.....	97	172	269	95	184	279
United States Employment Service.....	40	442	482	32	462	494
Women's Bureau.....	36	1	37	34	1	35
Total.....	605	2,537	3,142	590	2,345	2,935

¹ Of this number 26 are employed at the nominal compensation of \$1 per annum.

² Of this number 34 are employed at the nominal compensation of \$1 per annum.

³ Of this number 312 are employed at the nominal compensation of \$1 per annum.

⁴ Of this number 315 are employed at the nominal compensation of \$1 per annum.

The library.

The department library, which now contains approximately 90,000 books and pamphlets, is a carefully selected "working" collection covering practically every phase of the work of the department. It secures and circulates in the bureaus material bearing upon investigations in progress, and also acts as a feeder to the editorial offices of the *Monthly Labor Review*. About 1,800 periodicals and newspapers are received currently, recorded, and circulated.

Besides its basic service to the research work of the department the library is serving a steadily increasing number of outside agencies and individual investigators who find in the Labor Department library material not available to them elsewhere in the United States. The catalogue of over a quarter of a million cards is a bibliography covering the whole field of public welfare.

An annotated list of references on "Recent literature on unemployment with particular reference to causes and remedies," issued at the time of the President's unemployment conference, has been used extensively by civic organizations, individual employers, and students. The lists on the Kansas Court of Industrial Relations and on Workers' Education have also been in much demand.

The conciliation service.

Few persons in the country have realized the gravity of the industrial disputes which have occurred during the fiscal year just closed. Almost simultaneously more than a million workers in the bituminous and anthracite coal fields and the shopmen of our great railroad systems were on strike. At the same time nearly 80,000 textile workers employed in the mills in the New England States were idle. While the shopcrafts of the railroads were not actually on strike during the time covered by this report, the controversy was impending many weeks before the strike actually began and very soon after the coal strike started. This factor added in a measure to the complexity of the coal situation. These railroad workers came out on strike July 1, the day following the close of the fiscal year covered by this report.

Perhaps never before in the life of this Nation have more complex and disturbing problems confronted the Federal Government, problems the solution of which required patience and forbearance in order to render justice to all elements alike.

Possibly few trade disputes in the history of the world ever assumed the proportions of the strikes in the coal, transportation, and textile industries. The number of men involved and the duration of the strikes, it is estimated, have never been exceeded in this country.

Despite the number of our conciliators engaged solely on the coal strikes in the various important fields involved, the service utilized its good offices in 370 cases, involving directly and indirectly 1,190,000 workers. At the close of the fiscal year there were pending 31 cases. Two hundred and sixty-six disputes were settled by commissioners, and 32 cases were settled in cooperation with State boards and local agencies or committees.

Our corps of commissioners actually working throughout the year averaged 22, of which number 10 were engaged for a period of over four months in various fields and in Washington on the coal situation.

Bituminous and anthracite coal strike.

While the conciliation service during the past fiscal year has been confronted with a number of serious and intricate industrial disputes of grave importance to the country as a whole, the outstanding case was, of course, the general coal strike, involving approximately 450,000 bituminous and 155,000 anthracite miners.

Realizing the consequences to the civic and industrial life of the country early in the fall of 1921, the department endeavored to prevent the impending strike. Through personal endeavor and through the efforts of a corps of commissioners of conciliation familiar with the coal industry, propositions were outlined and presented to the miners and operators, but, while respectful consideration was accorded at all times to the suggestions of the Gov-

ernment, it was evident early in the spring of 1922 that a suspension was imminent. Finally when some of the bituminous operators in the central competitive field refused to meet the miners in that field prior to March 31, 1922 (as provided in the agreement entered into in New York City on March 31, 1920), and the anthracite miners and operators failed to come to an amicable understanding, the suspension in both coal fields became effective on April 1, 1922. The tie-up was complete in every union coal field of the country with the exception of a part of district 23 in western Kentucky, where a five-year nonstrike agreement expiring March 31, 1923, was in existence. This practically controlled conditions and continued the operation of all of the other union mines in that district. This was the only union field which was not affected during the strike.

The administrative machinery of the Government, through the Secretaries of the Departments of Commerce and Labor, the legislative branch, through the House Committee on Labor, and the conciliation service in cooperation with State agencies in coal-producing States, endeavored to prevent the suspension but without success.

The House Committee on Labor summoned operators and miners to Washington and conducted extensive hearings beginning March 31 and concluding April 4. On the latter date the committee through its chairman invited operators and miners of the central competitive field to meet. A few operators expressed a willingness to comply and the miners agreed; but important operators in western Pennsylvania and some other sections refused.

The Geological Survey and other Government agencies publicly announced that over 63,000,000 tons of bituminous coal and over 9,000,000 tons of anthracite were in stock on April 1, 1922, and that with this extraordinary amount available, supplemented principally by the output from the nonunion mines remaining in operation, the public needs could be met for several weeks, and that in the circumstances no increase in price was justified.

Later, when coal prices began to increase, Secretary of Commerce Hoover called the producing operators together, and as a result fixed a maximum price of \$3.50 for bituminous coal at the mines.

The Secretary of Labor instructed the director of conciliation to assign additional commissioners to the various important coal fields to keep him and his associates constantly informed; to counsel against any action that would bring about a clash of interests, and to tender their good offices in any serviceable way.

The department had for months been compiling data—wage scales and working rules, earnings and cost of living—in every bituminous coal district and bringing them down to date. It was

therefore in a position to advise and cooperate with all other interested Government agencies in the analysis of all the contributing underlying factors.

This strike created, without doubt, the most complex industrial situation that has ever confronted the United States. Over 600,000 workers involved—anthracite and bituminous—25 States directly concerned, and the whole country seriously affected. Matters of earnings, working conditions, overdevelopment, overmanning, competition, intermittency of employment, marketing, freight rates, readjustment, and many other factors contributed to the difficulties confronting the Government, the operators, and the workers. Many conferences were held by me with representatives of operators and miners in Washington, Pittsburgh, Chicago, New York, and elsewhere. The President called a joint conference of operators and miners for the purpose of working out a plan of settlement mutually satisfactory. This conference met at Washington, and the President in an address impressed upon the representatives of employers and employees the necessity for an adjustment in the interest of the common welfare of the Nation. At this conference the Government was represented by the Secretary of Commerce and the Secretary of Labor. This conference labored diligently for a number of days but finally adjourned without having reached any agreement.

The President thereupon requested the representatives of the miners and the representatives of the operators to meet him at his office, which they did. The President at this meeting suggested that the men go back to work at the old scale of wages and under conditions as they existed before the strike, and that the whole matter in dispute between the two contending elements be referred to a commission to consist of three representatives of the miners, three representatives of the coal operators, and five representatives of the public, and that both sides agree to be bound by the findings of this commission. The coal operators had requested wage reductions varying from 25 to 40 per cent and did not regard with favor the President's suggestion that the men go back to work on the same scale as had been in vogue prior to the strike. The operators and miners each met in separate conference to consider the President's proposition. All of the bituminous miners and a large percentage of the bituminous operators refused to accept the proposition. The anthracite miners refused but the anthracite operators accepted the proposition. A minority of the bituminous operators also accepted the proposition. However, since unanimous action was necessary on both sides, the proposition brought no results.

On July 1 the shop crafts employed on the railway systems of the country, to the number of 400,000, came out on strike, further complicating the coal situation.

After the close of the fiscal year on June 30 the coal strike situation became each day more serious. Stocks of coal on hand were soon practically exhausted and the weekly production of bituminous coal from mines at work made up less than one-half of our weekly needs. The Government continued its efforts; a number of governors from coal States and from great industrial States endeavored to secure district settlements without avail. The strike was national in its scope so far as union mines were concerned. Early in June the Department of Labor, convinced that no adjustment could be reached unless a conference could be convened, centered its efforts on this program. Many operators were anxious to sign up and resume work. The president of the United Mine Workers of America finally called a meeting of the central competitive field at Cleveland, August 8. After a few days the conference representation was enlarged to cover a certain tonnage outside of the competitive field, and on August 15 a basis of settlement was agreed to which provided that the miners return to work until March 31, 1923, under the same wages and working conditions in effect when they quit work. The agreement also provided for a fact-finding commission which would report before the expiration of the contract, so that its conclusions might be available in making a new agreement.

Within a few days the agreement, sponsored chiefly by Ohio coal operators, was accepted by Indiana, Illinois, central Pennsylvania, southwest fields, and practically all soft-coal fields in the country, except certain sections of western Pennsylvania, West Virginia, and a few smaller operations elsewhere, but which followed in their acceptance later in the month, so far as wage rates were concerned.

As a result, by September 1 the production had increased to 9,500,000 tons weekly, or over 1,500,000 tons in excess of the average weekly production of last year, which was not quite 8,000,000 tons per week.

The strike began April 1, 1922, and ended August 15 to 25, 1922, or 137 to 147 days—the longest and greatest strike in our industrial history considering the number of men involved, viz, 605,000 men.

Anthracite strike.

After the Cleveland bituminous conference arrangements were made between the parties to the anthracite dispute to meet in Philadelphia. A meeting was called for August 17, but adjourned and convened August 21, and an agreement was soon reached as to the wage scale. It provided for the same wages in effect when the strike was called, but the operators insisted on the agreement expiring March 31, 1923, and on some form of arbitration to report prior to that date as to the basis for a new agreement effective after April 1, 1923.

The miners opposed any arbitration commission and stood out for the agreed wage scale, to run until 1924, 1925, or 1926, and the

maintenance of the principle of collective bargaining, not to be subject to the dictation of any outside authority. Senators Pepper and Reed, of Pennsylvania, lent their good offices in cooperation with other Federal officials and on September 2 a compromise on this difference was reached which extends the agreement to August 31, 1923, without arbitration.

The strike began April 1, 1922, and the agreement was reached September 2, 1922. Work was fully resumed September 11, 1922, or 164 days after the closing of the mines April 1. The futility of this, our greatest industrial strike, both as to number of men involved and its duration, is shown when we note that the entire union bituminous and anthracite industry resumed work after four and one-half to five and one-third months of idleness on precisely the same wages and working conditions as prevailed when the strike was called.

Railway shop crafts strike.

The Department of Labor has no jurisdiction in cases involving employees engaged on interstate railways. Under the Esch-Cummins Act, approved February 20, 1920, there was created a "Railroad Labor Board" of nine members, equally representative of management, employees, and the public. The board has complete jurisdiction over railroad workers, and while the department through its conciliation service has, whenever appealed to, endeavored to render all possible assistance, it is not under the law authorized to act in cases of this character.

While the railway shop craftsmen actually went on strike July 1, 1922, or the day after the close of the fiscal year here considered, it is deemed necessary to deal with the subject in this report because the controversial stage of this strike began soon after the coal strike had started, and these two great controversies bore a certain relation to each other, so that it is not practical either to separate the two controversies or to terminate their discussion with the close of the fiscal year.

Immediately following the beginning of the shop crafts strike on July 1, 1922, the Railway Labor Board worked diligently and incessantly in efforts to bring about an adjustment.

However, when the controversy had reached the stage where further progress toward a solution seemed impossible, with the approval of the President I took up the matter with the shop crafts' representatives who were then in Chicago. These men met me at Mooseheart, Ill., near Chicago. An extensive conference was held, during which I received from the men proposals of terms on which they would return to work. I immediately returned to Washington and reported to the President the result of my conference with the men and suggested that he call these same representatives of the workers to

Washington for a further discussion of the matter with him. After two conferences the President submitted a definite plan of settlement. The President then called in the late Mr. T. Dewitt Cuyler, chairman of the Association of Railway Executives, who, I understand, agreed to urge acceptance of the proposition submitted. It appears, however, that when the plan was presented to the Association of Railway Executives in New York it was rejected. The President then suggested that this proposition be referred back to the Railway Labor Board. However, this was not agreeable to either the executives or the shop crafts workers.

The situation thus having become deadlocked, I suggested to the shop crafts men the desirability of individual settlements with those railroads, constituting a majority, who were willing to settle on the terms satisfactory to the workmen, substantially along the same lines which brought about a settlement of the coal strike.

Some typical cases.

The nature and type of the controversies that come to the attention of the Division of Conciliation are as varied as is the field of industry and human endeavor. It is not possible nor necessary to describe in detail in this report all of the cases submitted to the department for conciliation during this fiscal year. Following are a number of cases which are generally typical and descriptive of the work of conciliation in the Department of Labor:

St. Andrews Bay Lumber Co.—In August, 1921, the department received a telegram from Mr. J. E. Winstanley, general representative of the International Union of Timber Workers, advising that the St. Andrews Bay Lumber Co. at Panama City and the Millville district of Florida was discriminating against and discharging union men, and requesting the good offices of the department with a view to bringing about a better understanding. Immigrant Inspector Thomas V. Kirk was delegated to act as a commissioner of conciliation and endeavor to adjust the difficulties.

Considerable objection was made to the holding of a joint conference, but the way was smoothed by Commissioner Kirk and the contending parties brought together. A full, free, and frank discussion followed. Each side freely expressed itself, but there were no acrimonious remarks and a much better feeling soon manifested itself. Mr. J. M. Barrow, general manager of the company, stated that the company would not discriminate against union men and that he would take back the men as fast as they were needed. On this basis the entire matter was adjusted. Guards employed by the company were discharged and the sheriff and deputies withdrawn. At all the mills where incipient strikes had broken out the men were reemployed.

This very satisfactory settlement meant more than appeared on the surface. The adjustment of the controversy prevented a possible tying up of the lumber industry where several thousand employees were at work and enabled the company to continue negotiations for the sale of over 10,000,000 feet of lumber to foreign countries.

New England textile strike.—The trouble in the New England textile industry originated in Rhode Island, where the employees went on strike about February 1 in resistance to a wage reduction of 20 per cent and a lengthening of the weekly work from 48 to 54 hours. This reduction in wages was in addition to a cut of 22½ per cent made in December, 1920, and which was generally accepted by the employees at that time as a natural sequence from the high rate in effect during the war period.

The department assigned commissioners of conciliation to the situation on February 7 at the request of the American Insurance Union, of Providence, R. I. The governor of that State appointed a mediation commission with a view to effecting an adjustment. This commission, after a thorough investigation, made a recommendation which was unanimously rejected by both sides.

New Hampshire.—The conditions in New Hampshire were somewhat similar to those in Rhode Island. In this State the operators are also demanding a 20 per cent reduction in wages and an extension of the weekly hours from 48 to 54. A State mediation board exists in New Hampshire and has made repeated efforts to arrive at an adjustment. Our commissioners of conciliation have cooperated with this board and have made thorough investigations of conditions. The governor of New Hampshire offered as a solution of the difficulties a plan providing for a 51-hour week and a wage cut of 10 per cent. Both sides declined to accept this compromise. On June 5 the operators opened their mills and endeavored to resume operations. The effort was apparently not very successful.

Massachusetts.—The situation in Massachusetts differs somewhat from that in Rhode Island and New Hampshire in the fact that no effort is being made to lengthen the hours of labor, a 48-hour law being in effect in that State. A 20 per cent wage reduction has been demanded, however. Isolated instances of adjustments have been reported, but the general situation in Massachusetts remains about the same.

The Department of Labor has had four commissioners of conciliation assigned to this series of strikes, and propositions of all kinds have been advanced looking to a possible solution.¹ It is estimated that fully 80,000 operatives are directly affected by the strike.

Milk industry, New York City.—A strike of 11,000 workers engaged in the milk distribution industry of Greater New York and vicinity began on November 1, 1921. It affected route salesmen, route riders, teamsters, chauffeurs, helpers, platform and yard men, foremen, watchmen, stablemen, ice-house men, pasteurizers, checkers, bottle fillers, bottle washers, store managers, etc.

The milk distributors had asked for a wage reduction of 13.3 per cent. The employees countered with a demand for an increase of \$5 per week.

The department assigned Commissioners Charles Bendheim and Homer J. Brown to the case on October 24. They immediately got in touch with the milk conference board and their good offices were accepted with thanks by that organization. They subsequently visited the headquarters of the union and joint conference of the contending parties was arranged for October 26. This conference did not result in a reconciliation of differences and dissolved. A second joint conference was arranged for October 29 at 3 p. m., which continued in session until 6 p. m., when an adjournment was taken until Sunday, October 30, at 3.30 a. m., from which time it was in continuous session, with the exception of an adjournment between the hours of 3 a. m. and 7 a. m., until Monday, October 31 at 4 p. m.

During the progress of the conference the parties had successfully mediated about 30 articles of the agreement covering hours of labor and working conditions and had reached a point where the question of wages was under discussion and consideration. At this point the union representatives began to manifest great impatience. The representatives of the milk distributors held a hurried conference and then informed the conciliators that they were willing to withdraw their demand for a decreased wage and to continue the existing scale for another year, and authorized the commissioners to submit the proposal to the union representatives for acceptance. The proposition was submitted to the representatives of the union and was summarily

¹ Since August 1, 1922, many of these textile cases have been adjusted, particularly in Lawrence and some other textile cities in Massachusetts. Some cases have been settled in Rhode Island, and a few smaller mills elsewhere in New England have been started. Many of the mills resumed on former wage scales.

rejected. An offer to arbitrate the wage question was urged by the commissioners, but this was also rejected by the union officials.

The conciliators exerted every possible endeavor to make the union representatives perceive the deplorable situation which would result from an interruption of the distribution of the necessary milk supply in a territory embracing fully 10,000,000 people. They were unsuccessful, however, and the strike became effective.

The employers had not, previous to the strike, raised the question of union recognition, but thereafter their attitude changed and they reached a determination to no longer recognize the union or have further dealings with it. They immediately began to employ workers to take the places of the strikers and were successful to such an extent that a new force was soon secured. This strike could have been averted had the workers' representatives shown a disposition to compromise on the proposition submitted through the commissioners.

As a result the employees lost the opportunity for collective bargaining, and the retention of their positions with the scale of wages in effect at the time of the strike. It is reported, however, that many of the strikers were afterwards restored to their former positions.

Lumber industry in the Northwest.—In March, 1921, Mayor W. S. Wiley, of Klamath Falls, Oreg., requested the assignment of a Government mediator to assist in adjusting a strike in the lumber industry in that city. Commissioners E. P. Marsh and C. T. Connell were assigned and proceeded at once to the scene of the trouble.

A survey of the situation disclosed the fact that the trouble was not confined to Klamath Falls, but was quite general in Oregon and northern California. The difficulties at Klamath Falls were due to the inauguration of the 9-hour day. At Weed and other points in northern California the 10-hour day had been decided upon by the operators, and in addition a revision downward of the wage scale. The question of union activities was a pertinent one in the dispute, the operators refusing to have any contact with labor representatives. The Oregon State Board of Mediation cooperated with and assisted the Federal conciliators in every way possible. This board has statutory power to subpoena witnesses, take testimony under oath, and compel the production of books and records. It has no power to compel arbitration or the acceptance of its findings in any case, but these findings become matters of public record. Following the failure of the board's attempt at mediation it proceeded to arbitrate the matter and eventually reached a decision upholding the 8-hour day and establishing a minimum wage of \$3 per day. The operators rejected the award.

A joint meeting of the contending parties was then suggested by the operators, at which time they would endeavor to convince the workers of the economic soundness of the position which they had taken. This meeting was arranged by Commissioner Marsh. The utmost frankness and courtesy prevailed, but when the vote was taken upon the acceptance or rejection of the operators' plan it was almost unanimously rejected.

Matters remained in status quo for some time after the meeting, and when the struggle had every appearance of being a long-drawn-out one the Federal mediators suggested the advisability of the strike being called off. The suggestion was duly considered by the strike leaders and permission to return to work was formally given on June 18, when the strike came to an end. In the meanwhile the strike at Weed and other points in northern California adjusted itself through the gradual return of the men to work on the companies' terms. The reestablishment of the 9 and 10 hour day in the industry has become quite general.

The packing-house strike.—On September 15, 1921, the Alschuler agreement, through which peace had been maintained in the packing-house industry since the war period, came to an end. On October 21 the union voted to invest its executive board with power to call a strike if such action became necessary. This action was taken in

anticipation of announcements of wage reductions by the packers. Four of the Big Five packers had established plant councils in their establishments, and on November 9 these packers requested their employees, through the plant councils, to accept a reduction in pay. On November 18 it was announced that the employees had accepted a reduction of about 10 per cent, which was to become effective on November 28. On December 1 the executive board of the union announced a strike, effective December 5, in all plants where the reduction was put into effect. On December 8 the Department of Labor tendered its good offices with the view of being helpful in arriving at an adjustment. The union agreed to call off the strike and return to work if the packers would arbitrate or rescind the wage reduction. The latter refused to deal directly with the union, which was in line with the former policy, but agreed to take up all matters of dispute through the plant councils.

On December 13 and 14 the Secretary of Labor conferred with representatives of the packers at Chicago in an effort to find a basis of settlement. On the same day commissioners of conciliation were assigned at New York City and East St. Louis, and later at Fort Worth, Denver, Oklahoma City, and other points. It was soon found that settlements in the various cities affected were contingent upon an agreement being reached in Chicago.

Unskilled workers in the packing-house industries constitute 65 per cent of the total employees. Their hourly wage, prior to the announced wage reduction, was 45 cents per hour, having been reduced in March, 1921, from 53 cents. The reduction of November 28 made the scale 37½ cents per hour for this class of labor.

The efforts to effect an adjustment were unsuccessful, and after a strike of many weeks it was called off by the union and work was resumed on the companies' terms.

The Chicago Typothetae.—In November, 1921, the Chicago Typothetae, employing printers, served notice on the printing trades that they desired conferences for the purpose of reaching an agreement as to a reduction of wages or increase of hours, or both. These unions immediately conferred and decided to unitedly resist reductions. They requested the employers to meet them as a unit. This the employers refused to do. Strike action was threatened.

Commissioners Oscar F. Nelson and B. M. Marshman were assigned to the case by the department.

Following the refusal of the employers to meet the five unions as a unit, the commissioners urged the unions to meet their employers as in former years, each union taking up its agreement with its employers. This course was decided upon and in a few days an agreement was reached between the bookbinders and employers which provided for a wage reduction from \$42.50 to \$39.25 per week. In March, 1922, the press feeders came to an agreement by accepting a reduction from \$39.65 to \$36.65 per week. Also in March the pressman settled on a basis of \$3.65 reduction, making their weekly wage \$44 in lieu of \$47.65 previously in effect. During the same month the bindery women accepted a reduction of \$1 per week, making their scale \$21 per week for table work and \$22.50 for general work.

The Typographical Union, the largest of the five unions concerned, could not reach an agreement until April, when both sides agreed to arbitration. The proceedings began on May 1 and concluded on June 13. The award granted the workers an increase of \$1.75 per week, making the scale for day work \$48.40 and for night work \$50.80. No change in the hours was made, the number of hours of work per week remaining at 44. The award affected 4,300 members.

Full-fashioned hosiery workers, Philadelphia.—A strike of approximately 1,400 operatives in the full-fashioned hosiery industry in the city of Philadelphia was inaugurated on January 1, 1921, because of a demand made upon them by their employers for a 15 per cent cut in their wage scale and the establishment of the open shop. Two conferences were held between the parties in controversy, but no mutually satisfactory agreement could be arrived at. The strike dragged along for several months, the

employers hiring such help as they could get until they were able to operate at about 33 per cent capacity.

During the month of July the department's representatives, Messrs. John W. Ford and John A. Moffit, were solicited to use their good offices with a view to arriving at an amicable adjustment.

A survey of the situation disclosed that at the beginning of the controversy 36 mills were involved, but 22 of these made arrangements with their operatives providing for the 1920 scale, and in a few cases 10 per cent in excess of that scale. This left 14 firms to continue the controversy. The commissioners held numerous conferences separately, with committees of the strikers and representatives of the employers. Finally, on August 17 a joint conference was held at which the following plan of settlement was submitted:

1. 1920 wages to be paid in all shops.
2. All employees to be reinstated without discrimination on their old jobs or their equivalent in the same shop.
3. That when a contention arises on the part of the employer or employee as to whether the job offered is equal to the position vacated prior to the strike, same must be submitted to an impartial board for decision.

This proposition for a settlement was not accepted at once and the strike continued until about October 10, when one of the largest firms withdrew from the association and accepted the terms outlined above. This was followed by a general acceptance by the remaining concerns of the provisions of the plan set forth.

Gold Leaf Manufacturers Association.—The case of the gold leaf beaters wage dispute illustrates the great diversity of matters brought to the division of conciliation for adjustment. In December, 1921, a conference was held in New York City between representatives of the gold beaters unions of New York, Philadelphia, Boston, and Chicago and the Gold Leaf Manufacturers Association to discuss a reduction in wages which the manufacturers were demanding. Adjournment was made postponing action of any kind for a period of six weeks. In the meanwhile the department was asked to assist in arriving at a satisfactory basis of settlement.

Meeting of the various local unions in the organizations were held in which they voted to accept no reductions in wages. This action was predicated on the fact that the industry was in the throes of industrial depression which allowed only half time employment and that the employees could not withstand further reductions in the pay envelope. In January the gold leaf manufacturers announced that the subject of a wage revision would be held in abeyance for the time being.

In March, however, the manufacturers association again served notice that beginning April 3 the men must accept a reduction of 5 cents per book for pieceworkers, and an equal amount for week workers. A committee of the union met in joint conference with the manufacturers on March 29, and after a full discussion of the whole matter the union representatives agreed to recommend to their local unions that the reduction be accepted until such time as conditions in the industry would permit the restoration of the old wage.

Newport Shipbuilding Co., Wilmington, N. C.—About 1,000 employees of this company went on strike on October 1, 1921, in protest against a wage cut of 7 cents per hour. Their places were being filled by mechanics from as far away as Philadelphia when Commissioner John B. Colpoys tendered the department's good offices. A compromise reduction of 5 cents per hour was suggested by the commissioner, and, after due consideration, was accepted by the management. The commissioner then addressed the strikers in mass meeting and prevailed upon them to accept the proposition. The strikers were all reinstated.

Motion-picture operators and stage hands, Washington, D. C.—A contract under which the motion-picture operators, musicians, and stage hands had been working expired on August 31, 1921. The Theatrical Managers' Association asked their employees to

accept a 20 per cent reduction in wages. A deadlock ensued and the good offices of the department were proffered. After several meetings, it was finally decided that the workers would accept a 10 per cent reduction in their pay. About 500 were directly affected by the settlement.

Silk workers, Easton, Pa.—In March, 1922, the department was advised of a strike of loom fixers and others, which brought about a shutdown at the plant of the Haytock-Cronemyer Silk Co., at Easton, Pa. It appears that the trouble rose through the discharge of a number of silk twistors, which necessitated the company importing warps which it was claimed was the product of nonunion looms. The loom fixers went out in protest, which necessitated the closing down of the entire plant, throwing some 700 operatives out of work. Commissioner E. H. Dunnigan arranged separate conferences in an endeavor to arrange an adjustment. The wage reduction amounted to but 6, 8, and 10 per cent. The strikers were finally prevailed upon to accept the cut and operations were resumed.

Tinners and sheet-metal workers, Memphis, Tenn.—Commissioner W. C. Liller negotiated an agreement which adjusted a strike of tinners and sheet-metal workers at Memphis, Tenn. The agreement provided for the return to work under union conditions of the men on strike at a wage rate of 87½ cents per hour, the agreement to continue for a period of two years from February 1, and provides for arbitration of any differences that may arise.

Janitors versus Chicago Real Estate Board.—The janitors employed in the apartment and flat buildings of Chicago had an agreement with the Chicago Real Estate Board which provided that wages should be based on the rentals received, i. e., \$4 for each \$60 rental per flat. The real estate board attempted to reduce this rate and a deadlock ensued. The department's commissioners suggested that the wage rate be submitted to arbitration, and both sides agreed. Municipal Judge Bernard P. Barasa was named arbitrator. A strike was averted and the comfort of the apartment-house dwellers assured.

Southern textile mills.—Commissioner Robert M. McWade was instrumental in securing the adjustment in a strike involving 9,000 textile workers in the cities and towns of Charlotte, Concord, Huntersville, Kannapolis, and Rock Hill, N. C. This strike began on June 1 and ended on or about September 15. The cause of the trouble was efforts of the operatives to have restored to them the amount involved in a wage cut approximating 25 per cent, which followed a cut of larger proportions some time before. The strikers returned to work at the same rates of pay and with the same working hours as were in force prior to the strike. Gov. Cameron Morrison cooperated cordially with Commissioner McWade and assisted greatly in arriving at an adjustment.

Bush Terminal Co., New York City.—The importance of the settlement of this strike lies in the fact that fully 40,000 workers were indirectly affected. The cause of the trouble was a misunderstanding as to the full extent of the wage reduction which had been put into effect. Commissioner Charles Bendheim assisted in negotiating an agreement by which the strikers were reinstated within a short time.

Mill workers, New Orleans, La.—A strike of 350 sash and door makers in New Orleans grew out of a notice posted by the mill owners advising their employees that the agreement under which they had been operating would not be renewed, and that because of keen competition the 9-hour day would be put into effect. Commissioner William T. Christy, representing the department, met both sides in conference and secured an agreement by which the men returned to work under the same condition that existed when they walked out. The agreement was not renewed, however, the understanding being a verbal one.

Andrews Rolling Mill Co., Newport, Ky.—A stubborn strike which the department has been unable to adjust occurred in the plants of the Andrews Rolling Mill Co., the Globe Iron Roofing Co., and the Newport Rolling Mill Co., at Newport, Ky. The employees' representatives requested the right of collective bargaining for all of the local unions involved. The companies expressed a willingness to sign the scale

for local union No. 5, but declined to sign same for locals Nos. 15, 16, and 17, the members of which worked in the industrial departments. The strike has been accompanied with much violence and the bitterness thus aroused has made a settlement impossible.

Martin Leather Co., Wilmington, Del.—The discharge of the president of the local union of leather workers at Wilmington, Del., by the Martin Leather Co. was the cause of a controversy which threatened to culminate in a strike in August, 1921. It was intimated by the company that the discharged employee had solicited membership in the union during working hours. This charge was denied flatly by the employees. Commissioner Thomas J. Williams was able through a joint conference to secure the reinstatement of the discharged man which averted the impending strike.

Building trades, Champaign and Urbana, Ill.—On April 1 the various crafts composing the building trades at Champaign and Urbana, Ill., went on strike after refusing to accept a wage reduction. Commissioner W. C. Liller proffered the good offices of the department, which were accepted by both sides and conferences were arranged. The carpenters had previously accepted a reduction from \$1 to 90 cents per hour and were not involved. At the last conference it was mutually agreed that all crafts should accept a reduction of 5 cents per hour. The carpenters then requested a revision of their agreement to correspond with the arrangements made with the other crafts. This was agreed to and the carpenters were allowed 5 cents per hour increase. The adjustment permitted work to be resumed on building projects to the value of about \$5,000,000.

Bakers, Washington, D. C.—The journeymen bakers and assistants of Washington threatened to strike in April, 1922, when requested by the master bakers to accept a wage reduction. About 650 bakers and 49 firms were involved in the dispute. A number of joint conferences were arranged by Commissioner E. H. Dunnigan. The matter was amicably adjusted over the council table through the employers withdrawing their demands and allowing wages and working conditions to remain unchanged for the ensuing year.

Nashua Gummed and Coated Paper Co., Nashua, N. H.—The employees of this company went out on strike on April 3, 1922. Wages had been reduced approximately 15 per cent. The company maintained that this action was necessary because of the condition of the market. Many of the vacancies brought about by the strike had been filled with new employees and the strike appeared to be lost. The commissioner conferred with the management and secured a statement by which the employees would be taken back as rapidly as possible. The strike was declared off on May 6, and the company's terms accepted.

Jute and flax industry, Paterson, N. J.—A stubborn strike which was still pending on July 1 was inaugurated in the jute and flax industry of Paterson, N. J., in February, 1922. The trouble arose over the question of hours and elimination of overtime. The industry had been operating on a 44-hour week basis, in conjunction with the silk industry of that city, and the operators attempted to institute the 50-hour week in lieu thereof. The operatives maintained that wages were also unjustifiably low. The situation was still deadlocked on July 1, both sides manifesting an unwillingness to get together and effect a settlement.

Jurisdictional dispute, Aurora, Ill.—A jurisdictional dispute in the building trades at Aurora, Ill., caused a suspension of building operations in Aurora and vicinity in May, 1922. The difficulties arose over the placing of the president of the local bricklayers union on the unfair list by the building trades council. Building operations had been stopped on many projects due to the withdrawal of the bricklayers pending a settlement. At a meeting of the building trades council the matter was amicably adjusted through the withdrawal of the order previously taken.

Clothing workers, Bridgeport, Conn.—Commissioner John B. Colpoys assisted in negotiating an agreement which terminated a strike of 400 clothing workers in Bridge-

port, Conn., in June, 1922. Attempts to settle the strike by the chamber of commerce and other local bodies had ended in failure. The strikers were demanding an increase of \$3 per week and a 44-hour work week. The commissioner was successful in arranging a joint conference at which the matters in dispute were vigorously discussed. Finally an agreement was reached which provided that the week work should consist of five days of nine hours each, and an increase of \$1 in lieu of the \$3 demanded was conceded. All of the strikers were reinstated and a much more friendly feeling was brought about.

Kosher bakers, New York City.—The International Bakery and Confectioners' Union issued official sanction for a general strike of 5,000 kosher bakers in Greater New York and vicinity in May, 1922. It appears that the Jewish bakers enter into agreements with the individual employers on May 1 of each year. Successive yearly attempts have been made to form an association of bakers to deal with the union, but the latter have refused to make the change. New contracts were entered into between the Jewish local unions and the individual employers as in previous years. These contracts run to April 30, 1923.

Harbor boatmen, Philadelphia, Pa.—An acute situation in Philadelphia Harbor developed in May, 1922, due to a request of the boat operators that the men accept a wage reduction of 25 per cent and a change in working conditions which the workers claimed would have reduced their compensation about 38 per cent. The situation appeared very threatening, but a joint conference was held at which a conciliatory spirit became manifest. At this meeting it was recommended that a flat wage cut of 5 per cent without any change in working conditions go into effect. At a meeting of the men concerned the recommendation was accepted and peace assured until May 1, 1923. Commissioner John W. Ford was instrumental in arranging the settlement.

American Shipbuilding Co., Lorain, Ohio.—The employees of the American Shipbuilding Co. at the Lorain plant of that company went on strike on April 22 in protest against a wage reduction of about 8 per cent. These employees were unorganized and their action seemed ill advised due to the fact that the new wage rate was in conformity with wages paid in all other shipyards on the lake. Commissioner A. L. Faulkner recommended the acceptance of the new rate, in view of all the circumstances in the case, and upon further consideration the recommendation was accepted and the strike declared off on May 17.

Barron Bros., cigar manufacturers, Chicago, Ill.—The cigar makers in the employ of this company went on strike on April 8, after flatly refusing to accept a wage reduction of \$2 per thousand. A demonstration of the truth of the theory that the best settlements are those arranged over the council table is afforded in this case. At a joint conference arranged by Commissioners Nelson and Marshman the points at issue were thoroughly gone into in a friendly spirit, which resulted in the company finally agreeing to accept a reduction of \$1 per thousand. This was acceptable to the men and they returned to work on May 29.

Summary of workmen affected, by months.

Month.	Workmen affected.		Month.	Workmen affected.	
	Directly.	Indirectly.		Directly.	Indirectly.
July.....	31,535	26,370	February.....	87,929	450
August.....	20,580	15,597	March.....	14,902	23,860
September.....	10,431	4,665	April.....	23,548	1,100
October.....	31,278	515	May.....	620,717	11,565
November.....	111,899	49,076	June.....	38,524	1,620
December.....	37,012	10,925			
January.....	18,926	3,495	Total.....	1,047,287	149,238

Number and disposition of cases.	Mar. 4, 1913, to June 30, 1922.								
	1914	1915	1916	1917	1918	1919	1920	1921	1922
Number.....	33	42	227	378	1,217	1,780	802	457	370
Adjusted.....	28	26	178	248	865	1,223	596	338	1,266
Unable to adjust.....	5	10	22	47	71	111	96	48	41
Pending.....		5	21	42	7	13	9	24	31
Unclassified.....		1	6	41	66	214	101	47	32

RECAPITULATION.

Month.	Number of cases handled.
1921.	
July.....	31
August.....	42
September.....	27
October.....	29
November.....	35
December.....	28
1922.	
January.....	27
February.....	11
March.....	24
April.....	20
May.....	22
June.....	15
Total.....	311
California oil cases ¹	25
Bituminous coal cases ¹	11
Textile cases ¹	23
Total.....	370

¹ California oil cases (adjusted), 25; bituminous coal cases (adjusted), 11 (individual cases in West Virginia, Kentucky, and Tennessee); and textile cases (pending), 23; a total of 59 cases.

NOTE.—Since the close of the fiscal year coal strike adjusted. Since July 1 a large number of textile cases settled, particularly in Massachusetts and Rhode Island.

Cases reported from each State for each month.

State.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May.	June.	Total.
Alabama.....	2												2
California.....	2	3		1	2		2	1		1	5		17
Colorado.....						1							1
Connecticut.....									1			2	3
Delaware.....		1				2							3
District of Columbia.....		1	2	1			1				1	1	7
Florida.....	1						1						2
Illinois.....	4	2	7	4	5	5	3		2		4		40
Indiana.....	6				1	1				3	1	1	13
Iowa.....		1			1		2		1				5
Kansas.....				1									1
Kentucky.....			1	3					1				5
Louisiana.....			1	2									3
Maine.....			1										1
Maryland.....	2			1	1	2	1	2					9
Massachusetts.....	1	2			4	2	1		3	2			15
Michigan.....	1								1				2
Missouri.....		1	2										3
Montana.....		1											1
Nebraska.....					1								1
New Hampshire.....										1			1
New Jersey.....	1	1	2	5	2	2	2		5	1	4	3	28
New York.....	2	10	4	6	5	4	3		5	2	2	3	46
North Carolina.....	1		1										2
Ohio.....	2	2			1	1		2	2	4		4	19
Oklahoma.....						1					1		2
Oregon.....		2	1		1		3	1	1				10
Pennsylvania.....	6	4	3	3	7	3	1	2	2	1	2		34

Cases reported from each State for each month—Continued.

State.	July.	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May.	June.	Total.
Rhode Island.....					1		1						2
Tennessee.....		1				1	3	2					7
Texas.....					1	1							2
Virginia.....										1			1
Washington.....	1			4		1	3						9
West Virginia.....		2	1			1						1	5
Wisconsin.....		7											7
Wyoming.....								1					2
California oil cases.....			1					1					25
Bituminous coal cases.....													11
Textile cases.....													23
Total.....													370

United States Employment Service.

Confronted with practically an unprecedented period of unemployment during the past year the United States Employment Service has demonstrated its usefulness and to it much credit should be given in lessening the burden of the depressed industrial situation. At no time is the American wage earner in such need of intelligent and effective attention to his welfare as when he is among the unemployed. During the peak of the unemployment period, which was reached in the early part of the fiscal year under review, between five and six million wage earners were out of employment. At the end of the year we find employment conditions nearly normal, and had it not been for controversies in two of our basic industries it is safe to say all unemployment would have been wiped out some time ago.

During the past year the Employment Service extended its policy of coordinating the work of State and municipal employment offices, so far as its appropriations would permit, and effected cooperation with 9 additional States, making a total of 41 States now cooperating with the national service. The combined service has operated 239 public employment offices.

During the depths of the industrial controversy just past the Employment Service was put to a severe test. Needless to say every effort was made to relieve the condition of unemployment throughout the country by the stimulation of public improvements and other means recommended by the President's conference on unemployment. That the service has been a material aid in relieving the situation is evidenced by the fact that 2,874,785 registrations were recorded in the offices under the direction and cooperation with the Federal service, while 1,810,490 applications for help were received, to which were referred 1,734,493 persons from among those registered. Of these, 1,458,746 were actually placed in employment.

When the worker is out of a job he is more or less likely to become the victim of fake employment agencies, which fatten upon the needs of the unfortunate. Not only does the Employment Service

endeavor through cooperation with State and municipal offices to find jobs for the jobless but it keeps a watchful eye upon the activities of unscrupulous fee-charging agencies. A number of instances where the intervention of the department has resulted in curbing such activities are among the records of this service.

Farm and harvest work.—The United States Employment Service has maintained a farm labor bureau for the purpose of assisting in caring for such crops as require special seasonal labor. The farm labor bureau has conducted its work chiefly in the Middle Western States, from the Mississippi River to the Rocky Mountains, and from Texas and Louisiana to the Canadian line. One of its principal functions is the recruitment, clearance, and distribution of an army of between 70,000 and 80,000 workers for the cutting of the wheat harvest in the grain belt, which begins in Texas about June 1 and extends through Oklahoma, Kansas, Missouri, and Nebraska, winding up with cutting and threshing in the Dakotas in September.

Close cooperation exists between the State and county farm agents, thereby eliminating the confusion that existed before the Federal Government became the central directing head for the recruiting and distribution of harvest workers.

The farm labor bureau maintains permanent headquarters at Kansas City, Mo., and a permanent office at Sioux City, Iowa, the latter in cooperation with the State of Iowa and the municipality of Sioux City. During the harvest season the farm labor bureau maintains 39 temporary employment offices in all States in or adjacent to the Wheat Belt. The permanent offices in Kansas City, Mo., and Sioux City, Iowa, which are the gateways to the wheat fields, direct the work of recruiting farm labor from communities where the least local disturbances will ensue by their transfer, having in mind, of course, the importance of securing adequate help to harvest the crop. The 39 offices are located at strategic points in order to keep the labor moving northward as the wheat ripens for cutting. The Kansas City office receives from all wheat States reports as to the acreage, condition, probable yields, local labor supply, additional laborers required, wages to be paid, and the time that cutting will start. This information must be accurate, reliable, and applicable to the various sections of the different States, as crop, weather, and labor conditions will differ materially in different localities of the same State, so, also, will cutting vary in the same State as much as 15 to 20 days.

The farm labor bureau deals with a special problem presenting many economic phases. While wages may be sufficient to attract workers, it is necessary to recruit as many as possible from points the proximity of which would obviate unusual transportation charges and interference with other immediately active centers. At the beginning of the harvest season in 1921 to the close of the year under review, a

surplus of workers existed almost everywhere. With the advance toward industrial prosperity, payment of higher wages became necessary and transportation costs presented an obstacle, thereby making it extremely difficult to recruit harvesters within a distance that would at least justify their expense of travel to the points where work could be obtained. Efforts have been made to encourage the recruiting of workers within a zone in the grain belt, and to discourage workers from migrating to the harvest fields from points beyond the zone. The problem of rail transportation has been very perplexing and trying. Special rates to harvest workers under proper regulations would do much to solve this problem.

Industrial employment survey.—The development of the industrial employment survey is distinctly a feature of the service. This survey was inaugurated for the purpose of regularly collecting and distributing impartial and authentic current information regarding general and specific industrial employment conditions, the distribution of labor, and the fluctuations in employment throughout the country. A bulletin is published monthly in the form of current information on employment, analyzed and tabulated according to industrial groups and geographical divisions.

The figures of actual change in employment conditions cover payroll figures of concerns usually employing 501 or more in 65 of the principal industrial centers of the country, which embrace 1,428 firms employing more than 1,600,000 workers. Reports are received from identical firms each month. In addition, comment on industrial and employment conditions in 355 industrial cities or centers, which are divided into the 9 geographical divisions of the country, is made by 9 district directors upon information gathered by special agents who are serving at nominal salaries. This comment is based on information gathered from authoritative sources through actual canvass of employment conditions of the principal industries in these cities. The demand for this bulletin exceeds the supply.

President's conference on unemployment.—One of the outstanding undertakings of the United States Employment Service was a special survey for the President's conference on unemployment. This survey made by the 9 district directors of the monthly industrial employment survey revealed the fact that there were 2,301,588 wage earners unemployed in 240 cities of the United States, with a combined population of 35,430,910; and, also, that there was a small fraction of 1 per cent greater unemployment in cities of 5,000 and upward than in cities of 25,000 and upward. The figures obtained through this survey, though they did not constitute a complete census of the unemployment in the United States, formed a reliable index upon which was based a very accurate estimate of the total unemployment in the country. It must be remembered, of course, in analyzing the

statistics of unemployment in any industry or country there is always a certain number voluntarily out of work. In the United States it is estimated that more than 1,000,000 belong to the "shifting" class composed of those changing jobs for better or worse, those in seasonal occupations, and men and women among whom unemployment is chronic.

Junior division.—The junior division of the United States Employment Service functions in two ways—through the national administrative office at Washington and through placement offices in the States. It cooperates with local public-school systems and other agencies throughout the country to establish and maintain a limited number of placement offices for boys and girls between the legal working age and 21 years in sections where local educational and occupational conditions are especially favorable to the development of typical junior work. While these local offices serve incidentally to develop junior guidance and placement in their particular cities, they are to be regarded mainly as experimental stations, where fundamental and specific junior-employment problems can be worked out by a trained personnel, information collected, and new workers trained for the whole placement field.

The national administrative office collects and interprets data from these offices and from the junior placement field at large in regard to the junior wage earner and his relation to the public schools and the occupational world, and it makes this information available to both educator and employer, who recognize a mutual responsibility in the person of the young worker as a potential citizen.

It is the policy of the junior division to develop a few placement offices in representative sections to a point of efficiency, rather than to spread superficially over a wider territory. In this way the service can get results of value to the country as a whole—that is, become a true Federal service. Only a Federal service can lay the foundation for so extensive a work as the careful supervision and guidance of all juniors entering the occupational world; invest in a vision when results are often slow in practical manifestation; and offer the disinterested leadership local communities require in its development.

The main activities of the national office for the year are represented by a survey, made in cooperation with the Children's Bureau of this department, of junior guidance and placement in a representative number of cities throughout the United States; by close cooperation with various agencies for vocational guidance and placement, looking toward standardization of organization and administration; and by preparation for the issuance of a biweekly news-letter and a series of field-work bulletins.

In the field, junior placement offices have been successfully established or maintained in cooperation with the local school system or other agencies at the following cities:

Atlanta, Ga.	Richmond, Ind.
Gary, Ind.	Rockford, Ill.
Jackson, Mich.	St. Paul, Minn.
Jersey City, N. J.	Salt Lake City, Utah.
Minneapolis, Minn.	South Bend, Ind.
Milwaukee, Wis.	Stockton, Calif.
Pittsburgh, Pa.	Wilmington, Del.
Providence, R. I.	Worcester, Mass.

A questionnaire determining the particular local conditions affecting junior placement in these cities was sent out and the results tabulated for general information.

A limited budget has precluded some highly desirable field work and extension of activities, but the junior division work done has been on a sound, constructive, and scientific basis.

United States Housing Corporation.

During the fiscal year ended June 30, 1922, the principal activities of the United States Housing Corporation, as for the preceding fiscal year, fall under the following general classifications:

1. Rentals and sales of its properties.
2. Collections from rentals and sales.
3. Liquidation of transportation and public utility loans.
4. Auditing of original construction accounts.
5. Operation of the Norfolk County ferries.
6. Operation of the Government Hotels.

It was inevitable, of course, that the economic depression which obtained throughout the country during the latter part of the calendar year 1921 should have been reflected to a considerable extent in the business of the corporation. Involving, as it does, the collection of deferred payments on account of properties sold to thousands of different purchasers, this business constitutes a fairly accurate barometer of industrial conditions in many widely scattered communities. There has been manifest recently, however, a decided improvement in certain of the localities which, so far as the corporation's observations went, had sustained the severest shock, and there appears to be, consequently, a sound basis for the belief that to a considerable extent the conditions which were unfavorably affecting its business are now happily overcome.

As of June 30, 1922, the corporation had in force real-estate sales contracts covering properties aggregating in value \$19,303,144.78. There has already been collected approximately \$4,600,000 on

account of the principal amounts due under these contracts, aside from the regular interest payments. The properties covered by these contracts are scattered throughout 38 cities in 17 different States and the District of Columbia. They comprise some 6,000 houses and 12 dormitories, aside from the Government Hotel located in the National Capital, which latter affords accommodations to 1,900 female employees of the Federal Government.

Rentals and sales.

Improved and unimproved properties having an aggregate value of \$468,613.12 were sold by the corporation during the year. Most of these sales were made in accordance with the corporation's general sales policy upon the basis of contracts subject to deed. Some, however, involved immediate cash payments for the full amounts. At the present time but a small portion of the corporation's real-estate holdings remains undisposed of, and as a consequence its rentals have been reduced to an almost negligible amount.

Conveyancing.—The logical conclusion of the business of the corporation does not end with the mere execution of contracts of sale for its properties. Preparation of mortgages, deeds of trust, and notes, as well as their actual recordation, is a further duty which it must perform. As a consequence a close study of the real estate laws governing the various jurisdictions in which its properties are located and the drawing of the requisite instruments of conveyance in conformity therewith is necessary. The infinite detail involved in the preparation of the average real estate deed is well known. Some idea, therefore, of the magnitude of this portion of the corporation's work may be gained from a consideration of the fact that it is under the duty of conveying title to approximately 6,000 pieces of property and the preparation of the requisite instruments of conveyance incident thereto, many of which present complicated questions of both law and fact. For the fiscal year 1922 it made actual delivery of deeds and took back mortgages, deeds of trust and notes covering its properties located in Aberdeen, Md., Alliance, Ohio, Bremerton, Wash., Butler, Pa., Elizabeth, N. J., New London, Conn., Newport, R. I., Niagara Falls, N. Y., Niles, Ohio, Vallejo, Calif., Waterbury, Conn., Davenport, Iowa, Rock Island, Ill., Moline, Ill., and East Moline, Ill.

It is worthy of note in this connection that the entire cost of conveyancing, covering 341 cases at Alliance and Niles, Ohio, Newport, R. I., Waterbury, Conn., and Watertown, N. Y., was but \$1,430.01, or an average of \$4.20 per transaction, which is obviously much less than the charges prevailing in private business for work of this character. It should be added, moreover, that these charges included traveling expenses of the representatives of the corporation who handled the work, as well as all local recording fees.

Settlement of claims arising out of requisitioned property.—The Housing Corporation acquired title to its various properties through either one of two methods, i. e., by purchase or requisition. Resort was had to the latter method only when the former proved unavailing, and the provisions of the housing act stipulated that the owner of the requisitioned property might elect either to take the amount fixed by the Secretary of Labor in full compensation for his claim or to accept 75 per cent thereof with the right to sue the United States for such further sum as added to the 75 per cent would make just compensation therefor. During the fiscal year under consideration, some 30 cases of this character, each of which presented close questions of law and involved many claimants, were settled.

Protracted litigation arose out of the settlement of some 300 other cases, covering a large project which had been requisitioned on behalf of the corporation. In 28 of these cases which were first tried, judgments were rendered which were unacceptable to the corporation. Objecting to a proposal, submitted by attorneys for the claimants, that judgments be entered by stipulation covering the remaining cases on the basis of the decisions handed down in the 28 aforementioned cases, the corporation actively assisted in the preparation of these matters for trial, as well as in the actual court work, with the result that the final settlement effected a saving of \$43,000 for the Government.

Insurance.—In accordance with general governmental policy, the corporation itself carries no insurance on its properties, but it requires its various purchasers to provide insurance for its benefit wherever any portion of the purchase price of the property remains unpaid.

This phase of the corporation's work is no small undertaking. At the beginning of the fiscal year 1922 there were in force 3,134 policies covering \$16,372,570 insurance for the benefit of the corporation. There were also in force 114 policies representing \$4,341,745 insurance on account of properties procured by various transportation and utilities companies with funds advanced by the corporation during the war. This total of 4,248 policies covering an aggregate liability of \$20,714,315 was slightly reduced during the course of the year as a result of the cancellation of certain contracts and repayment in full of others.

In the course of the year fires occurred in 24 houses owned by the corporation, all of which were covered by insurance.

About one-fifth of the policies in the custody of the corporation run for a period of one year. Annual renewals are accordingly necessary, entailing corresponding changes in the corporation's records. Of the balance, some three-fifths have been written for three years and one-fifth for five years.

During the year upward of 1,200 assignments or changes of interest were handled.

Collections from rentals and sales.—Revenues of the corporation covered into the Treasury during the fiscal year 1922 were as follows:

Sale of salvage material.....	\$68,470.49
Real estate contract principal.....	1,115,475.77
Real estate contract interest.....	863,136.36
Repayment of loans.....	85,298.77
Interest on loans.....	428,900.33
Miscellaneous items.....	83,733.08
	2,645,014.80

The total expense for the administration of this business was \$122,000, or but 4.61 per cent.

To the above figures should be added also the receipts of the Government Hotel, which amount to \$967,063.79.

Receipts of the Norfolk County Ferries, with the operation of which the corporation is charged pending the liquidation of its loan, were \$641,725.35.

Liquidation of transportation and public utility loans.

Interest to the amount of \$428,900.33, and amortization payments on account of principal totaling \$85,298.77, were received during the fiscal year from advances to transportation and public utilities companies. Full repayments of loans to two lighting companies aggregating \$35,510.76, a loan of \$43,330 to a private housing corporation, and a loan to a nationally known woman's organization of \$25,000 were made.

Negotiations will be commenced shortly looking to the settlement of several of the larger contracts which the corporation has with transportation companies. Generally speaking, the provisions of these contracts contemplate that appraisal of the properties which were acquired with the advances made by the corporation may be made one year after the declaration of peace as officially proclaimed by the President. The proper protection of the corporation's interests in these matters has required frequent physical inspections of the various properties and the adoption of appropriate measures for preventing any impairment of the security.

Local taxes and assessments.

In its report for last year the corporation made reference to the difficulty it was experiencing as a result of the divergence of opinion which had developed concerning the validity of certain so-called "service agreements" running between itself and various municipalities. Legislation clearing up the doubts which had arisen in the matter was subsequently enacted, authorizing the payment of amounts due under these contracts. Settlements have accordingly been effected with seven different cities, and arrangements are now under

way for the fulfillment of the corporation's contractual obligations under the remaining agreements. The consummation of these matters has, in each instance, involved protracted negotiations, as well as detailed study and examination of the bills rendered by the various claimants.

The Norfolk County Ferries.

The record of the corporation in the operation of the Norfolk County Ferries for the fiscal year 1922 is a refutation of the oft-repeated assertion that the Government is always inefficient in business. Proof of this fact is furnished by a comparison of the net earnings of the ferries for the year just ended with those of preceding periods. During 1922 they amounted to \$99,962.01.

The attainment of these results was made possible only by the introduction of measures calculated to promote efficiency and economy. An intensive survey of the operations of the ferries was made by the corporation, which indicated the necessity of a revision of the rates for vehicular traffic in particular. Operating expenses were reduced to the extent of over \$7,000 per month and other general improvements inaugurated. Evidence is not lacking that the accomplishments of the corporation in the handling of this enterprise have met with the approbation of the communities which the ferries serve. In fact, its records are replete with commendatory articles which have appeared in the columns of the local press. It is a source of peculiar gratification to the department that the corporation has met with at least a measure of success in the discharge of the dual duty which devolves upon it of recovering the moneys which the Government advanced for the rehabilitation of the ferries and at the same time so administering the affairs of this public utility as to meet the needs of the communities which it serves.

The Government Hotel.

No appreciable decrease in the demand for accommodations in the Government Hotel was evidenced during the year 1922. It is apparent, therefore, that the great majority of the 1,900 women employees of the Federal Government who are domiciled in the hotel feel that the services which they are obtaining for the nominal sum of \$45.50 per month far surpass those which could be secured elsewhere for the same amount.

On the other hand, the Government is realizing something on the war-time investment which it made in this plant. Receipts from this operation for the fiscal year 1922 totaled \$967,063.79, and expenditures \$880,200, leaving a book profit of \$86,863.79. As has been pointed out heretofore, however, this profit does not take into consideration rent, interest on the investment, or depreciation. But, aside from a purely financial standpoint, it seems only fair to assume that the Government also profits through increased efficiency on the

part of those workers who find wholesome and healthful living accommodations in the Government Hotel.

Cradock, Va.

Another matter which has engaged no little of the corporation's time and attention is that of attempting to work out, in conjunction with the purchasers of its properties at Cradock, Va., some form of local self-government which would best meet their needs. The community of Cradock is one of two housing projects adjoining Portsmouth, Va., which were created by the corporation. It was constructed because of the inadequate supply of housing facilities available for workers in the Norfolk Navy Yard during the war, and some 3,500 persons make up its population.

The problems which have arisen in connection with its administration are unique in many respects, due primarily to the fact that it lies outside the city limits. As a consequence, its citizens are dependent upon their own resources for the rendition of services which are ordinarily performed by municipal governments, such as maintenance and operation of water, sewage, and street-lighting systems, and the provision of police and fire protection. In the early part of the history of this project the corporation itself performed these various functions, but with the termination of the war and the consequent limitation of its authority it withdrew from this field of operation.

As a temporary expedient, and pending the establishment of some distinct legal entity with which it could deal, the corporation granted a revocable license to a local utilities company which was formed by the citizens of Cradock. Various proposals have been advanced as possible solutions of the anomalous situation which obtains at the present time, but the corporation feels that incorporation of the community as a distinct political subdivision under the State of Virginia offers the only solution of the problem. However, it has consistently refrained from attempting to impose its viewpoint upon the residents of Cradock, preferring that they should, of their own volition, reach a decision in the matter.

REGULATIONS OF THE DEPARTMENT OF LABOR.

The statutes provide that executive officers shall by regulation cover the details of administration provided for by general provisions in the acts creating the departments and the various bureaus. It has long been the practice in the various departments to compile these regulations when promulgated by the head of the department and publish them in book form, not only for the information and guidance of the various officers and employees of the department but also for the information and guidance of citizens who have business to transact with the department or their attorneys and representatives.

The first volume of regulations of the Department of Labor was published in 1915. In large measure this represented a segregation from the regulations of the former Department of Commerce and Labor of those provisions appertaining to the subject of labor and the bureaus transferred from the Department of Commerce and Labor to the Department of Labor.

The Department of Labor has seen its greatest development since the time these regulations were published. A number of bureaus and divisions have been added, and others have been broadened and extended. Many amendments to the statutes affecting many of the bureaus and divisions of the department have required modifications of regulations almost without number. New regulations have been issued to cover new subjects referred to the department by congressional enactment. I found early after my entrance into office that the volume of published regulations of 1915 had become practically obsolete and unsafe as a guide.

In order that the regulations might be recodified and printed in a volume for convenient use, work was begun in July, 1921, with that end in view. The task proved more extensive, more important, and more difficult than had been anticipated. The entire Department of Labor has been short handed, and the men and women in a position to furnish the information needed in this task have been most closely confined by their duties. A vast amount of work has been done, and the greater portion of the manuscript for the new volume completed. The new volume of the regulations of this department brought up to date and embracing every regulation promulgated to the date of publication will shortly be issued.

BUREAU OF LABOR STATISTICS.

The Bureau of Labor Statistics was organized January 1, 1885, 30 years before the organization of the Department of Labor, as the result of a long-continued agitation by wage earners for a department in the Government for the exclusive consideration of labor matters. It was placed in the Department of the Interior and called the Bureau of Labor. In 1888 it was given independent status as the Department of Labor, but without executive representation. It again became the Bureau of Labor in 1903, being placed in the Department of Commerce and Labor, from which it was transferred to the newly organized Department of Labor in 1913, and given its present name.

The function of the bureau, as stated in the act creating it, is "to acquire and diffuse among the people of the United States useful information on subjects connected with labor, in the most general and comprehensive sense of that word and especially upon its relation to capital, to hours of labor, to earnings of laboring men and women,

and the means of promoting their material, social, intellectual, and moral prosperity," and its duty, as set forth in the organic act of the department, is to "collect, collate, and report at least once each year, or oftener if necessary, full and complete statistics of the conditions of labor, and the products and distribution of the products of the same."

The Monthly Labor Review.—The Monthly Labor Review has been published by the bureau since July, 1915. Established as a medium for the presentation and dissemination of reliable current information relating to labor in all its phases, both in the United States and foreign countries, and for the prompt publication of important data gathered by the bureau in original investigations and the printing of interesting and pertinent articles, it has been generally accepted and widely quoted. Many special articles treating of subjects of interest to labor are printed in the Review, and in addition there are published summaries of original investigations by the bureau, digests of current labor legislation, decisions of courts on questions relating to labor, reports of State labor bureaus and other official bodies dealing with labor matters, and accounts of the more important current movements of interest to labor, of methods of reporting industrial accidents and occupational or industrial diseases and for their prevention, industrial and vocational surveys, housing of workingmen, and other activities, public or private, for the betterment of industrial conditions. Current statistics as to the conciliation and immigration work of the Department of Labor are printed, and important trade agreements and awards are published in full or digested.

Wholesale prices of commodities and retail prices of food and coal were published monthly during the fiscal year, and retail prices of gas and dry goods were printed quarterly. Data as to changes in the cost of living in the United States, secured quarterly, were given prompt publication. Summary reports of original investigations by the bureau as to wages and hours of labor in the slaughtering and meat-packing industry, anthracite and bituminous coal mining, cotton manufacturing, and sawmills appeared during the year, and statistics of volume of employment in selected industries were printed monthly. Changes in union scales of wages have been given prompt notice, and important labor laws and court decisions, workmen's compensation reports, and minimum wage laws and orders have been summarized and reviewed. Statistics of strikes and lockouts in the United States were printed quarterly. The activities of the State labor bureaus have been noted each month, together with current items of interest to labor and a review of official publications relating to labor. A directory of labor officials in the United States and Canada appeared in the July, 1921, issue.

Since July, 1920, for reasons of economy, the Review has been on a subscription basis to all but official labor bodies and organizations exchanging publications with the bureau.

Publications other than the Monthly Labor Review.—At the end of the fiscal year there had been issued in completed form 19 bulletins and 12 numbers of the Monthly Labor Review. The 31 publications contained 6,443 pages of printed matter, 44 charts, and 3 text charts.

Listed according to serial numbers, the bulletins issued during the fiscal year are as follows: 281, Proceedings of the Seventh Annual Meeting of the International Association of Industrial Accident Boards and Commissions; 284, Index Numbers of Wholesale Prices in the United States and Foreign Countries; 285, Minimum-Wage Laws of the United States—Construction and Operation; 286, Union Scale of Wages and Hours of Labor, May 15, 1920; 287, National War Labor Board; 288, Wages and Hours of Labor in Cotton-Goods Manufacturing, 1920; 289, Wages and Hours of Labor in Woolen and Worsted Goods Manufacturing, 1920; 290, Decisions of Courts and Opinions Affecting Labor, 1919–20; 291, Carbon-Monoxide Poisoning; 292, Labor Legislation of 1920; 293, The Problem of Dust Phthisis in the Granite-Stone Industry; 294, Wages and Hours of Labor in the Slaughtering and Meat-Packing Industry, 1921; 295, Building Operations in Representative Cities, 1920; 297, Wages and Hours of Labor in the Petroleum Industry, 1920; 299, Personnel Research Agencies; 301, Comparison of Workmen's Compensation Insurance and Administration; 303, Use of Federal Power in Settlement of Railway Labor Disputes; 306, Occupation Hazards and Diagnostic Signs; 307, Proceedings of the Eighth Annual Convention of the Association of Governmental Labor Officials of the United States and Canada.

During the year a complete revision has been made of the bureau's series of index numbers showing changes in the level of wholesale prices, consisting of (1) a regrouping of the commodities and the addition of a considerable number of new articles, and (2) the use of the 1919 census data for weighting purposes in place of the 1909 census formerly employed. The weighting of the retail prices index numbers has also been changed, 43 articles now being used instead of the 22 formerly used, and the earlier index numbers being made comparable with the later ones by a system of "linking."

Cooperation with the State labor bureaus has been maintained and much valuable information as to their current work has been published in the Monthly Labor Review, thus affording an opportunity for each bureau to keep constantly in touch with the activities of the other bureaus.

An important and exacting part of the work of the bureau is the research work that is constantly being carried on. Information

requested by Members of Congress, economists, labor organizations, manufacturers, and other employers' associations, and persons interested in labor matters is promptly supplied.

In the preparation of matter for the Monthly Labor Review hundreds of foreign and domestic newspapers and periodicals, official and unofficial reports, trade and labor journals, and books on various subjects are critically examined to ascertain all important labor news. Translations of foreign labor news items are made and verification of information found in newspapers is made from original sources whenever possible, in order that all information published may be as exact and authoritative as possible.

Reports transmitted but not published.—Besides the 31 publications issued by the bureau (19 bulletins and 12 numbers of the Monthly Labor Review) 16 other bulletins were sent to the Government Printing Office, one of which was completed but not delivered and eight of which had part of the proof reading done. The serial numbers and the subjects of these 16 bulletins are as follows: 296, Wholesale prices, 1890 to 1920; 298, Causes and prevention of accidents in the iron and steel industry, 1910-1919; 300, Retail prices, 1913 to 1920; 302, Union scale of wages, May 15, 1921; 304, Proceedings of the eighth annual meeting of the International Association of Industrial Accident Boards and Commissions; 305, Wages and hours of labor in the iron and steel industry, 1907 to 1920; 308, Labor legislation of 1921; 309, Decisions of courts and opinions affecting labor, 1921; 310, Industrial unemployment; 311, Proceedings of the ninth annual meeting of the International Association of Public Employment Services; 312, National health insurance in Great Britain; 313, Consumers' cooperative associations in the United States; 314, Cooperative credit societies in America and foreign countries; 315, Retail prices, 1913 to 1921; 316, Hours and earnings in anthracite and bituminous coal mining—anthracite, January, 1922, bituminous, winter of 1921-22; and 317, Wages and hours of labor in lumber manufacturing, 1921.

BUREAU OF IMMIGRATION.

The most interesting chapter which the fiscal year 1922 has added to our history of immigration to the United States is that pertaining to the enforcement of the percentage limitation act (act of May 19, 1921). This act went into operation on June 3, 1921, and a full year's experience has now been had with its operation. Based upon drastically restrictive (but not selective) principles, this act has unquestionably served to materially cut down immigration to this country during the past year. It is, of course, impossible to predict with any degree of certainty the numbers of aliens who would have come to our shores,

seeking admission for the purpose of making this country their permanent homes, had this numerically restrictive legislation not been in operation; but a conservative estimate would place the figure at considerably over 1,000,000.

The clearing up of the war clouds in Europe started a flow of immigrants to the United States early in the fiscal year 1921, which continued undiminished throughout the year until June, when the act of May 19, 1921, became effective and served to cut down, to some extent, the grand total for that year. However, there were 805,228 immigrant aliens admitted during that year, as compared to 430,001 in the previous fiscal year. The total number of immigrant aliens admitted during the present fiscal year was 309,556. A total of 122,949 nonimmigrant aliens (i. e., aliens not coming for permanent residence) also entered the country during the fiscal year, making a grand total of 432,505 admissions. Additionally, the immigration officials at the several water ports of entry examined under those provisions of the immigration law relating to seamen a total of 1,100,000 alien seamen. The grand total of all classes examined—immigrant, nonimmigrant, and seamen—was, therefore, 1,532,505, or 20,000 less than in the preceding year. Of the total admissions, 274,740 occurred through the port of New York, leaving a total of 157,765 for all of the other ports, including those on the Canadian and Mexican borders.

The number of immigrant aliens from various sources during the year, compared with the number coming from the same sources in the previous fiscal year, was as follows:

Country.	1922	1921	Country.	1922	1921
Italy.....	40,314	222,260	Mexico.....	19,551	30,758
United Kingdom.....	35,732	79,577	Scandinavia.....	14,625	22,854
Greece.....	3,457	28,502	Portugal.....	1,950	19,195
Poland.....	28,635	95,089	Spain.....	665	23,818
Czechoslovakia.....	12,541	40,884	China.....	4,406	4,009
British North America.....	46,810	72,317	Japan.....	6,716	7,878

The races, or peoples, chiefly represented among the immigrant aliens admitted in the two fiscal years, were as follows:

Races or peoples.	1922	1921
Italians (north and south).....	41,154	222,496
English.....	30,429	54,627
Hebrew.....	53,524	119,036
Irish.....	17,191	39,056
Scandinavian.....	16,078	25,812
Scotch.....	15,596	24,649
Spanish.....	1,879	27,448

The following table shows the immigration and emigration in each fiscal year since 1912:

Total alien immigration and emigration, fiscal years 1912 to 1922.

Year.	Arrivals.			Departures.			Excess of immigration.
	Immigrant.	Nonimmigrant.	Total.	Emigrant.	Nonemigrant.	Total.	
1912.....	838,172	178,983	1,017,155	333,262	282,030	615,292	401,863
1913.....	1,197,892	229,335	1,427,227	308,190	303,734	611,924	815,303
1914.....	1,218,480	184,601	1,403,081	303,338	330,467	633,805	769,276
1915.....	326,700	107,544	434,244	204,074	180,100	384,174	50,070
1916.....	298,826	67,922	366,748	129,765	111,042	240,807	125,941
1917.....	295,403	67,474	362,877	66,277	80,102	146,379	216,498
1918.....	110,618	101,235	211,853	94,585	98,683	193,268	18,585
1919.....	141,132	95,889	237,021	123,522	92,709	216,231	20,790
1920.....	430,001	191,575	621,576	288,315	139,747	428,062	193,514
1921.....	805,228	172,935	978,163	247,718	178,313	426,031	552,132
1922.....	309,556	122,949	432,505	198,712	146,672	345,384	87,121

Immigration from foreign contiguous countries.

The total number of aliens of all nationalities admitted from Mexico and Canada during the fiscal year 1922 was 66,361 as compared with 103,075 during the preceding fiscal year. This decrease of immigration from the two countries referred to is ascribable to depressed industrial conditions in the United States and not to the restriction of the percentage limitation act, for said act excepts from its operation "aliens who have resided continuously for at least one year immediately preceding the time of their admission to the United States in the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central or South America, or adjacent islands."

Oriental immigration.

This fiscal year has witnessed a small increase in the number of Chinese arrivals of the "immigrant" alien class, the total number admitted being 4,465 as compared with 4,017 in the fiscal year 1921. There was, however, a very large decrease among Chinese arrivals of the "nonimmigrant" alien class, 8,755 having been admitted in the fiscal year 1922 as compared with 18,974 in the previous year. Combining arrivals of the "immigrant" and "nonimmigrant" classes, it will be noted that there were 13,220 admissions during the fiscal year 1922, which, compared with 22,991 admissions in the fiscal year 1921, shows a decrease of 9,771.

Chinese aliens not entitled to admission to the United States under our exclusion laws continue to enter surreptitiously, despite the endeavors of the immigration authorities to prevent such entries. In my annual report for the fiscal year 1921 comment was made upon the large numbers of Chinese laborers who were entering under the guise

of "seamen" and thereafter remaining here. These arrivals, according to the best information obtainable, were at an average rate of 125 to 150 per month. Our laws were violated with such impunity in this respect that it became necessary to devise a means of safeguarding shore privileges granted to Chinese seamen. This was done by requiring that such Chinese seamen, as a condition precedent to going ashore on leave from the vessel, or being discharged therefrom, furnish a bond in the penal sum of \$500 guaranteeing departure from the United States at or before the expiration of 60 days from the date of their landing. This arrangement has not been entirely effective of its purpose, as illustrated by the fact that, although it has been in operation only since September last, more than 200 Chinese have forfeited their bonds and remained here in violation of law. It may be assumed, from the known ends to which Chinese laborers really desirous of gaining admission to the United States have gone in the past, that these people have adopted this as a ready and cheap way of accomplishing admission, for many of their fellow countrymen have in the past paid the Canadian head tax of \$500 to enter that country and later paid as much more in order to be smuggled into the United States. Others have gone to Cuba, Mexico, and other countries, and instances have come to light where they have paid as high as \$1,000 to be smuggled into this country, assuming the attendant risks of apprehension and deportation at the hands of the immigration authorities. The advisability of substantially increasing the amount of this bond is now receiving consideration. Effective June 15, 1922, the regulation was extended so as to include all seamen from the so-called Asiatic barred zone (sec. 3, immigration act of February 5, 1917).

In addition to the numbers of Chinese aliens admitted to the United States for permanent or temporary residence the privilege of transit under bond was granted on behalf of 7,198 members of this race. Of this number 1,425 were admitted at San Francisco, destined principally to Cuba or Mexico, and 2,462 were admitted at Canadian border ports, or their transshipment in United States ports after crossing Canada, with destinations Cuba, Mexico, South America, and the West Indies. There was a further decrease in the admission of Japanese aliens to continental United States in the fiscal year 1922, the total number of such aliens admitted having been 8,981, as compared with 12,868 in 1921. As to such admissions to the Hawaiian Islands, 3,856 were admitted, as compared with 3,599 in the fiscal year 1921. The Korean aliens admitted in Hawaii for the fiscal year totaled 104, and 1 was debarred.

Smuggling and surreptitious entry of aliens.

The passport-visé restrictions, coupled with the restrictive measures of the percentage limitation act, has caused an unprecedented flow of United States destined European aliens to Cuba and Mexico and even to Canada and to certain South American countries. While residence in these countries does not relieve the aliens of the necessity of presenting viséed passports in order to gain admission to the United States, a domicile of one year in those countries served to place them within a class excepted from the operation of the act of May 19, 1921. While, doubtless, many of these aliens proceeded to the countries mentioned with the purpose in view of acquiring the necessary residence of one year there and of then later applying for admission in regular manner, it is known that many of them so proceeded with the purpose firmly in mind of placing themselves in a favored position whereby later to gain admission in a surreptitious manner. That many have so entered from Cuba and Mexico (in particular) is a well-known fact, as many have been apprehended after having entered in this manner, and they have uniformly been deported either to the countries whence they immediately came to the United States or to the countries of which they were subjects or citizens.

On May 11, 1922, Joint Resolution No. 268, extending the operation of the act of May 19, 1921, to and including June 30, 1924, and making certain amendments and additions thereto, received the approval of the President and became law. This measure increased from one to five years the period which an alien must reside in the Dominion of Canada, Newfoundland, the Republic of Cuba, the Republic of Mexico, countries of Central and South America, or adjacent islands, in order to gain immunity from the operation of this special legislation. While the general effect of this increase of four years in the residence period will no doubt prove to be highly beneficial, it has undoubtedly served to stimulate the endeavors of aliens who have proceeded to neighboring countries for the purpose of acquiring the necessary domicile there in their endeavors to enter the United States in a surreptitious and unlawful manner. Investigation in Cuba developed the fact that in the neighborhood of 7,000 European aliens were admitted to that country in the past year whose ultimate destination, judging from all the circumstances, was the United States. It was learned that probably not exceeding 2,500 of these aliens remain in Cuba at the present time. While the records show that some of these aliens proceeded to Mexico from Cuba, it seems safe to assume that the great majority of them have found their way into the United States via the smuggling route. Numbers of parties of them have been apprehended from time to

time, usually very shortly after they had landed from smugglers' boats, and they have, of course, been deported. The price which aliens of this class customarily pay for the privilege of being smuggled in is in the neighborhood of \$150. Generally they are brought across to points on the Florida coast in launches or small schooners, which arrive offshore in the nighttime, drop anchor outside the legal limit, and gradually send their human freight ashore in rowboats.

It was also ascertained that there are in the neighborhood of 30,000 young Chinese coolie laborers now in Cuba, most of them without employment and without prospects of obtaining employment. In fact, they seem to have gone to Cuba with no purpose of either seeking or following employment, or with any object in view other than that of gaining surreptitious entry to the United States in any way possible. These Chinese pay anywhere from \$500 to \$1,000 for the privilege of being smuggled into this country, and the smuggling craft take them to inaccessible points on the Atlantic or Gulf coasts, as far north as New York and as far west as New Orleans. The difficulties inherent in any endeavor to cope with this apparently well-organized and extensive smuggling scheme with the pitifully few officers at the disposal of the Immigration Service is readily apparent.

Deportation of aliens.

There was a slight decrease in the number of aliens deported from the United States for various causes under the immigration and Chinese exclusion laws from those deported for like causes in the fiscal year 1921, the figures for the two years being 4,345 and 4,517, respectively. The following table shows the numbers deported, by races:

African (black).....	99	Lithuanian.....	17
Armenian.....	19	Magyar.....	32
Bohemian.....	6	Mexican.....	879
Bulgarian.....	18	Polish.....	81
Chinese.....	390	Portuguese.....	35
Croatian and Slovenian.....	47	Rumanian.....	33
Dutch and Flemish.....	45	Russian.....	75
East Indian.....	70	Ruthenian.....	13
English.....	461	Scandinavian.....	95
Finnish.....	29	Scotch.....	127
French.....	292	Slovak.....	39
German.....	176	Spanish.....	156
Greek.....	96	Spanish-American.....	36
Hebrew.....	214	Syrian.....	42
Irish.....	155	Turkish.....	9
Italian (north).....	31	Welsh.....	7
Italian (south).....	373	West Indian.....	4
Japanese.....	113	Other peoples.....	35
Korean.....	2		

Head tax collected and administrative fines imposed.

The total head tax collected on behalf of aliens admitted to the United States during the fiscal year 1922 was \$2,503,096. Administrative fines imposed upon transportation companies or the masters, owners, or agents of vessels entering United States ports, bond forfeitures, etc., amounted to \$489,781.

New legislation.

House Resolution No. 268, which was approved on May 11, 1922, extended the percentage limitation act (act approved May 19, 1921) to and including June 30, 1924. It also amended said act by imposing upon transportation companies for each alien brought to this country and found upon arrival to be not admissible under the terms of the act a fine of \$200, and as an additional penalty and in order that aliens so brought may not suffer financial loss as the result of their fruitless journeys to the United States it requires that the offending company shall, in addition to returning them without cost to the port or place where they were embarked, refund to them the passage money which they paid in reaching this country.

House Resolution No. 2193, approved May 26, 1922, entitled "An act to amend the act entitled 'An act to prohibit the importation and use of opium for other than medicinal purposes,' approved February 9, 1909, as amended," provides for the deportation from the United States of aliens who have been convicted of fraudulently or knowingly importing or bringing into the United States, contrary to law, any narcotic drug, or who assists others in so doing, or who receives, conceals, buys, sells, etc., any such narcotic drug and, following such conviction, are sentenced to serve a term of imprisonment.

BUREAU OF NATURALIZATION.**Naturalization.**

During the fiscal year ended June 30, 1922, the total number of petitions for naturalization filed in the clerks' offices of the naturalization courts was 162,638, 9,468 having been filed by aliens who had performed military service and 153,170 by aliens in civil life. Of the first-mentioned class, who have certain exemptions under the law in consequence of honorable discharge from military service, all received certificates of naturalization.

There were filed during the same period 273,511 declarations of intention, or first papers, a decrease, as compared with the figures given a year ago, of 30,970. There was also a decrease in the number of petitions filed, as compared with those reported for the fiscal year

1921, of 35,892, represented, as between the two classes of petitioners, military and civil, by the figures 8,168 and 27,724, respectively.

It appears from the above figures that either the initial or final step toward citizenship was taken by 436,149 aliens. These figures also show a decrease of 66,862, as compared with the corresponding figures for 1921.

The decrease in the number of aliens filing under the special provision of the law, on behalf of those who have been honorably discharged after military service, was 8,168.

In view of the requirement of the law that petitions may not be acted upon within 90 days after the date of filing, 43,138 of such papers filed during the last quarter of the fiscal year can not be disposed of by the courts during the fiscal year in which they were filed. The 52,678 such papers disposed of, as filed in the last quarter of the preceding fiscal year, added to the 110,032 filed in the first three quarters of the year under consideration, and including 83,957 cases continued from prior years, make a total of 246,667 petitions.

The courts either dismiss, continue, or grant petitions at the time of hearing. Such action resulted in 29,076 dismissals, 56,612 continuances, and 160,979 orders of admission. In the last-named class naturalization certificates were issued. By court action 56,612 petitions were continued. To these should be added 43,138 which had not matured to hearing at the close of the fiscal year, representing the undisposed-of petitions awaiting final action in the ensuing fiscal year.

Among the 29,076 petitioners who were denied citizenship, 10,288 had sought to evade military duty by claiming alienage, included under the several headings "Immoral character," "Invalid declaration," and "Miscellaneous"; 6 were excluded under the provisions of section 2169 of the Revised Statutes; 1,876 because of immoral character; 1,404 were rejected because of ignorance of American institutions; 161 were held by the courts to be citizens already; and 537 petitions were abated by death. The remainder represents those who failed to comply with some requirement of the law.

Citizenship training.

The citizenship training activities during the past year have been carried on in cooperation with 3,625 communities. This is 99 more than the 3,526 reported for the preceding year. However, the significant feature of this year's development lies in the fact that there were 2,867 of the 3,625 communities by which supplies were ordered for citizenship instruction, as compared with 2,138 of the year before, while there were only 758 subsidiary towns, as compared with 1,390 in the preceding year. The assistance which has been offered to the indus-

tries in promoting citizenship training is probably exemplified by one quotation: "The work that your bureau is doing is excellent in every regard and deserves the highest commendation."

Citizenship training has been extended to new isolated parts with the cooperation of county public-school organizations. A larger number of candidates were invited to attend the public schools by means of the Boy Scouts of America than in any preceding year.

Financial statement.

The naturalization law imposes upon aliens seeking citizenship fees amounting to \$5 per head. One half of the amount so paid, up to \$3,000 in each fiscal year, is assigned by law to clerks of courts for preparing and filing such papers and taking the oaths of declarants, petitioners, and witnesses. The other half is by law remitted to the Treasury Department as miscellaneous receipts. All expenditures for administrative purposes by the bureau are made from authorized appropriations in the annual legislative and sundry civil appropriation bills. No charge is made to aliens who have been admitted under special enactments in behalf of those who performed military service in the recent war.

The total receipts from the clerks of courts for the fiscal year were \$598,709.95. The cost of administration, including the work in connection with the promotion of training for citizenship, was \$772,171.31, leaving a deficit of \$173,461.36, as compared with the amount collected, but within the appropriations made available by Congress. That a deficit even of this character should exist at all results from two features of the duties imposed by law upon the naturalization service which are not self-supporting in any degree, as they do not produce any revenue. The first of these is the naturalization work connected with the admission to citizenship of those who have been honorably discharged from the military service. As to these the law expressly provides that no fee shall be paid by the beneficiaries. The other branch referred to as nonproductive of revenue is that of the active cooperation of officials of the naturalization service with the various educational agencies, public and private, in the United States, with a view to the promotion of the training of candidates for citizenship in the responsibilities imposed upon citizens of this country, both State and Federal. The estimated expenditure on account of this service during the last fiscal year was \$148,402.23.

Beginning with the first of the current calendar year, there was transferred for administrative reasons from the inspectors of immigration to the naturalization officers the duty of examining applicants for certificates of arrival in those cases where it had been impossible to locate such certificates from any record kept at the port

of arrival. Where there was no such record of the admission of such aliens, and where it was apparent that no head tax had been paid on their account, as required by law, a collection of the amount of the immigration head tax has been made from each such applicant by the examining officers of the naturalization service and remitted to the department through the Bureau of Naturalization for deposit in the miscellaneous receipts of the Treasury Department. The amount so collected for the last six months of the fiscal year under consideration was \$15,504.16. In connection with this section of the report, attention is particularly invited to the recommendations I have made in the conclusion for new legislation affecting the Bureau of Immigration.

CHILDREN'S BUREAU.

Federal aid for the welfare and hygiene of maternity and infancy.

The Children's Bureau, created in 1912 for scientific research in the field of child care, has had its usefulness greatly extended during the past fiscal year by the passage of the maternity and infancy act. The need and the practicability of the United States Government cooperating with the States in providing for the protection of maternity and infancy through (1) public-health nurses, (2) teaching and practical demonstrations for mothers of the hygiene of maternity and infancy and of the household arts essential to the well-being of mother and child, (3) accessible consultation centers or well children's clinics for the periodical examination of young children in order to secure their most vigorous development, were pointed out by the Chief of the Children's Bureau in her annual reports from 1917 to 1920. The so-called Sheppard-Towner Act for the promotion of the welfare and hygiene of maternity and infancy, which became a law November 23, 1921, provides a working basis for this program.

Although greatly changed in its details, the main features of the act are those which the bill introduced in 1918 embodied. It provides for Federal aid to the States; acceptance of its benefits is voluntary on the part of both the State and the individual parent; local administration is lodged in the child-hygiene or child-welfare divisions of the various State agencies, where such divisions exist. The general administration of the act is lodged in the Children's Bureau. A Federal Board of Maternity and Infant Hygiene, composed of the Chief of the Children's Bureau, the Surgeon General of the United States Public Health Service, and the United States Commissioner of Education, has authority (1) to approve or disapprove plans submitted by the States and (2) to withhold further certification of Federal funds to a State if the money is not properly expended. These plans originate in the individual States, and section 8 of the act provides that "If these plans shall be in conformity with the

provisions of this act and reasonably appropriate and adequate to carry out its purposes they shall be approved by the board." The act does not permit the payment of a money benefit or gratuity to the mother; it does not permit expenditures for building and equipping hospitals; it is not an insurance scheme.

By June 30, 42 States had accepted the provisions of the act—11 by legislative enactment and 31 by governors pending the next regular sessions of the legislatures.

The second deficiency appropriation act, approved March 20, 1922, provided for an appropriation of \$490,000 for carrying out the provisions of the maternity and infancy act during the fiscal year ending June 30, 1922. Of this sum, \$240,000 was for equal apportionment among the States accepting the act without reference to population, \$237,500 for apportionment among the States according to population if matched in amounts by the States, and not to exceed \$12,500 for the Children's Bureau for administrative expenses. The act authorizes an appropriation for each of five succeeding years of \$240,000, to be apportioned equally among the States, and an additional sum of \$1,000,000 to be apportioned \$5,000 to each State and, after deducting \$50,000 for administration by the Children's Bureau, the balance to be apportioned among the States on the basis of population, provided such additional amounts are matched dollar for dollar by the States.

The initial plans for State work which have been approved by the Federal board have varied greatly in type and extent of activities contemplated, as local conditions and previous developments in child hygiene have differed. In a number of the older and well-organized States with fairly complete programs the additional funds permit an extension of activities, looking forward to definite results in the reduction of mortality as well as in a lessened degree of illness among mothers and infants. The specific measures involved in State plans are accurate birth registration, improved milk supplies, State surveys of the medical and nursing facilities for maternal and infant care, and registration and supervision of midwives. Everywhere the plans of work are largely educational, to be carried out through actual teaching of mothers by public-health nurses.

Any public-health measure is largely educational. This is particularly true in the field of maternal and child hygiene. The general discussion of the unnecessary loss of life among mothers and infants in the United States and of measures which had been successful in reducing it has had immediate educational value. Individual women have learned of new standards of prenatal care and of its importance to themselves and their children; and many communities have taken the first steps toward providing local facilities for educational work and adequate care.

Both Hawaii and Porto Rico have officially asked to be included in the benefits of the act, and it is believed that in justice to the mothers and babies of those islands their requests should be granted.

The Legislatures of New York and Massachusetts, while not accepting the act, have for the first time voted money for reducing maternal mortality. The act has already promoted both national and local appreciation of the importance of conserving the lives of mothers and children.

Factors in infant and maternal mortality.

A summary and analysis of data relating to mortality among nearly 25,000 infants born in eight cities is in progress. This study brings together a mass of evidence upon the basis of which the influence of each factor in determining the infant mortality rate can be ascertained. The employment of the mother during pregnancy is shown to have an influence not only in higher stillbirth and neonatal mortality rates in the first month of life but also in an increased proportion of premature births. The employment of the mother away from home during the infant's first year of life is found to be accompanied by a marked increase in the infant mortality rate, due in part to a greater prevalence of artificial feeding among these babies. The analysis already made of the relation of infant feeding to infant mortality brings out the very high rate associated with artificial feeding in the early months of life, and indicates that there is a cumulative effect of artificial feeding, if begun at a very early age, that produces an increasing divergence in the rates of artificially-fed and of breast-fed infants. In other words, the longer infants are breast fed, up to about the eighth or ninth month, the lower the mortality rate.

A report, entitled "Maternity and Child Care in Rural Areas of Mississippi," was issued during the year, and the report of a similar study in a mountain county of Georgia has been written. The latter is the sixth in a series of reports on the opportunities and needs of the country mother and child. It deals with native white families in a rural section of southern Appalachia where the problems confronting mothers in bearing and rearing their children are intensified by pioneer conditions. The findings call attention to the lack of medical and nursing service, and are of particular interest in connection with the legislation for the promotion of the welfare and hygiene of maternity and infancy enacted during the year.

The statistical division has continued to assemble and interpret such information on maternal and infant mortality as is available for the nations of the world. Annual statistics from 1915 to 1920 for the expanding birth registration area of the United States show an increase of the death rate of mothers from causes connected with

maternity, and the rate in this country for 1920 is the highest among all nations for which recent statistics are available. Infant mortality has decreased in the United States, but the rate here is still less favorable than the rates for seven foreign countries.

Child labor.

During the past year the industrial division of the Children's Bureau has completed surveys in New Jersey, Maryland, and Virginia relative to the work, schooling, family welfare, and living conditions of some 3,600 children employed on truck farms. In connection with this inquiry a special study of migrations by Philadelphia school children into New Jersey for work on truck farms has also been made. A study of child labor in relation to school attendance has been made in six counties in North Dakota and in the three largest towns of that State. A field survey of vocational guidance and junior placement agencies has been completed in cooperation with the junior division of the United States Employment Service in 15 cities in which work of this kind has been definitely organized. In addition, an inquiry relative to the extent of vocational guidance activities has been made through questionnaires sent to the superintendents of public schools of all cities of 25,000 population and over throughout the country.

Analyses and summaries of child-labor and compulsory-education legislation passed in the years 1921 and 1922 have been prepared, and a detailed analysis has been made of laws relative to the issuance of employment certificates. Eight charts illustrating the minimum child-labor standards adopted by the Child Welfare Conferences of 1919 have been drafted; they present in graphic form the legislation in effect in the different States at the present time.

A bulletin, which is the fifth in a series of studies of the administration of child labor laws, has been completed; it summarizes the findings of the numerous studies made by the bureau in this field, with especial reference to the enforcement of the laws relating to the issuance of employment certificates or work permits. A conference on problems and standards of employment certificate issuance called by the bureau in cooperation with the National Education Association was held in Boston July 5-6, 1922, in connection with the annual meeting of the latter organization. An advisory committee of six school superintendents, appointed by the president of the National Education Association, cooperated with the bureau in planning the program of this conference, which was attended by both State labor and State and local education officials.

Two reports issued during the year picture the conditions of child labor when no effective system of supervision exists, and are especially timely in view of the decision of the United States Supreme Court,

rendered on May 15, which held the Federal child labor tax law unconstitutional and thus leaves the children without the protection of a Federal law. These reports, entitled "Child Labor and the Work of Mothers in Oyster and Shrimp Canning Communities on the Gulf Coast," and "Industrial Home Work of Children, a Study Made in Providence, Pawtucket, and Central Falls, R. I.," show children working at ages far below those usually prescribed by child-labor laws and at hours prohibited by the laws of many States and by the standard set by the Federal law. The reports also stress interference with school attendance and school progress for which child labor is responsible.

Dependency and delinquency.

The advisory committee on juvenile-court standards, appointed last year as a result of a conference on juvenile courts held under the auspices of the Children's Bureau and the National Probation Association, has been active during the year. A comprehensive outline for consideration of standards was prepared and at a second joint conference held June 21, 1922, in connection with the annual meeting of the National Probation Association, general discussion of the topics included was led by members of the committee. It is planned to have a final report on juvenile-court standards ready for discussion next year.

Two juvenile-court monographs by authorities in their respective fields have been issued—The Practical Value of Scientific Study of Juvenile Delinquents, by Dr. William Healy, and The Legal Aspect of the Juvenile Court, by Bernard Flexner and Reuben Oppenheimer. A study of methods of dealing with children who have violated Federal laws, entitled "The Federal Courts and the Delinquent Child," and a report of the Proceedings of the Conference on Juvenile Court Standards have also been issued, and a study of the Chicago juvenile court is in press.

In cooperation with the Child Welfare Commission of South Dakota and the Children's Code Commission of North Dakota, the Social Service Division has made studies of the care of dependent and defective children, of juvenile courts, and of mothers' pensions. These studies have largely concerned child welfare in rural communities. Their main purpose has been to ascertain conditions and to discover the needs for new legislative measures and for improvement in the administration of existing laws. The bureau has also given assistance in other ways than through field inquiries to the child-welfare or children's code commissions of several other States, including Virginia and West Virginia.

The recent rapid development of organized social work in counties as a public function is largely the result of the emphasis that has

been given during the past few years to the problems of rural and small-town communities. The work is chiefly directed toward prevention and reconstruction. A report now in press summarizes the present status of work of this type in the various States. Sections describing in some detail the organization of county work for child care and protection were prepared by persons engaged in its development in Minnesota, North Carolina, California, New Jersey, and New York.

Two studies have dealt with public aid to dependent children in their own homes. One of these related to the standards of aid and the methods of administration in nine localities, urban and rural; the other study has been conducted mainly through questionnaires and correspondence, with the object of securing information on the present status of administration in the 40 States now having mothers' pension laws. A committee appointed by the National Conference of Social Work, cooperating with the Children's Bureau in mothers' pension inquiries, has made a study of standards of relief with special reference to budgets. The work of this committee is to be continued during the coming year.

In an effort to secure first-hand information on unemployment as it affects the welfare of children, a study was made during the winter of 1921-22 in a middle western and an eastern city that had been seriously affected by the industrial depression. In the two cities a total of 366 families known to State and city employment offices were visited by agents of the Children's Bureau. Families of unemployed men, principally those who had been out of work six months or more, were selected, the study being further limited to those families in which there were two or more dependent children. In 71 per cent of the families studied in the first city, and in 48 per cent in the second, the father had been unemployed one year or longer.

Of the 366 families, 185, or 51 per cent, had been compelled to apply for charitable aid, and only 22 of these families had previously needed such assistance. Ten per cent had aid from relatives, 32 per cent were the recipients of loans, 66 per cent had gone into debt for food, and 69 per cent had contracted other debts. Forty-three per cent had savings which helped to tide them over the period of depression. The principal source of maintenance, both as to aggregate amount and number of families reporting, was loans and other debts exclusive of credit for food.

At the time of the visits by the bureau agents, almost one-third of the families had no income from earnings of father, mother, or children, and 29 per cent had earnings of less than \$15 a week. It was possible to secure from 188 families what appeared to be a close approximation to their average monthly income during unemployment. Twenty-six per cent of the families had an average monthly

income of less than \$50, and more than a fourth of all the children were in these families. A total of 84 per cent of the families, including 81 per cent of the children, had less than \$100 a month. It should be remembered that the families averaged more than five members each, and that the amounts reported as income included everything the family had to live on—credits, loans, charitable aid, and savings used, as well as earnings. It is evident, therefore, that unemployment has meant a lowering in the standards of life and consequently of child care.

Child welfare in the insular possessions.

During the past year the bureau has conducted in Porto Rico, in cooperation with the insular department of education, a children's year survey with the twofold purpose of studying the existing conditions affecting the children of the island and of stimulating the development of activities to improve their health and well-being.

In the 23 years since Porto Rico became part of the United States the island has made great progress in education and general development, but it is severely handicapped by the basic conditions of great poverty, illiteracy, and physical debility. Porto Rico has a density of population which under existing economic conditions keeps the majority of the people far below what anyone can consider a decent standard of living. The island has reduced illiteracy from 80 to 55 per cent of the population 10 years of age and over, but although it devotes virtually half its total revenue to education, there exist to-day school facilities for only half the children of school age. The high infant mortality rate, high general death rate, and the alarming prevalence of such diseases as hookworm, malaria, and tuberculosis can be eradicated only by far-reaching public-health work extended over a considerable number of years.

Cooperating with the Department of Education and other organizations, the bureau has strengthened existing work in behalf of children and has laid the foundation for other activities. Among these have been the development of games and athletics for school children, the introduction of play systems into many schools, the beginning of health teaching in the schools, general stimulus to child-welfare activities through "baby weeks," and a campaign for the prevention of blindness and the education of the blind.

The insular department of health has established a division of child hygiene, and in cooperation with the American and Junior Red Cross eight infant-welfare stations have been established in different parts of the island.

The bureau has made a special survey of homeless children, of whom the chief of police has estimated that there are at least 10,000 in the island, and interest has been aroused to meet the many problems involved in the protection of these children.

Publications.

During the fiscal year 1922 the bureau issued 35 new publications, leaflets, and charts; 11 of these were included in the ninth annual report, leaving a total of 24 issued since that report went to press. Nine reports are now in press. Among the publications issued which have not been mentioned under other topics are the following: A revised edition of the bureau's popular pamphlet, *Infant Care*; a series of outlines for use in teaching courses in child care and child welfare, prepared in cooperation with the Federal Board for Vocational Education; a report entitled "Office Administration for Organizations Supervising the Health of Mothers, Infants, and Children of Preschool Age"; a presentation of the findings of the weighing and measuring tests conducted throughout the country during Children's Year, the report being entitled "Statures and Weights of Children Under Six Years of Age"; and a study of children of wage-earning mothers. A report on playground facilities in the District of Columbia was issued in mimeographed form for local use. Reports in press include, among others, studies of infant mortality in Baltimore, Gary, and New Zealand; a study of the physical status of preschool children in Gary; and a study of child labor and the welfare of children in an anthracite coal mining district.

During the year ended June 30, 1922, 1,271,925 Children's Bureau publications, including 644,805 popular dodgers, were distributed. A total of 85,494 letters were received. The distribution of the popular bulletins on the care of children was as follows:

Prenatal Care.....	97,243
Infant Care.....	205,253
Child Care.....	70,370
Milk, the Indispensable Food for Children.....	26,089

The distribution of publications was far below the demand and was smaller than for the preceding year. The fact that the bureau had \$20,000 less for its printing fund made this curtailment necessary.

Publicity and exhibits.

Books and periodicals using bureau material during the year include popular magazines and educational, statistical, medical, legal, and other technical books and journals. Publications of the following foreign countries used press material prepared by the bureau or contained articles relating to its work: Argentine Republic, Australia, Austria, Belgium, Canada, England, France, Italy, India, Yugoslavia, Mexico, New Zealand, Norway, and Switzerland.

As a means of reaching a large group in our population who can not read English, the Children's Bureau has continued to utilize a foreign-language press service which has placed its resources at the disposal of a number of Government bureaus. The service receives copies of

the regular press releases and articles especially prepared. The average monthly number of returns from the foreign-language press was 107, a total of 1,283 returns having been received during the year from papers printed in 16 different languages.

The service rendered by the Children's Bureau in loaning exhibit material for short periods to expositions, county fairs, and organizations of various types engaged in child-welfare work has been continued. The exhibit equipment has been augmented during the year by the purchase of additional copies of the motion picture "Our Children" and of sets of charts on infant and child welfare. A number of wall panels have been prepared by members of the staff; they cover such subjects as infant mortality, child hygiene, child labor, and the care of dependent and delinquent children. Material has been sent to 18 special exhibits or expositions, and bureau exhibits have been used by organizations in 38 States.

Some idea of the magnitude of the task confronting the Children's Bureau may be gathered from the fact that of all the nations keeping records with which we may compare, the United States leads in the penalty of death resulting to women from maternity. In eight other countries children have a better chance of reaching maturity than in the United States. America prides itself upon the consideration given to women and children, but from the standpoint of protection of the mothers and children of the Nation there is much room for improvement. One of the aims of the Children's Bureau is to make America safe for maternity.

THE WOMEN'S BUREAU.

Function and authority.

With the close of the fiscal year 1921-22 the Women's Bureau completes the fourth year of its existence. Inaugurated as a war service in 1918, and established as a permanent bureau in the Department of Labor in 1920, its function is to "formulate standards and policies which shall promote the welfare of wage-earning women, improve their working conditions, and advance their opportunities for profitable employment." In the act by which it was created the bureau was given authority to investigate and report to the Secretary of Labor upon all matters pertaining to the welfare of women in industry.

Type of work done.

With these duties and authority the work of the Women's Bureau is necessarily of several different types.

The most extensive activities have been in connection with its investigations of hours, wages, and working conditions of women in industry. These investigations have been made in a number of

States and have served a twofold purpose—that of providing State officials and other interested persons with definite knowledge of local conditions as they affect women in industry, while at the same time adding data to the general fund of knowledge of the conditions prevailing in industry throughout the country. The State investigations of this sort which have been made during the past year include studies of wages, hours, and working conditions affecting 10,000 women and 150 establishments in Kentucky, 11,000 women and 151 establishments in South Carolina, 5,700 women and 129 establishments in Alabama, 3,100 women and 189 establishments in Arkansas, and 18,000 women and 162 establishments in Missouri, making a total of 781 establishments and 47,800 women in the five States.

These studies include material taken from pay rolls showing actual earnings, rates, and hours of work; information secured from the workers showing details of their personal history and trade experience; and a general survey of the prevailing working conditions based on an inspection of each establishment investigated. The accomplishment along these lines is particularly striking when it is realized that the bureau has had an average of only five investigators in the field during the 12 months of the fiscal year.

Besides providing most comprehensive and detailed material regarding the "welfare of wage-earning women," these State investigations are an instance of the general cooperative policy which is followed by the bureau in its relation with the States. Frequently these studies are made at the request of State authorities, and their findings are very generally used by State labor departments, minimum-wage commissions, and the like.

Cooperation with the States does not stop, however, with investigations of the type just described. The Women's Bureau serves as a clearing house for information as to State activities affecting wage-earning women and issues a monthly news-letter giving this information to the States. It has also cooperated with several minimum-wage commissions in securing information regarding wage rates, which was not available in the State desiring it, and in securing local information on the cost of living which lack of funds or of personnel had prevented the State commissions from securing for themselves.

In addition to the general studies of wages, hours, and working conditions already outlined, the bureau has made a number of studies of especially significant conditions or information affecting more limited groups of women. It has completed its study of the home responsibilities of wage-earning women; it has made a study of material available on census schedules showing the family status of breadwinning women in a typical industrial community; and it has completed the study begun in 1921 of women in the candy industry in Chicago and St. Louis.

Although the bureau has no authority over the conditions of employment of women in the Government service, it is ready to act in an advisory capacity on such subjects, and during the past year it has conducted investigations at the request of three Federal departments. The first of these investigations was made of the working conditions affecting women employees of the Bureau of Engraving and Printing under the Department of the Treasury. This study was inaugurated and much of the investigation completed before the beginning of the fiscal year just past. The preliminary report and recommendations which were submitted led to a number of changes, and it was considered advisable that a follow-up investigation be made so that the conditions might be checked up before the final recommendations were formulated. This was done and the final report was submitted in April, 1922. An investigation was made at the request of the Post Office Department of the conditions of employment and rates of payment for the women employed in the mail-bag repair shops. A third investigation is being made at the request of the Secretary of Labor of the operation, management, and personnel problems of the Government Hotels.

The research and educational work of the bureau has increased considerably during the past year, as the bureau and the material and information available from it have become more widely known. The third edition of the standards recommended for the employment of women in industry was exhausted during the early part of the year, and a revised edition was issued in October, 1921. The charts and maps of State labor laws have been brought up to date and issued in pamphlet form to facilitate their use and distribution. The panel exhibit and the motion picture have been in constant demand. They have been shown in 28 States in more than 100 localities, and the motion picture has also been extensively used in Mexico and Belgium. Additional charts and exhibit material have been prepared to meet the requests for graphic material illustrating the work of the bureau and its standards. A number of articles have been written for publication in magazines and much research work has been carried on in response to requests for special information.

Publications and reports.

During the year the following bulletins were published:

- No. 16. State Laws Affecting Working Women.
- No. 17. Women's Wages in Kansas.
- No. 18. Health Problems of Women in Industry.
- No. 19. Iowa Women in Industry.
- No. 20. Negro Women in Industry.
- No. 21. Women in Rhode Island Industries.
- No. 22. Women in Georgia Industries.

The following bulletins are in press or ready to go to press:

No. 23. The Family Status of Breadwinning Women.

No. 24. Women in Maryland Industries.

Women in the Candy Industry in St. Louis and Chicago.

The Home Responsibilities of Wage-Earning Women.

Women in Arkansas Industries.

Preliminary reports have been issued and the final reports are in preparation for the investigation of hours, wages, and working conditions of women in industry in Kentucky, South Carolina, and Alabama.

The preliminary report of hours and wages of women in Missouri industries is now being prepared.

The coming year.

In planning for the coming year the bureau fortunately is able to enlarge somewhat the scope of its activities as its appropriation has been increased from \$75,000 to \$100,000, although this amount is still far from adequate for a really comprehensive program touching so vast a field as that of the welfare of wage-earning women.

The proviso attached to the appropriation for the fiscal year 1920-21, which limited salaries to not more than \$1,800, except for three at \$2,000, has also been made less restrictive by the provision for additional positions of three at \$2,200, one at \$2,500, and one at \$3,000. This provision permits a more satisfactory allocation of salaries for certain positions than was possible under the original proviso, but it does not remove the restriction, and until this is done or until all salaries and positions are allocated in a more satisfactory way by reclassification, it will not be possible to secure the fullest efficiency and most satisfactory results from the salary expenditures of the bureau.

It is expected that the activities of the bureau during the coming year will cover much the same field as in the past, with certain significant variations. The State studies, for which so many requests are made that they can not all be filled, will be continued as it seems that they are giving information for which there is a real need and for the collection of which there is no other agency available. But there are other urgent problems which must be studied and which should take an equally important place in the plans of the bureau. One of the most conspicuous of these problems which are arousing much interest and concern at the present time is the effect of minimum-wage legislation on the earnings and opportunities of women and on the financial condition of the industries to which such legislation applies. The relation between hours and output, the effect of short or long hours on absenteeism and accidents, are also subjects of no small moment in the present day of increasing legislation regulating hours, and of keener industrial competition.

Such subjects require very careful, expert, and intensive study, but definite information about them will be of immense importance to the industries of the country as well as to the women who are employed in those industries. The bureau has already studied certain aspects of these questions in a very slight way. It is hoped that during the coming year it will be possible to devote considerably more time to this type of investigation in order that the necessary information may be secured.

To the student of industrial conditions hardly less important than the problems just discussed are the findings of the Census of 1920 in regard to the industrial distribution of wage-earning women and the changes which have taken place since 1910. As the census figures for 1920 become available it is clearly an important duty for the Women's Bureau to study and interpret these figures so that their significance may be easily apparent. An intensive study of a limited number of census schedules has shown that they are a rich fund of information, and that a more detailed study and analysis of their returns along the lines particularly pertaining to the subjects in which the bureau is interested will lead to most significant results.

In addition to the studies outlined above, it is planned to extend the educational and exhibit work done by the bureau. A new exhibit is now in preparation and it is hoped that additional graphic material illustrating in popular form the standards and policies advocated by the bureau can be prepared and made available for the use of the many agencies which are constantly requesting such material.

RECOMMENDATIONS.

INTRODUCTORY.

More and more we are coming in America to an intelligent and practical appreciation of the importance of the working man and woman in our national scheme of things. More and more we are coming to the realization that much of our prosperity, much of our economic advancement, and much of our civic progress rests upon the shoulders of the man and woman who work for a living and upon the shoulders of those who are dependent upon the workers. The problems that confront the working man are the problems of the Nation. The evils that menace the welfare of the wage earner are perils of the Republic.

These things are axiomatic. With more than 40,000,000 of our 110,000,000 of population "gainfully employed" according to the last census, and approximately 25,000,000 of these classified as "wage earners," it is plainly apparent that the workers, with their families, make up the vast bulk of our people. If they are prosperous, the Nation is prosperous; if they are contented, the Nation is undisturbed; if they are discontented, the country is in turmoil.

Probably never before in the history of our country has the importance of American labor in our national existence been so forcibly drawn to the attention of all our people as it has been during the past year. Probably never before have the problems and difficulties of the worker been so graphically brought home to every man, woman, and child in the United States. It has been a year fraught with complicated labor problems, with varied labor experience. We shall not do our full duty to the people of the United States, to the workers of America, unless we profit to the utmost by the lessons which this varied experience has taught. We can meet the problems of the future, the dangers of to-morrow, only in the light of our achievements and mistakes of to-day. It is with these experiences in mind that I put forward the recommendations made in this report. They are not an attempt to invent a universal panacea for the troubles of the man who works; we can not hope to establish a millenium in industry. They are simply an effort to take certain forward steps in the direction of solving some of the problems which confront us to-day—problems which, unless solved, may become positive perils in the future. They are proposed to achieve practical results in a practical way.

Two of the prime requisites vital to the welfare of our workers and to our national prosperity are stability of employment, or, rather, the

prevention of unemployment, and the preservation of peace in industry. We have felt the blighting effects of the lack of both of these factors during the past year, and we are more than ever able to appraise their value.

At one time during the last year there were more than a million American workingmen idle, due to strikes in three of our major industries—coal mining, railroad-shop crafts, and textile manufacture. The drastic effect of this tremendous suspension of production and transportation upon our national prosperity has been felt by every man, woman, and child in the land. Its evil results will be in evidence for months. It impressed upon the whole country the far-reaching consequences of such industrial conflicts and aroused the whole Nation to the need of preventing them.

One of the tragedies of these great industrial disturbances is that in practically every instance they are finally settled by negotiation. After a whole industry has been fettered, after thousands of workers have been dragged through months of misery and suffering, often to the very verge of starvation, the issues are adjusted by representatives of both sides, seated around the council table, in an earnest effort to compose their differences. No better example of the futility of these appeals to force can be found than the recent strike of the bituminous coal miners. After months of suspended industry, the 600,000 striking coal miners returned to their work without a single change having been effected in wages or conditions of employment. We must find a way to avert these futile, fatal appeals to force in industry, with their vast losses to the worker, the employer, and to the public, which is to-day so vitally dependent upon industry in its daily life. We must and will find a way to settle these disputes by the force of reason and justice before the appeal to force is made. Instead of conferences after months of industrial battle, I would have council before the strike is called.

There is a close community of interest between the employer and the worker in every industry. Unless obscured by passion and prejudice in the heat of dispute, that community of interest will operate to adjust any differences that may arise between the two, to their common benefit. This community of interest, to my mind, is the secret of ending these industrial conflicts.

There seems to be an unalterable opposition on the part of both employer and worker to the bringing into any dispute of a third party vested with any coercive powers sufficient to force a settlement. Our people have not indorsed any general policy of compulsion in dealing with these disputes. The principle of enforced arbitration, in any guise, is generally rejected by both parties to these controversies.

It has been the experience of the Department of Labor that disinterested, intelligent, practical conciliation is capable of ending many of these disputes. In the less than 10 years that the department has been in existence, the Conciliation Service, hampered by limitations in personnel and equipment, has accomplished much in these disputes. It has handled thousands of them, involving millions of workers. It has had no arbitrary power, no coercive authority. Its commissioners have been peacemakers in industry, seeking to ascertain and appreciate the differing points of view of the two parties to a controversy and by earnest and painstaking appeals to the innate fairness and common interests of both sides to bring them to a common ground where an agreement can be reached. Of all the cases handled by this service more than 90 per cent of the disputes have been adjusted through their efforts or with their cooperation. Furthermore, where 70 per cent of these disputes in which the service acted when it was organized reached the stage of a strike or lockout, to-day less than 30 per cent of them become actual suspensions of work before they are adjusted.

It seems to me that before enacting any radical legislation or changing the administrative scheme for dealing with these strikes, we might well consider the perfecting and extension of the machinery which has proved so effective in the past. I have no doubt that by improving and increasing the facilities of the Conciliation Service we can materially increase its effectiveness in dealing with the 10 per cent of industrial disputes in which it apparently gets no concrete results. In many of these cases of apparent failure, however, the efforts of a conciliation commissioner become the ultimate basis of settlement.

Of equal importance with the problem of industrial peace is the problem of unemployment. Less than a year ago it was estimated that between five and six million workers were without jobs. We were in the throes of one of the greatest industrial depressions we had ever known. There was a grave danger that the mere operation of the law of supply and demand would force a drastic rearrangement of wages which would seriously depress our standard of living and radically alter our whole economic structure. The Nation fought its way through this period of unemployment, and to-day the demand for labor practically equals the supply. We are back at normal in our employment. But we have made the startling discovery that normal in America means that approximately a million and a half workmen are detached from any pay roll.

Here we have two problems to meet—to prevent a recurrence of the employment depression which threw between five and six million men into idleness and to reduce the number of our workingmen who are daily without means of livelihood.

We have a powerful agency in meeting both of these problems in the United States Employment Service, which, fully organized and equipped, would have its finger at all times upon the pulse of the labor supply and demand of the country. During the past year this service, with its cooperating agencies, proved its effectiveness. It listed approximately 2,500,000 workers seeking employment, and placed nearly 1,500,000 of them in jobs, without expense to the worker or employer. Its usefulness and the need for its development are plain.

The causes of idleness among our workmen call for instant remedy. Industrial strife and unemployment offer opportunities to the enemy of government too favorable for us to overlook them. Wherever worker and employer clash and wherever men are in enforced idleness, there is the opportunity for the unscrupulous employer with his hired guard, his mercenary plug-ugly. There, too, the ultra-red radical finds conditions ripe for his efforts. Both threaten the subversion of all government, as they preach contempt for law and order, and by stirring the passions and hate of men bring to fruition their gospel of violence and bloodshed. These things are a menace to our whole national existence. They threaten the fundamentals of our Government. No duty is more pressing upon us to-day than that of safeguarding ourselves from these dangers.

These problems of industrial strife and of unemployment point the way to other measures necessary to safeguard our workers and through them our national institutions. When over 5,000,000 of our workers were idle, the law imposing a limit on the aliens coming from abroad saved us from an influx of laborers which might have overwhelmed us. It is in the light of this experience that I am proposing to make the check on our immigration one of quality as well as of quantity, and to provide the means for an annual census of our alien population that we may oversee and protect it until it becomes truly American and truly naturalized.

It seems clear to me that the place to determine whether an alien is fit for America—whether he is mentally, physically, morally, and by blood capable of exercising the rights and assuming the duties of residence in America—is not after he has made a long and expensive ocean voyage, but before he begins it. By examining aliens abroad to determine whether they are legally admissible to the United States we would avoid that heart-rending appeal to the emotions which now every day confronts the immigration officials at ports of entry. We could avoid the separation of families, which excites the profoundest compassion. We could know that we are deciding each case according to the real facts.

We owe to the America of to-day and to the America of to-morrow the duty of educating in Americanism the 7,000,000 naturalizable aliens who are to-day in America outside the pale of citizenship.

They must be made acquainted with America and America must learn to know them. They must be made worthy of the high privilege of citizenship in the United States. To do this we must know who they are and what they are, and we must teach them the principles upon which our Republic is founded, the principles which every American must hold to if the Nation is to endure. For this purpose I propose to enroll the stranger within our gates, to learn to know him, to aid him to become a real American if he is worthy, or to send him whence he came if he prove unworthy.

The foregoing of course applies only to aliens of the admissible and naturalizable classes. There is also the problem of the alien who can not be naturalized and who is substantially barred from admission to the United States by existing laws. The naturalization laws of the country provide now for the naturalization of but two races, namely, the Caucasian, or white race, and the African negro. Practically all other races may be classified as excluded races under our laws. These exclusion laws of course do not go beyond excluding, absolutely, any class of orientals or nonnaturalizable aliens except laborers of those races. The merchant, the student, and the traveler for pleasure or other purposes of these races is admissible. The question arises as to just what the policy of this Nation is under existing law with reference to these exempt classes of the excluded races. There are those who believe that it is not the purpose of the law to admit as permanent residents aliens who can not be naturalized. The law is not clear as to whether or not the exempt classes of the excluded races are expected to be received here temporarily only or whether they are expected to become permanent residents. We have now a large population of orientals, many of whom have entered the country surreptitiously and are laborers clearly excluded by law. Many more are here as laborers, who entered as members of the exempt classes, but who failed to maintain their exempt status after arrival. Many representatives of these races were born in America while their parents were here. These latter are citizens under the provisions of the law as it now stands. It seems to me a policy should be definitely declared by proper legislation with reference to races who can not be naturalized and affecting individuals of those races classified as exempts. Congress alone can determine this policy.

In other portions of this report I discuss the question of the annual enrollment of all aliens within our gates. So far as the naturalizable alien is concerned, this system would serve a double purpose, as elsewhere stated. So far as the nonnaturalizable alien is concerned, this system would definitely determine whether or not such alien has lawfully entered the country or has entered surreptitiously. The alien workman of the excluded races not in possession of a certifi-

cate of enrollment would be required to explain his presence, and unless a reasonable explanation could be given would be subject to deportation. I can think of no feasible method for checking this alarming influx of laborers of the excluded races except by the method of annual enrollment, with proper legislation for dealing with those who can not explain their presence here. I earnestly recommend careful consideration by the Congress not only of the question of enrollment of all aliens, but of the determination of a definite policy with reference to the permanent residence in America of aliens of races who never can become American citizens by naturalization.

Closely related to this problem of providing better citizens for the future are our problems of childhood. We are confronted with the task of preserving for American children the opportunities for life, for happiness, for achieving a proper place in our national scheme of things. To-day, by reason of a recent decision of the Supreme Court, the Federal Government has no control of approximately a million and a half of our children between the ages of 10 and 16 years, who are at work in and around mill and mine, factory and field. The court has held two efforts to prevent this evil by Federal enactment to be unconstitutional. Many of the States have outlawed the employment of children, but lax laws or lax enforcement in a few imposes a penalty upon the others. It seems clear to me that a decent regard for the future of America dictates that we so amend the Federal Constitution as to permit the establishment of Federal minimum standards in child labor.

In this connection I wish to point out that all the States except two have accepted the principle of differentiating between adults and children brought before their criminal courts. The Federal courts, however, except those in the District of Columbia, are still proceeding against children through the same machinery that operates against adults. It seems to me the time has come to put the Federal jurisdictions on a basis similar to that adopted by enlightened legal experience in the bulk of our States.

CONCILIATION.

There have been a number of very serious industrial disturbances during the past fiscal year, the textile strike of New England and the strike in the coal industry being the most important. To add to the difficulty the railway shopmen went on strike immediately at the close of the fiscal year. As a result there were on strike in July, 1922, approximately 1,000,000 wage earners. The most serious result from that situation was the blighting effect upon industry generally. The two great fundamental industries of our country are fuel and transportation. To have both of these paralyzed at the same time of course created a situation fraught with great danger.

The workers lost in wages, the employers in profits, and the whole Nation in the service to which it was not only entitled but which was essential to its welfare.

In an effort to avoid these clashes between employer and employees and to bring on a settlement when they take place, there has been created the Division of Conciliation in the Office of the Secretary. Authority for this work is found in the act creating the Department of Labor, which provides, among other things, that "the Secretary of Labor shall have power to act as mediator and to appoint commissioners of conciliation in labor disputes whenever in his judgment the interests of industrial peace may require it to be done."

The limitations of appropriations have made it impossible for me to perfect some plans which I hope I may have the opportunity to work out during my term of office. I believe with the creation of an organization such as I have in mind and with an appropriation of approximately \$1,000,000 per year, this gradually to be increased with the growth of industry, practically every labor controversy can be adjusted and nearly every strike can be avoided.

Great disputes between capital and labor, like all other great American issues, ultimately are settled by public opinion. A correct public opinion of them can not be formed when the public has not all the essential facts necessary to form an opinion. The public knows that often alleged facts are presented in public speech or announcement which are not the true facts, and therefore the public often hesitates in reaching a conclusion. With the proper sort of organization in the Department of Labor it would be possible not only to bring contending elements together before a break in most cases but also in every instance to give the public the true facts from unprejudiced sources which would bring about a speedy crystallization of public opinion as to the merits of the dispute. The very fact that the contenders realized that the public would get the true facts would make them hesitate to come to a break.

Provided with sufficient funds, our experience demonstrates that through this service machinery can be set up in various industries that will reduce to a minimum interruptions due to strikes and lock-outs. With cooperation from employers and employees, conciliation points the way to industrial peace. As outstanding examples of what has been accomplished along these lines it is but necessary to refer briefly to the practical achievement in the copper, oil, and meat-packing industries.

The copper industry.

In 1917 the Department of Labor, in cooperation with the President's Mediation Commission, set up in Arizona machinery to adjust any dispute that might arise in the copper industry. A commissioner

of conciliation of the Department of Labor was selected and named "administrator," with an agreement between the owners and workers to accept his decision as final in a dispute and further that strikes or lockouts were prohibited during the life of the agreement.

After four years we find that since the creation of this plan only two or three strikes of minor importance have been reported, and these were settled in a very few hours. An unusual feature of this solution developed after the armistice, or in February, 1919, when in the face of a tremendous surplus of copper on hand and a restricted market the employees without question accepted a decision which meant a reduction of \$1 per day in wages and prevented a general suspension of the industry.

The oil industry.

Another case in point is the oil industry of California, which has been since late in 1917 a brilliant example of what conciliation can accomplish for permanent industrial peace, where nearly 20,000 contented workers and many satisfied operators had no troubles that were not speedily and fairly settled by the Federal oil board which was in 1919 superseded by a commissioner of conciliation, designated as a "Federal oil adjuster," who was the final referee in all grievances submitted. This official has handed down over 300 decisions, some affecting a few and some many workers and companies, every decision being cheerfully accepted. Production was thus augmented, wages for various gradations were specified, and the classification of labor defined, working conditions were vastly improved, and all interests benefited in consequence.

The machinery provided maintained peace in the industry throughout the war and for several months thereafter, when some of the oil operators withdrew from the "memorandum of terms," although a number of the principal companies and many of the smaller ones still continue to function under the arrangements perfected by which the "adjuster" is the final arbiter in all matters that threaten to interrupt production in the various fields coming under the "memorandum of terms."

The packing-house industry.

In the great packing-house industry of Chicago and at many outlying places throughout the United States, from 1917 up to late in 1921, through an agency created by the Department of Labor, Judge Samuel Alschuler was selected as "administrator," and he not only stabilized the industry but maintained peace and continuous operation and made it plain to all that there is a better way of settling disputes and grievances than striking the plant or plants involved.

To accomplish this great achievement entailed upon Judge Alschuler a tremendous amount of work on minor grievances, extensive hear-

ings on general issue, etc., but resulted in steady employment, stabilized production, and general satisfaction. This administration dissolved in September, 1921.

Industrial controversies of national concern.

All thinkers have recognized for some years that men who take an oath of office in public service give up their right to strike. This philosophy was crystallized when Governor Calvin Coolidge, of Massachusetts, dealt with the policemen's strike in Boston. The most usual form of industrial disturbances are disputes between employer and employee in strictly private industry, and as a rule these disputes do not attract important public attention. However, there is a field in the twilight zone between public employment and private industry, generally referred to as public utility or quasi-public service. It is in this classification that the railroads, the coal mines, and other similar industries fall. The great difficulty is to know how to protect the rights of both employer and employee in these semipublic industries without bringing about a paralysis of the industry, which means great public suffering. The coal strike and the railroad strike have accentuated this thought, and the best efforts of those immediately concerned with these industries, as well as of the statesmen of the Nation, should be devoted to this solution. The President has well said that every man has a right to work as well as the right not to work in any given industry. The right not to work in industry or under conditions which the individual considers improper can not be abridged. There must be a compensating circumstance whenever a limitation is set upon this freedom of action. The problem is to know how to preserve these great human rights as they apply to the individual who labors, as well as to preserve the great public rights which are affected most directly in the operation of quasi-public industry.

Industry in America bears a close relationship to every individual in the country. It is so closely woven into the fabric of our everyday life that anything that interferes with the normal course of industry seriously interferes with the welfare of all our people. The public in every instance is more or less of a party in interest to every industrial dispute. The purpose of the Department of Labor is, through its industrial "peacemakers" in the Conciliation Service, to encourage a full measure of production, preserve the welfare of the wage earner, and treat the employer fairly. Contented and satisfied workers mean efficiency in industry and insure better returns to both capital and labor. Capital is entitled to a just return on its investment and labor is entitled to a just return for its work. Both, if they secure these returns, go hand in hand to increase the wealth of the world by production and to insure greater comfort to the whole people.

It has been the policy of the Labor Department not to inject itself into labor disputes so long as the employers and employees are making progress toward reaching an agreement unless requested to by one or both of the parties to the dispute or by the public directly affected. The department has taken the position that the best settlement of any industrial controversy is that reached by the parties themselves, without outside interference. Next in order of preference comes the settlement by mediation or conciliation, and finally the settlement by arbitration, if both sides can agree to leave the decision in the hands of a third party.

When the Conciliation Service began its work, 70 per cent of the disputes in which its intervention was sought had already reached the strike stage. Recently conditions have so improved, and the services of the department have been so generally recognized that less than 30 per cent of the cases before the service have reached the point where work was suspended.

The function of the Department of Labor officials in any labor dispute is purely that of peacemakers. The department has no authority to make an award or hand down a decision and then demand that the parties to the controversy abide by it. The conciliators have no judicial function. Their work is entirely diplomatic. They are industrial peacemakers, endeavoring to get the contending parties together, in order that the interests affected may themselves solve their own problems. Drawing on their fund of wide experience, they suggest methods and alternatives which have proved successful in other instances and which will tend to bring about a renewed peaceful relationship between employer and employee. The department does not endeavor to impose its ideas upon either employer or worker but seeks to find a basis of just settlement that will be acceptable to both sides, even though it may not be entirely satisfactory to either. It has been found that this policy, faithfully pursued, results in a better feeling between employers and employees when a controversy is terminated. Through its operation barriers that keep employers and employees apart have been removed, and the way cleared for better relations and a clearer understanding of the respective rights and obligations of the parties involved.

The Department of Labor has, in its nearly 10 years of existence, built up a staff of conciliators especially qualified for their delicate task. Many of the commissioners have been drafted from business, professional, and industrial life. Some have been managers of large corporations, some have been Government officials, and some have been leaders in organized labor.

The work of the conciliator can not be successfully conducted by set rules or regulations. He works by rule of thumb. The elements entering into a trade dispute are seldom exactly the same as those

that have been met in a similar controversy. The conciliator must meet each situation in the manner best calculated to bring the contending parties together. If he can get both employer and employee to sit down around the council table and discuss their differences man to man he has won more than half the battle. For experience has shown that no matter how great the differences may be between men, if they will get together and talk over their disagreement, obstacles which seemed impassable may quickly be overcome.

The conciliation work of the department has gradually become more and more a recognized factor in America's industrial life, as experience has demonstrated the effectiveness of its mediation in avoiding strikes, or in bringing a quick settlement of disputes where work has already been suspended. Labor has discovered that it has a standing recognized by the Government whenever its demands are based on industrial and constitutional rights. Employers on the other hand have found that the department will protect them from unjust and unreasonable exactions. In almost all the cases where the conciliation service has acted, there has been found a fine spirit of cooperation on the part of both workers and employers.

The success of the conciliation methods of the department is adequately demonstrated by the record of disputes in which the good offices of the department, through commissioners of conciliation, have been used, from the beginning of the present administration, March 4, 1921, to June 30, 1922, a period of 16 months. In that time a few more than 500 cases of strikes and threatened strikes and lockouts have been acted upon by department officials. Three hundred and forty-five cases were satisfactorily adjusted by the commissioners of conciliation, 59 were adjusted by the commissioners of conciliation in cooperation with local officials and agencies, and 39 cases were pending or in process of adjustment. The period of industrial readjustment through which the country has been passing made the settlement of industrial disputes more difficult, but despite that fact nearly 90 per cent of the controversies in which the department used its good offices were equitably and satisfactorily adjusted. Without doubt these settlements did much to aid in the stabilizing of the generally disturbed industrial situation. Nearly a million and a half workers were involved in the disputes under consideration.

Below is quoted some correspondence between Senator Samuel M. Shortridge and myself which will serve to more fully amplify my position on the industrial controversies of national concern, which held the attention of the administration as well as of the whole country at the close of the fiscal year covered by this report. In my judgment, the coal industry is the most important of the basic industries in connection with our industrial life, and the most serious thought and wisest counsel of the Nation should be directed toward

a solution which will substantially guarantee that the flow of coal shall remain uninterrupted for as long a period as is humanly possible.

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,

September 8, 1922.

HON. JAMES J. DAVIS,
Secretary of Labor, Washington, D. C.

MY DEAR MR. SECRETARY: I do not need to say to you that the controversy in the coal industry which has just been settled has had a serious effect upon all the industrial and commercial activities of the United States.

It is my understanding that, while the particular issues of the recent strike have been settled for the time being, there is no assurance that a recurrence or a suspension may not result again. I would like to analyze the situation as thoroughly as possible, and in order that I may have authentic information I would like your views of the general condition of the coal industry at the present time; also, your opinion of what might be necessary to accomplish a betterment of conditions within the industry, that is to say, I should like specific information as to: (1) Sources of coal supply; (2) transportation and distribution; (3) selling prices; (4) classification of consumption—proportion of coal consumed by railroads, industries, households, etc.; (5) cost of living of miners; (6) stabilization of industry.

I would be glad if you would give me this information at your early convenience.

I have the honor to be,

Sincerely yours,

(Signed) SAMUEL M. SHORTRIDGE.

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, September 12, 1922.

HON. SAMUEL M. SHORTRIDGE,
United States Senate.

MY DEAR SENATOR SHORTRIDGE: You are certainly getting down to the root of the whole trouble. The analysis of the factors in the coal industry, such as you have set out in your letter of September 8, is just what is needed to point out the solution of the problem. Our commissioners of conciliation who have been working on the problem have reported to me many, many things which affect the industry and these facts if they could be brought together and collated would make a foundation for a permanent solution of the problem and the stabilization of the anthracite and bituminous industries.

Unfortunately, the Department of Labor has had no authority nor the funds to make the sweeping investigation necessary to disclose all the pertinent facts. The general condition of the coal industry of the country which has just emerged from a 155-day strike in the anthracite and a few days less in the bituminous, indicates very forcibly the need of a special study of the underlying conditions that have contributed to the causes which periodically precipitate these strikes to the general disturbance of the business activities of the country.

A recommendation of the President that Congress create a special coal commission, with full power to investigate and report as a fact-finding body on the ills of the coal industry, is most timely and should be very helpful in the framing of constructive legislation, as well as aid to a more intelligent understanding of what should be the basis for relations in the coal industry.

My experience during the past 10 months, in which we have been keeping in close touch with the developments in the strikes, has led me to some very definite con-

clusions as to what should be the scope of an investigation to be made by a coal commission. I particularly outline below what I think should be the scope of such investigation.

1. Ownership:

- (a) Estate mineral holdings leased to operating coal companies.
- (b) Corporation mineral holdings held in undeveloped reserve.
- (c) Holdings of operating companies in fee, mineral, or leased.
- (d) Original valuations of said holdings when first acquired for mining purposes.
- (e) Present valuations.
- (f) Royalties paid by lessee operations with detailed comparison of changes in royalties during the last 10 years.

The purpose of such a survey is to locate present ownership of our coal lands with special reference to the future control of same as well as the amount of royalties which becomes a tax on the coal-consuming public.

2. Sources of coal supply:

- (a) List and map location of present bituminous operating fields in every State with the annual production each year since 1910—also anthracite fields.
- (b) Special characteristics of the coals of the different fields as well as their special commercial use.
- (c) Competition between different coal fields in seeking and finding a market.

3. Average cost of production—F. o. b. cars at mines in each producing field. This cost to be shown in detail:

- (a) Labor.
- (b) Management (local).
Management (executive).
- (c) Supplies.
- (d) Repairs.
- (e) Fixed charges—
Taxes, insurance, interest on bonds, etc.
Sinking fund.
- (f) Royalty.
- (g) Depreciation.

Extent and cost of improvements and new developments and how shown in the cost or balance sheets of mining companies.

Change of methods of cost accounting during the last 5 years showing in a comparative way the items and amounts used during the previous 5 years which will indicate clearly the relative variation and share of each item as affecting the gross cost for each of the last 10 years.

4. Sales—Wholesale:

Mine selling expense—

- (a) Coal company agencies.
- (b) Commission or brokerage paid to agents.
- (c) Producing company partnership or control of wholesale selling agencies.
- (d) Duplication or multiplying of commissions through rehandling.
- (e) Proportion of sales under contract.
- (f) Proportion—held for spot market.
- (g) Relative shares of producer and brokers in ultimate "spot sales."

Sales—Retail:

- (a) Number of dealers in each State.
- (b) Amount and grade of coal handled.

4. Sales—Retail—Continued.

- (c) Detailed cost of operating each yard, including delivery, sales, expenses, etc., based on each ton sold.
- (d) Average sale prices charged each month of each year for the last five years.
- (e) Average mine price paid f. o. b. mines each month plus freight, plus cost of operation as per (c).
- (f) Margin of final profit for each month.
- (g) Storage capacity and when yard is fully stocked.

Freight rates—Transportation and distribution:

- (a) From each producing field to the leading markets of the country with the special purpose to show extent of competition between the different coal fields by comparison of competitive rates and mileage in transit.
- (b) Ratio of consumption for each producing State and where surplus finds market.

Stabilization:

- (a) Ratio of production in tons produced in each State sold on all-year contracts.
- (b) Ratio of production sold in the summer months for storage. How stored—by whom or how carried.
- (c) Ratio of production held for "spot" or free market during each month of the year.
- (d) What is actual capacity of mines in each State if mines could work regularly $5\frac{1}{2}$ days per week.

Present annual capacity of mines largely overestimated when based on relative production of one-third, one-half, or even two-thirds working time. The miner is a "piecemaker" and speeds up production when given only an opportunity of part-time at a pace which he could not maintain on a full-time basis.

This is shown in the increased per capita tonnage production in the years of shorter work time when compared with the years of fuller work time. Thus 3 or 4 days actual work may really mean 4 or 5 days normal work if work were regular. This explodes a large percentage of the supposed loss through "intermittency," especially in mines working less than 200 days in the year. Yet the intermittency and its causes and possible cure should be thoroughly investigated, because the irregularity and the uncertainties of each day's opportunity to work largely unfits the miner for any other avocation and contributes all the "force of necessity" to unite for the maintenance of a wage scale so recently renewed after a $4\frac{1}{2}$ to 5 months' strike.

Consumption:

Railroads and steel industries	30 per cent.
Manufacturing plants and public utilities	$47\frac{1}{2}$ per cent.
Household	15 per cent.
Export and bunker	5 per cent.
Miscellaneous	$2\frac{1}{2}$ per cent.

Railroads, public utilities, and large manufacturers should provide storage facilities which will enable them to take the bulk of their supplies during the months when the mines most need the business and idle railroad cars are most available, as they are the consumers of three-fourths of bituminous production.

Various storage methods should be scientifically investigated, and I would especially commend the "water storage" so long practiced by the European navies whereby all the losses of "dry storage" are avoided and the coal retains all its heat units and commercial value indefinitely.

The railroads are the greatest sinners in massing of orders to supply their own needs when the needs of their consuming patrons are at the peak. Of course, this may be

due largely to inability to finance such storage, but there is no doubt that the railroads can contribute materially to greater stabilization of the industry if they could supply their own needs when their cars are rusting during their summer idleness.

Cost of living.—I can appreciate that there is room for more specific and local information on the cost of living in each coal-mining center in each State than has been possible in the past.

The Bureau of Labor Statistics of the Department of Labor in the past has largely confined its studies to the big representative cities, but they do not furnish a fair basis to find out the cost of living in the mining communities of the different States.

Therefore, there should be a special quarterly report issued regularly by this bureau that will show the relation of cost of living in said mining districts to the "earnings" made in the same district based upon the average work time for the same period. Such a tabulated comparison will be helpful to arrive at a fairer understanding of the true relation of the prevailing wage to the cost of living or vice versa.

Only by getting all the facts, and the public as well as the operators and miners are entitled to know them, can the Government hope to reach a safe and sane policy toward the coal industry. Legislation may be necessary, but measures should not be passed until a good working basis has been established. Finding all the facts and then making recommendations for intelligent legislation is properly the work of a special commission created for that purpose.

Cordially yours,

(Signed)

JAMES J. DAVIS,
Secretary of Labor.

UNITED STATES EMPLOYMENT SERVICE.

In the body of this report it has been shown that the United States Employment Service is a cooperative one, exercising its functions through existing State and municipal organizations and encouraging the establishment of additional offices throughout the States where necessary.

The lesson of the past year seems to be not so much a problem of an actual dearth of employment but rather one of inability of the American workmen to adjust themselves to changing circumstances. We recognize that the exalted place of our craftsmen has been attained through specialization, but in specializing we seem to have lost sight of the fact that there are other lines of employment than those habitually followed. I would be the last one to suggest that skilled craftsmen should undertake to become so-called "Jacks of all trades," but I would urge upon every idle workman that when there is inactivity in his trade he use every effort to adapt himself to some other line of work. Manifestly, the skilled workman can, if he will, do work of some other kind, but my experience has been that too often when idleness is forced upon him he rejects the thought of other employment for one or more of several reasons: He may not be able to secure as high wages in other employment; he may be under the impression that the secondary employment will lose him prestige in his primary occupation. There are, of course, so-called seasonal occupations in which there is known intermittency of employment, but in these

occupations usually the wages are higher and the man who follows such a one can fortify himself against the season of unemployment.

The United States Employment Service, as a national organization, keeps in touch with the general situation in every part of the country. Its points of contact, however, are necessarily limited by the smallness of its appropriations, and for this same reason there can be very little educational work done along the line of encouraging secondary employments. The national employment service should be a clearing house and an agency for the dissemination of not only information but of constructive suggestions along the lines which I have indicated.

THE UNITED STATES HOUSING CORPORATION.

In the way of additional legislation, perhaps the greatest need of the corporation is an act authorizing retrocession of the exclusive jurisdiction, heretofore acquired by the United States, over the territory known as United States housing project No. 150-C, and called Truxtun, to the State of Virginia. The community of Truxtun is one of two housing projects adjacent to the city of Portsmouth, Va., created by the corporation during the war. It has a population of approximately 1,300 colored persons. The purpose of the suggested legislation is to place the various purchasers of our properties in this community in a position to invoke local laws in the enforcement of their rights, thereby relieving them of the necessity of resorting to the Federal courts for the enforcement of those rights, as they are compelled to do at the present time, and relying upon the United States statutes which are inapplicable to many of the situations arising in the administration of this project. Similar legislation has already been enacted pertaining to Cradock, the neighboring project in this vicinity falling under the jurisdiction of the corporation.

In view of the specific limitations placed upon the activities of the corporation by the act approved July 19, 1919, which prescribed that "the United States Housing Corporation * * * shall wind up its affairs and dissolve as soon as it has * * * performed the duties and obligations herein set forth," it seems to have been the intention of Congress to restrict the work of the corporation to certain specified functions. It has long seemed to me, however, that the invaluable information on the general subject of housing and such related problems as town planning, engineering, etc., which was acquired by the Housing Corporation during its construction period, should be put to some practical use. Undoubtedly, the records of the corporation to-day are the repository of the most comprehensive data and information on these subjects which exist anywhere. Considerable thought had been given to the possibility of devising some means of making this information available to the general public prior to the passage of legislation imposing upon the Department of

Commerce the duty of gathering and disseminating information pertaining to building construction. To a certain extent, of course, the entrance of the Department of Commerce upon this new field precluded the prosecution of this work by the corporation, which might have been considered a natural corollary of its other duties.

Nevertheless, it would seem that a very valuable public service could be rendered by the extension of one branch of our work now conducted on a small scale, to wit, making available to those of the citizenry who may be interested therein working plans of the different types of houses which were erected by the corporation throughout its various developments. It would enable a considerable proportion of our industrial population to eliminate this not inconsiderable item of cost which goes into the building of a home, as the plans which the corporation can furnish are sufficient to enable any competent builder to construct a house. It would seem, therefore, that the impetus which would be given home-building and home-owning would be sufficient to offset any objections which might be lodged against the plan. Despite the fact that no publicity is being given out to the effect that the corporation is in a position to supply these drawings, it is in receipt of a constant stream of requests for them, indicating a widespread interest in and demand for this material.

BUREAU OF LABOR STATISTICS.

The Bureau of Labor Statistics has ample authority to engage in the work for which it was created and to exercise all of the functions which naturally come under its jurisdiction. It is handicapped, however, in exercising these functions by the lack of funds. In the matter of appropriation, the Bureau of Labor Statistics is greatly in need of an increase both in its statutory roll and in its appropriation for miscellaneous expenses. The work of the bureau was greatly hampered and curtailed by the reduction in the appropriation effective July 1, 1920, when the statutory roll was decreased by 22 places and the appropriation for miscellaneous expenses \$11,000, the total reduction in the two appropriations amounting to \$55,180. The effect was that it has been necessary to curtail a number of the essential activities of the bureau and to entirely suspend some others.

The great demand for information relative to the changes in prices and cost of living has made it necessary to make quarterly surveys of changes in retail prices of commodities entering into the cost of living, which has added greatly to the field expenses, and a great demand also for information regarding wages in various industries and the extent of employment in industry has greatly increased

the work of the bureau along those lines. Owing to the small amount of the appropriation for miscellaneous expenses, from which the traveling and subsistence expenses of special agents must be paid, it has been necessary to suspend the collection of wage information in a number of important industries for which there is a large public demand. Among the industries for which data regarding wages and hours of labor should be collected are—

Automobiles.	Furniture.
Brick.	Glass.
Railroad car building.	Iron and steel.
Foundries and machine shops.	Paper and pulp.
	Pottery.

The bureau has been unable to take up any of these during the present year owing to the limited appropriation.

Owing to the great demand for information regarding the employment in industry, it has been necessary for the bureau to expand its work materially along those lines. It is now covering 3,000 establishments, reports for which are collected and published monthly. This work should be further expanded, but this is impossible at present owing to insufficient appropriation. The effectiveness of the work of the Bureau of Labor Statistics depends largely upon keeping the figures current; they must be live—promptly gathered when necessary, and as promptly made public. This can not be accomplished without an adequate force of competent employees.

“To improve their working conditions.”

It will be noted that the second responsibility imposed upon the Department of Labor in that section of the law defining its functions is intended, with reference to the wage earners of the United States, “to improve their working conditions.”

This language is necessarily broad and comprehensive and yet is readily understandable. It seems to me clear that the intent of that language is that it shall be a part of the duty of this department to safeguard the wage earners of America in their industrial environment against direct physical hazards as well as to insure conditions of health and happiness. At first blush it would seem clear that the functions contemplated by the language quoted naturally belong to the several States and are not covered by any specific grant in the Constitution to the Federal Government. However, with the narrowest constitutional interpretation, the department can exercise a potent influence toward properly organizing in the various industries in the several States the means of minimizing industrial hazards of all kinds.

One of the officers of the National Safety Council in an address delivered before the Eighth Annual Convention of the International Association of Industrial Accident Boards and Commissions (see Bureau of Labor Statistics Bulletin No. 304, p. 59), placed the total number of industrial accidents in 1919 causing at least one day's disability at 3,000,000. Of this number 23,000 resulted in death, and 115,000 caused complete or partial permanent disability. This gentleman estimated the direct loss of time at 50,000,000 days, with a secondary loss of potential earning power of 296,000,000 days. He estimated the money loss based on this potential earning power of 296,000,000 days at \$1,184,000,000.

The Department of Labor has endeavored, within the limitations of appropriations and legal power, to do some of this work, and has for many years engaged in reporting accidents in certain industries—for example, iron and steel. Serious efforts have been made to coordinate the work of the different States, with indifferent results. Very few States have adequate industrial accident statistics, as was revealed by a study of these figures by the department some time ago (Monthly Labor Review, March, 1921, p. 167). About one-half of the States have no industrial classification whatever for accident reports, and comparatively none have anything like an accurate or complete reporting system.

The exhibit of the Department of Labor at the San Francisco Exposition was largely devoted to safety appliances. Through the Bureau of Labor Statistics the Department of Labor is represented upon the safety code correlating committee of the American Engineering Standards Committee. During the fiscal year covered by this report the department has been represented on sectional committees for 18 different safety codes.

Congress, of course, intended that real effect should be given to that part of the act creating the Department of Labor quoted in the caption hereof. In spite of constitutional limitations and the possibility of varying constructions of the language quoted, it seems to me the immediate thing that can be done and should be done is to provide for a real survey of the industrial situation in its relation to accident hazards and health conditions, so that the true facts may be gathered in one compilation covering the entire Nation. Accurate and up-to-date data carefully gathered and compiled under proper classifications would make possible a leadership by the Department of Labor in a program throughout the Nation for improving the working conditions of the wage earners of the land to the end that many of the accidents may be avoided; that not only may proper safety appliances be developed but also that existing appliances may be universally installed; and that proper sanitary conditions and other agencies for the preservation of the health of the worker may become

standard practice. I recommend to the careful consideration of Congress the appropriation of a proper sum of money in order that serious compliance may be given to the work of improving the working conditions of the American toiler.

IMMIGRATION.

Survey of world conditions.

The United States of America is the largest immigrant receiving country in the world. No other country in history has ever received as many immigrants from foreign nations as has the United States, and there is not to-day a single country in the world receiving as many as are received by us even with all the restrictive laws now in force. These people come from all parts of the world, but primarily from Europe, western Asia, and northern Africa. European immigration represents perhaps 90 per cent of all our immigration. These people who come to us from Europe in order to become a part of our civilization, to become citizens of this Nation and to become the parents of future citizens of this Nation, are manifestly of great importance to us. It is very important that we should know the conditions under which these people lived in the country from which they came, that we should know the type of their civilization and the nature of their moral training, as well as their political ideas and ideals. There is no appropriation in the Department of Labor for the gathering of this information in the most efficient and intelligent manner, namely, by personal investigation.

The department has been very fortunate in securing the services of some of the ablest men and women in America, who, as volunteers, at their own cost, have performed this work for it. Among those who have thus furnished valuable information based upon more or less extensive travel and study in Europe may be mentioned Hon. Robert E. Tod, now commissioner of immigration at the port of New York, Mr. Vincent Giordano, Dr. John Constas, Mrs. Lillian Russell Moore, Mrs. Alma De Bretville Spreckels, and Dr. Henry Allen Tupper. The reports submitted by these people have given us a very vivid picture of social, economic, moral, and political conditions throughout Europe and have been of great aid in dealing with applicants for permanent admission to this country who come from the various European countries. It is not practical in this report to set out the facts in detail gathered by these eminent men and women. However, the world has learned with sorrow of the death of Lillian Russell Moore, who lived but a few brief months after her return from Europe. She was a woman of rare intelligence, of great culture and learning, with a discriminating mind, a ripe judgment, and a gifted pen. Her report was so comprehensive and

so useful that the following extracts therefrom are herewith presented in the belief that they express the sentiments of the great majority of Americans and constitute a sound philosophy with reference to European immigration to America.

Report to the Secretary of Labor by Lillian Russell Moore on European emigration conditions as affecting the United States.

MARCH 28, 1922.

HON. JAMES J. DAVIS,
Secretary of Labor, Washington, D. C.

DEAR MR. SECRETARY: I beg leave to submit the following report of my observations on immigration, as commissioned by you, during a visit to European countries:

Immigration, in my opinion, is the gravest question to-day confronting the American people, and the most serious problem demanding solution by the American Government.

The time was when our shores were a haven for the politically and religiously oppressed, and when our gates opened the way to opportunity for the ambitious and aspiring of other lands. Time was, too, when our Nation, in its period of construction and reconstruction, needed the brawn of the sturdy European to extend civilization into uncultivated and undeveloped territory.

To-day, European conditions are such that a haven of refuge is not required. There is no longer political oppression abroad. Men are not being driven from their homes for disputing the divine right of kings to rule. The war has restored human rights to the peoples of Europe, and the new conditions permit to all free expression of thought and peaceful possession of property. There may be suffering, there is depression; but there is freedom, and none need seek sanctuary here.

Nor does America need labor to aid in the development of its resources. That stage has long passed, and it is a fact that the immigration of recent years has been from that class of people which arrests, rather than aids, the development of any nation. When I declare that most of those now seeking to come here have not any of the inspiration or the necessity of the early settlers from abroad, I am stating facts that impress everybody who makes any study of European conditions.

In this immigration problem, then, there is only one thing that demands serious attention, and that is: What is best for America?

We must be just before we are generous.

We must think of the future as well as of the present.

* * * * *

We have laws and regulations of a most painstaking character which prevent the shipment of live stock, living plants, and seeds to the United States, and we prohibit entirely shipments under these heads instantly when danger arises; but until the last few months we have opened our national gates to human beings desiring to settle among us without much restriction as to moral consideration or purity of blood. And as a result we have a huge problem with which to deal. It would be a wonderful thing if all immigration could take a rest for a few years, for the adjustment and reconstruction of its principles and regulations, and meantime requesting our Congressmen to visit the countries from which the majority of immigrants come. They could do this in their vacation months—not as a pleasure trip, but as a matter of information which can be used to the greatest advantage in future discriminating rules for immigration, that we may protect ourselves permanently by a drastic prohibition as respects the unfit, as described in section 3 of the present immigration law.

If Congressmen should go abroad they could see the facts as I saw them. One particular fact is that no good immigration is turning our way. The good inhabitants of every foreign country are needed there, and can possibly be happier and more contented there than in America.

It is a fact that in France there are only 65,000 in the ranks of the unemployed. Reconstruction is being elaborately carried on in France, and every able-bodied man is not only needed, but his prospects are made so alluring that he has no inclination to emigrate. Only those who are useless to France and would be a burden to America show any tendency to depart. Italy needs men to till the soil, to grow food and to keep her own country prosperous. It is to the interest of France and Italy to keep the best of their sons at home—if not forever, at least for a long time to come.

There is more to this immigration problem than the economic side. Warning has been issued through the German Red Cross that the United States must be on its guard against the introduction of cholera and typhus by Russian immigrants. Hordes of these people, Dr. A. Schlesinger officially announced, are pouring into Germany over the Polish, Latvian, and Estonian borders, and many are seeking passports to America, where they have relatives and friends who are financing them for the journey.

Already nearly 50,000 cases exist in Germany traced to refugees, and German immigrants from the Volga region have been infected. Seventy-five per cent of the recent arrivals in the concentration camps were diseased, according to Red Cross statistics.

The minister of health has called attention to the necessity of vaccinating everyone arriving from Russia, declaring that children especially are carriers of typhus.

We take in too few productive immigrants and too many destructive.

I look upon the question of immigration as closely associated with that of citizenship. Personally, I believe that no alien should be naturalized until he has lived in the United States 21 years. Our own men have to live here 21 years before they can become voting citizens.

It is fortunate for the United States that Congress enacted the 3 per cent quota law. It is doing much good. With some of the additions I have suggested it would be quite efficient. Its chief weakness is the lack of power held by our consuls abroad. There, it seems to me, is the foundation of all the trouble.

I want to say for our American consuls that I never met a more patriotic class of men as a rule. Their Americanism is pronounced, and I believe it is accentuated by their knowledge of America's peril. They see, and they know, better than any class of our citizens, the difficulties and dangers of laxity in immigration laws.

Our America has passed the transition stage.

It is to-day a world power.

An intelligent, cohesive, loyal citizenship is its propulsive force. Solidification of all its elements is essential to perpetuity.

The "melting pot" has been overcrowded. It has boiled too quickly and is running over.

It were better to put out the fires under it and allow its contents to solidify before adding any more raw material.

If we don't keep up the bars, and make them higher and stronger, there will no longer be an America for Americans.

Respectfully submitted.

LILLIAN RUSSELL MOORE.

Field service.

The Bureau of Immigration functions through some 178 stations and substations. However, the important stations are the large cities on the Atlantic and Pacific coasts and one or two of the larger points along the international land boundaries. There was much complaint from time to time in days gone by as to the inefficiency of many of these larger ports in handling the aliens, as well as charges

of corruption among minor officials. Immediately upon my entrance into office I took note of this situation and plans were made to eliminate the things complained of. I designated a special committee of important officers from the Bureau of Immigration and from the Secretary's Office to go to the bottom of these complaints at the principal stations. As a result a reorganization has been had with most salutary effects. Resignations were received from a number of important officers and there were some removals. The methods of handling business, of checking the aliens, of keeping the accounts, and generally of administration were reorganized and standardized, and that process is still going on. A great improvement has resulted from this work and the larger ports particularly have increased their efficiency, and that in the face of a reduction of personnel of almost 50 per cent. The so-called quota law, which limits the number of immigrants from any nation while reducing the number of aliens admitted, has vastly increased the work of the ports. It is the old, old story. When a law or rule is promulgated prohibiting certain acts in a community, it requires additional police force and courts to enforce these laws. Every time a restrictive measure is enacted regarding immigration it increases the labors of those who deal with the immigrant.

Under the law any alien refused admission at a port by a board of special inquiry has the right of an appeal to the Secretary of Labor through the Commissioner General of Immigration. The enactment of the restrictive quota law increased the appeals manyfold. The tightening of the laws intended to restrain the coming of those not physically or mentally normal also greatly increased the number of appeals. In the past year the department handled in a single month sometimes as many appeals as came to the Secretary from the ports in an entire year in bygone days. An alien who appeals from an order excluding him at a port must remain in detention at the port until his appeal has been carried in due form to Washington, is there considered and decided, and the decision returned. With the coming of the quota law appeals multiplied so rapidly that the whole machinery relating to immigration became clogged. The excluded aliens usually have relatives or friends in this country who interest themselves, who employ lawyers, who personally come to Washington, and who appeal to their representatives in the Senate and the House of Representatives for help. As a result oral arguments must be heard on most of these appeals. In order to expedite this work of handling the appeals and in order that proper attention might be given each appeal, I organized a board designated "The Secretary's board of review." This body began operations January 1, 1922. It consists of a varying number of people, but will average about five all the time. The persons comprising this board are familiar with immigration matters, each

being particularly versed in some one line of law or fact. This board sits in the nature of a court, hears the argument of friends, relatives, or counsel, reviews the facts and applies them to the law, and prepares a decision for the signature of the Secretary of Labor or an Assistant Secretary. By this device the handling of appeals has been greatly expedited. The work of this board has been enlarged and extended and the process of handling appeals still more shortened since July 1, 1922. The board now sits as a board of review not only of the Secretary of Labor, but also of the Commissioner General of Immigration, and appeals coming from the ports pass immediately through the Bureau of Immigration to this board of review. As nearly as possible every appeal is considered on the day that it arrives and a decision often is rendered on the same day and never later than a day or two after arrival, unless further time is requested for special purposes by the representatives of the alien involved. Two years ago the time consumed by an appeal coming from the station at Ellis Island was from a week to ten days from the time the record was made at Ellis Island until the decision was returned to that station. Under present practices only three or four days are required. Ellis Island, N. Y., is the gateway for approximately 75 per cent of all European aliens who seek admission to the United States.

The problem of proper equipment at the various immigrant stations throughout the country, but particularly at the larger water ports, is a serious one. It will be noted in the following section on the medical inspection at ports that, with the exception of the ports of San Francisco and New York, there is not sufficient room within immigration stations to properly conduct medical examinations of aliens. The fact is that many of the stations are too small for the purposes of the department outside of the medical service.

The station at Ellis Island is intended to normally house about 1,200 people. It usually has 50 per cent more than that and at times twice that number to handle. Serious consideration should be given to the thought of enlarging the available equipment at Ellis Island so that the periodically crowded conditions will be avoided. Much of the equipment at the Ellis Island station is antiquated and not in good repair and therefore not functioning 100 per cent. I earnestly recommend careful consideration for improving and enlarging the physical equipment at this important station.

The station at Boston is woefully inadequate and has been ever since its completion. There is no opportunity within the station for either hospital service or recreation. We had hoped to perfect an arrangement for moving the station to the Boston side of the harbor into unused piers built during the war by other agencies of the Government. We find, however, that in order to comply with requirements of law the Immigration Service would have to pay rent for

the use of this pier space and the sum required is vastly in excess of any available funds under existing appropriations. It was therefore necessary to abandon this plan. I earnestly recommend careful consideration of the suggestion that proper legislation be had which will make possible the use of otherwise unemployed Government buildings for the Immigration Service at Boston.

The station building used at the port of Seattle belongs to private owners and is rented for Government use. The rentals required are very high and the building used is more than 50 per cent too small for the needs of the service. The location of the building also is awkward and not connected with tidewater. I respectfully recommend the construction by the Government of a suitable immigrant station at the port of Seattle in keeping with the volume of business transacted there and in the interest of economy as well as efficient service.

The station at the port of San Francisco is located on Angel Island in San Francisco Bay. Just why it should have been located where it is is a mystery to me. The island is many miles from the city of San Francisco and is wholly unsuited for the purpose for which it is being used. The buildings are of wood without even a semblance of fire protection. They are wholly unsuited for the purpose for which they were built and in every way so arranged as to make operation most difficult and expensive. There is no water supply on Angel Island and all fresh water must be carried there in scows. The plant is woefully out of repair and would require the expenditure of hundreds of thousands of dollars to put in repair. Careful consideration has been given to the question of abandoning the station on Angel Island and establishing one on the mainland within the city of San Francisco. Several sites have been found which would be suitable for the purpose, and proper buildings could be erected at a cost of approximately \$600,000. It has been estimated by men well posted on the subject that a saving in overhead of operation could be made of anywhere from \$75,000 to \$100,000 a year if the station were located in San Francisco instead of on Angel Island. It would seem that good business would dictate the erection of a new station on the mainland and abandoning the plant at Angel Island. With all possible repairs and improvements that could be made at Angel Island there would constantly remain the factor of fire hazard and the factor of loss of time by employees in daily spending more than an hour in travel between the city of San Francisco and Angel Island. The cost of putting the present station at Angel Island into any sort of proper condition would go a long ways toward constructing a new station on the mainland. I therefore recommend most earnestly that proper steps be taken for the erection of a suitable immigrant station in the city of San Francisco with a view of abandoning the station at Angel Island.

Medical inspection at ports.

The laws covering the subject of alien immigration provide for medical examinations which, if strictly carried out, will protect the American people against the bringing of loathsome contagious diseases from other parts of the world. The examination of all aliens entering the United States either as immigrants, travelers, visitors, or as sailors is under the care of the United States Public Health Service, which is a bureau in the Department of the Treasury.

In a letter dated April 11, 1922, the Surgeon General of the United States says, among other things:

It is understood that the law and the regulations based thereon contemplate that each alien shall be given a satisfactory medical examination, but I think it should in all frankness be pointed out that at the majority of the ports of entry a thorough mental and physical examination is impracticable because of the lack of facilities, and that the medical officers, therefore, are forced to make their examinations only as intensive as the facilities may permit. In order to effect a thorough mental and physical examination there should be provided a laboratory, hospital facilities, and adequate barracks accommodations for the detention and observation of aliens for varying periods. As a matter of fact the only ports of entry which have such facilities are San Francisco, New York, and to a less extent New Orleans. I do not mention this in the nature of criticism, since the Department of Labor has repeatedly made appropriate recommendations to Congress for remedial legislation and appropriations.

The situation on the Mexican border is especially deplorable (which is so fully set forth by the immigration inspector in charge at El Paso in the Report of the Secretary of Labor for the fiscal year 1920, page 716, as to need no repetition in this communication) and under existing conditions the medical examination of aliens in a thorough and comprehensive manner is wholly impossible, and any substantial improvement can not be expected until the Government has established public buildings along the Mexican border including detention buildings, hospitals, and laboratories for immigration purposes.

I think that the examination along the border is as reasonably satisfactory as can be expected under the conditions, but it is not comparable to that at New York or San Francisco, where the existing facilities enable the Government to hold in detention many persons in order to determine by treatment or observation whether they are afflicted with certain suspected physical or mental defects.

The foregoing was by way of reply to an inquiry by this office as to whether or not some 400 Chinese who came with the Pershing expedition from Mexico in 1917 had been examined for clonorchiasis. In the fall of 1921 the public health authorities of the State of California and of the city of San Francisco took the positive ground that a Chinese person, or any other person, afflicted with clonorchiasis and allowed in the United States constituted a great menace to public health. The Bureau of Immigration wrote the letter in pursuance of a memorandum submitted to it in the following form:

MARCH 31, 1922.

Memorandum for the Bureau of Immigration. In re 54267/59-A.

I have noted your memorandum hereunder and the correspondence with reference to the examination of the so-called Pershing refugee Chinese as to whether or not they or any of them are afflicted with clonorchiasis. According to the statements of the

health officer of the city of San Francisco and the State Board of Health of the State of California, and to a degree confirmed by the United States Public Health Service, any person afflicted with clonorchiasis is a serious menace to public health. That, of course, is as true of a Chinaman in Texas as of a Chinaman in California. I had assumed that every Chinese person examined for admission to the United States is always examined with reference to clonorchiasis. It would appear from the experience in San Francisco that a considerable per cent of all Chinese coming to the United States are so afflicted. I do not see that the department can take the position that it is not necessary to examine some Chinese for this disease. I made special reference to this disease in connection with the San Antonio refugees because I assumed that there probably might not be a United States Public Health Service station at San Antonio and I wanted to make sure that this important factor was not overlooked. I never heard of the disease until last June and was not impressed with the seriousness of the disease until within the last few months. I suggest that the matter be taken up with the Surgeon General of the United States Public Health Service and that his opinion be had with reference to this matter.

(Signed) E. J. HENNING,
Assistant Secretary.

The subject of protecting the American people against infection by orientals afflicted with clonorchiasis was fully submitted to the United States Public Health Service by the following letter of the Secretary of Labor while the agitation at San Francisco was at its height:

DECEMBER 30, 1921.

Honorable H. S. CUMMING,
Surgeon General of the United States,
Washington, D. C.

MY DEAR DOCTOR: In connection with the application of the so-called 53 Chinese merchants afflicted with clonorchiasis to be permitted to return to their former domicile in the United States, under such regulations and restrictions as might be prescribed by the United States Public Health Service, you will be interested to know that the commissioner of immigration in San Francisco reports that 32 of these have been so landed.

You can readily understand, Doctor, that I am deeply interested in these cases and in the general subject of this disease. I note from your letter to the Commissioner General of Immigration, under date of July 11, 1921, that the disease is rather a new thing in medical history and is practically unknown in the United States. Also that it is a parasite disease consisting of a small worm or fluke which locates in the bile passages of the liver and that so far no treatment has been found which is in any wise effective, and for that reason is classified in the regulations governing medical inspection of aliens as a dangerous, contagious disease, although it is possible, you say, that a patient so afflicted, after removal from the possibility of reinfection, may possibly free himself of the infecting agency. I also note that you state its spread is accomplished through the medium of fresh-water snails and certain species of fish that may eat such infected snails, and that while fish ordinarily are not eaten in the raw state in this country, there are those, nevertheless, who consume both meat and fish not thoroughly cooked. Also, that under the conditions ordinarily obtaining in seaports wherein sewage is discharged in the salt water, the probability of the spread of the infection is not great. Also, that the detention of a limited number of these cases under appropriate custodial restraint at an immigrant station for the purpose of treatment and observation would not be unduly prejudicial to the public health of the country, and that under such circumstances your bureau will be pleased to make a

study of the cases in order to ascertain the cure of the disease by drugs and other treatment, and also to determine the possibility of recovery of the cases through automatic elimination of the infecting parasite.

I also note with interest your letter of the 7th instant to Assistant Secretary Henning, which purports to express the conclusions based upon previous written and verbal statements under which the arrangements now being carried out are approved by you, it being your opinion that such cases as landed under bond and under such custodial restraint to insure the safe disposal of excreta in salt water would not constitute a public-health menace. The persons landed have been landed under bonds of \$2,000, conditioned upon the individuals residing in buildings the plumbing of which is connected with sewers emptying in salt water, and also conditioned that the afflicted are to be treated for the disease continuously and that an inspector is to check the fact of their remaining in the places assigned every 24 or 48 hours. These people are all either returning merchants or returning American citizens or the wives of American citizens or American-domiciled merchants or the wives of children of American citizens.

Will you be good enough to instruct your representatives at San Francisco to keep in touch with these cases in accordance with the ideas expressed by you in your letter hereinbefore referred to, and will you also be good enough to keep me posted as to the reports that your officers may make.

In this connection I desire to call your attention to the fact that, so far as I am able to learn from information in this department, no cases of clonorchiasis have been reported from any port except the port of San Francisco. There are some ports, notably the port at Boston, through which I understand more Chinese pass than through the port of San Francisco, except possibly those passing in transit who do not remain in the United States. I am persuaded from the statements contained in your valued communications that persons afflicted with clonorchiasis are entering through these other ports. I hope you may issue instructions to your officers at all these ports to watch carefully for cases of this kind.

My attention is called in briefs filed by attorneys representing these people that while no doubt for years orientals have entered the United States afflicted with this disease, there are no cases on record of Americans having been afflicted with the disease. They argue from this that the disease is not communicable to anyone who eats the balanced diet common in the United States and that residents outside of the areas in China and Japan where the disease is found are immune therefrom. I am greatly interested in knowing whether these allegations are based on fact and whether or not, as a matter of medical experience, Europeans residing in the United States have ever been known to be afflicted with the disease. The purpose of this department is entirely the same as that of your bureau, namely, to protect the health of the people of the United States to the uttermost, and also, if possible, to find a remedy for the cure of this disease, as was done in the case of the hookworm.

In this connection it occurs to me that it would be a wise thing if you could arrange for the inspection of orientals intending to come to the United States before their departure from their homes, with special reference to clonorchiasis, and the prevention of the departure from their homes of people so afflicted. I learn informally that the leaders among the Chinese in this country would favor such a plan. I should like to have your views in that regard and any suggestions which you might wish to make as to the feasibility of such a plan.

Thanking you for your cooperation in this matter, and with kindest regards, I am,

Very sincerely yours,

JAMES J. DAVIS,
Secretary.

Examination of alien seamen.

The danger of disease being brought to our ports by immigrants, while a very serious menace, is even less than the danger of disease carried by alien seamen who seek and receive shore leave in the United States under our seamen's act. Great numbers of these take shore leave at ports where the medical examination enforced in ports of prominence is almost unknown. They enter the country and mingle with our people and thus transmit the disease they carry. A seaman hits every port in the world and is subject to every disease of every race or nationality. He therefore is a dangerous carrier, and medical inspection of alien seamen should be more complete and more thorough than the medical inspection of alien immigrants.

The following correspondence between the Department of Labor and the United States Public Health Service on that subject speaks volumes:

TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
Washington, May 2, 1922.

Hon. W. W. HUSBAND,

Commissioner General of Immigration,

United States Department of Labor, Washington, D. C.

DEAR MR. HUSBAND: This bureau is in receipt of a communication from the chief quarantine officer, San Juan, P. R., advising as to the receipt of a communication dated April 13, and forwarded by you to all commissioners of immigration and inspectors in charge at water ports of entry, covering the careful inspection of aliens for the detection of loathsome and contagious diseases, especially hookworm, clonorchiasis, venereal diseases, etc. The latter communication was referred to Doctor Fauntleroy, who is charged with the medical inspection of aliens at that port, by the acting commissioner of immigration at San Juan, P. R.

I assume that your circular of April 13, merely contemplated that intensive effort should be utilized in the examination of aliens, whether immigrants or alien seamen, only to the extent existing facilities would permit, and I am taking this opportunity to present for your consideration the fact that a thorough medical examination is not practicable (and this more especially applies to procedure involving laboratory technique) at the majority of immigration stations. Possibly Ellis Island, N. Y., and Angel Island, Calif., are the only two immigration stations that have satisfactory facilities for a thorough medical examination. The medical examination of persons on board a vessel is necessarily imperfect. As Doctor Fauntleroy states, there are no facilities whatever at any of the ports of Porto Rico for the detention, observation, and proper medical inspection and diagnosis of diseased conditions affecting arriving aliens, and that he has necessarily to conduct the inspection on board vessels without opportunity for detention and observation, or the employment of laboratory aids in diagnosis. I understand that this lack of facilities has caused more or less concern to your bureau during past years and that appropriate recommendations have been made to Congress for legislation and appropriations corrective of the defect.

I assume that you will have available from the reports of the various commissioners of immigration and inspectors in charge detailed recommendations as to any local improvements deemed necessary, not only with respect to the facilities for the

performance of medical inspections, but the needs of the service in general; but I will, nevertheless, be pleased if you consider it desirable, or in anywise helpful, to make an investigation and submit for your information a more comprehensive statement as to the facilities necessary at the more important ports of entry looking to a more efficient medical inspection of arriving aliens.

Respectfully,

(Signed)

H. S. CUMMING,
Surgeon General.

JUNE 26, 1922.

Hon. H. S. CUMMING,

Surgeon General, Public Health Service, Washington, D. C.

MY DEAR GENERAL: Some time ago my attention was called to your letter of May 2, 1922, addressed to the Commissioner General of Immigration, with reference to the subject of medical examinations of aliens at the various ports, including examinations for sailors who take shore leave.

The protection of the health of American citizens against disease carried by incoming aliens is of the utmost importance and it seems to me should be thorough at every port. The report from Porto Rico is simply astounding and the condition ought to be corrected speedily. I note your statement that Ellis Island, N. Y., and Angel Island, Calif., are the only two immigration stations that have satisfactory facilities for a thorough medical examination. Surely the ports of Seattle and Boston are important ports where many aliens enter and should be medically in the same class with Ellis Island and Angel Island. I am assuming that all ports have equipment which will make thorough examinations possible but that the want of equipment at some of the smaller ports merely requires a longer time to complete an examination and that additional equipment at the larger ports facilitates rapid examination. In the final analysis loathsome contagious diseases are as dangerous to American citizens when coming through a small port as when coming through a large port. It is barely possible that those afflicted with disease, knowing that examinations at smaller ports are not so thorough, seek the smaller ports for entrance.

The subject of the examination of seamen seeking shore leave I think requires immediate and thorough attention. The privilege of shore leave applies to all seamen, even including the races which are barred as immigrants and the zones from which immigrants may not come. Seamen, in the very nature of things, touch some time or other all the ports of the world and thus are more likely to be carriers of disease than the immigrants. If there is no provision in the law for thorough examination of seamen who seek shore leave, the provision should be made therefor.

Will you be good enough to give me a full and detailed statement of what is necessary by way of either legislation or appropriation, so far as you know, in order to secure a thorough examination medically of every alien who enters the United States at any port anywhere? Also kindly indicate to me, if you will, the scope of legislation, so far as your own bureau is concerned, for extending the service so that I may know what legislation should be provided in connection with this department. Also kindly let me know what provision by way of appropriation for extending the service is made in connection with your own service, so that I may know what recommendations to make for extending the service so far as this department is concerned.

I should appreciate it if you would give me this report as soon as possible so that I may have it when preparing my report to the President and to Congress for the fiscal year ending June 30, 1922. I am getting ready to begin work on this immediately after July 1.

Cordially and sincerely yours,

JAMES J. DAVIS,
Secretary.

TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
Washington, June 30, 1922.

HON. JAMES J. DAVIS,
Secretary of Labor, United States Department of Labor,
Washington, D. C.

MY DEAR MR. SECRETARY: In response to your letter of June 26, concerning the medical inspection of alien seamen, I am pleased to advise you that I shall, as promptly as the securing of the necessary data may permit, advise you fully as to the measures that should be instituted for a more effective means of preventing the admission of an alien seaman afflicted with a communicable disease. I hope to have this information available in the near future and will at such time make definite recommendations to you in accordance with your request.

I take this occasion, however, to assure you that the statement contained in my letter of May 2 was made advisedly and that the only immigration stations to be considered as satisfactorily equipped for the examination of aliens are those at Ellis Island, N. Y., and Angel Island, Calif. It is true that Seattle, Boston, and New Orleans have facilities of a certain sort, but an efficient medical examination, whether it concerns an alien seaman or an immigrant, necessarily requires accommodations whereby cases may be held for observation under the custody of competent officials. A period of observation is frequently necessary, in part for the application of certain therapeutic tests and in part for the performance of laboratory examinations. It is not merely a question of expediting examinations that I refer to, but it is a total lack of all diagnostic facilities at numerous immigration ports of entry. The certificate of the medical examiner is largely of medicolegal aspect, and the regulations governing the procedure contemplate that precise methods of diagnosis be utilized. The diagnosis of favus, gonorrhea, and syphilis depends on laboratory examinations and you will readily perceive that this can not be carried out on board vessels, and, furthermore, a definite diagnosis of trachoma not infrequently requires hospitalization and observation by the medical examiner.

I am sure it is superfluous to remark that a certain privacy is essential in making medical examinations, and more especially of persons divested of their clothing, and that it would be violative of all sense of decency to expect medical examiners to strip sailors on deck. While certain vessels do have superstructures, such as saloons or staterooms, which permit of the requisite privacy, at the same time there are numerous vessels—this especially applies to small sailing craft of the West Indies—lacking in such facilities, crews' quarters and cabins being below deck and insufficient as to illumination.

I hope to go into greater detail at a subsequent date when I am in possession of more comprehensive data.

With every assurance of esteem, I am,

Sincerely yours,

(Signed) H. S. CUMMING,
Surgeon General.

TREASURY DEPARTMENT,
BUREAU OF THE PUBLIC HEALTH SERVICE,
Washington, August 6, 1922.

HON. JAMES J. DAVIS,
Secretary of Labor, United States Department of Labor,
Washington, D. C.

MY DEAR MR. SECRETARY: In further reference to your letter of June 26, requesting a full and detailed statement of what may be necessary by way of legislation or appropriation in order to secure a more effective administration of the immigration law

and regulations relating to the medical examination of aliens and the control of those diseased, I am pleased to submit the following:

Without in any wise intending to be critical, but merely for the purpose of giving you a more comprehensive idea of the present procedure at the various ports, I think it would be helpful to point out the existing administrative defects and the inadequacy of facilities at the ports of entry, inasmuch as I will attempt to indicate the remedy only in a general way.

As you are aware, the immigration law imposes on the Public Health Service merely the duty of making the medical examination and reporting the findings thereof to the immigration officials in charge. The control and disposition of the alien after this information has been furnished is vested in the Immigration Service. This bureau is in position to furnish the medical personnel necessary for the examination of arriving aliens, but inasmuch as the appropriation for the administration of the immigration law is made to the Department of Labor, the Public Health Service necessarily must look to that branch of the Government for the furnishing of supplies, equipment, and facilities at immigration stations that may be required in performing the medical examination of aliens.

The facilities provided at the Ellis Island immigration station for the medical examination of aliens and the care and control of those requiring hospitalization can be accepted as satisfactory in every respect and as constituting a high standard. Ample space is provided for the primary and secondary examination and suitable quarters afforded for the conducting of examinations of both male and female when divested of their clothing. There are also provided adequate laboratory facilities for performing tests which are essential in arriving at a diagnosis of most of the infectious diseases. Inasmuch as the diagnosis is deemed to be of medicolegal aspect, medical examiners are required to carry out the most precise methods in arriving at diagnoses whenever practicable. A definite diagnosis of gonorrhea, syphilis, favus, ringworm, leprosy, and practically all of the diseases designated as "dangerous" or "loathsome contagious," can not be made without the aid of the microscope. Not infrequently, however (and this is especially the case with trachoma), detention and observation of the case in hospital is required. Suitable facilities of this nature are provided at Ellis Island, N. Y., and to a much less extent at the Angel Island immigration station (San Francisco, Calif.), but at no other immigration station does the Government maintain facilities for the hospitalization of sick aliens who may be detained pending deportation, or for observation pending the performance of laboratory tests.

At Portland, Me., Boston, Mass., Providence, R. I., Philadelphia, Pa., Baltimore, Md., Norfolk, Va., Charleston, S. C., Savannah, Ga., Pensacola, Fla., Mobile, Ala., New Orleans, La., Galveston, Tex., San Diego, Calif., Los Angeles, Calif., and Seattle, Wash., not to mention ports of lesser consequence, aliens requiring hospitalization, either for medical treatment while awaiting deportation or for observation pending definite diagnosis, are sent to hospitals not under the control of the Department of Labor—institutions the officials of which are in no wise vested with custodial powers to insure the control or restraint of such aliens. At various ports—and this especially applies to alien seamen afflicted with venereal diseases—the Public Health Service has endeavored to extend the utmost cooperation, and, as far as its more immediate obligations will permit, has accepted these diseased aliens at marine hospitals for care and treatment pending their disposition by the Immigration Service. Under these conditions the diseased alien is advised that he must not leave the institution; but it is well recognized that Public Health Service officers are not vested with police power and are without recourse should the alien, as not infrequently happens, leave the grounds for a period more or less temporary, but which at the same time permits him to mingle with the public.

If I understand the immigration law correctly, it contemplates that all arriving aliens afflicted with conditions that would operate to their exclusion shall, while their cases are pending, be held under the supervision and custodial restraint of the immigration authorities. Unless they are detained, therefore, in institutions controlled by the immigration authorities, such as exist at Ellis Island, this restraint can not be other than purely nominal.

The procedure at Mobile, Ala., Norfolk, Va., and Boston, Mass., is typical of the procedure outlined above, more especially as to alien seamen afflicted with venereal disease. When the medical examiner has rendered a certificate for venereal infection, the immigration officer "orders" the master of the vessel to send the seamen to the United States Marine Hospital, and the subsequent care and detention of the case devolves upon the medical officer in charge of the hospital, who in no wise is vested with such authority.

At many ports the medical examination must of necessity be performed on board the arriving vessel, because of the lack of an immigration station or facilities for quartering the aliens subject to such examination. The handicap under which the medical examiner operates under such conditions can readily be visualized, especially with adverse weather conditions. Not infrequently he must do his work in cramped quarters with insufficient illumination, and not uncommonly without means of obtaining the privacy for the examination which the dictates of decency demand. I realize that there are certain obstacles which interfere with the handling of alien crews in the same manner as alien passengers. I am merely stating it as a fact that the examination of crews can not be performed on board vessels in an efficient manner.

Aside from the above administrative defects, I may say that the examination of aliens at a number of ports might be more economically and efficiently carried out if adequate boarding facilities were provided. To some extent the Public Health Service has been able to cooperate along these lines, and has assisted by the use of floating equipment attached to quarantine stations; but by reason of the isolation of some of these stations this cooperation has been somewhat limited. If sufficient floating equipment were provided in order to board vessels arriving at a central point, a smaller number of medical examiners would be sufficient, or, otherwise, that which is provided could function more efficiently. The practice of boarding vessels upon their arrival at the wharf, and at points located along the water front many miles in length, necessarily means the dissipation of administrative effort and an uneconomical distribution of personnel.

I am of the opinion that the proper conduct of the immigration examination would necessitate the enlargement of the immigration stations at a number of ports so as to include hospital facilities and quarters for nurses and administrative personnel. This especially applies to Portland, Me., Boston, Mass., Philadelphia, Pa., Baltimore, Md., Norfolk, Va., New Orleans, La., Galveston, Tex., Los Angeles, Calif., Seattle, Wash., and San Juan, P. R., as these constitute the more important immigration ports of entry.

Consideration might also be given to the investigation of the detention facilities at border points of entry, where such facilities are secured by the use of local jails, a procedure of questionable expediency where the alien is sick or diseased.

I am not prepared to make any specific recommendations as to the cost of these additional facilities, but I assume the data could be readily secured from the respective commissioners of immigration, or the immigration inspectors in charge. Officers of the Public Health Service at the various ports have made tentative recommendations as to the hospital facilities necessary for this purpose, as follows:

Boston, Mass.—Hospital with capacity of 40 beds; laboratory facilities; quarters for administrative personnel.

Baltimore, Md.—Hospital with capacity of 20 beds; laboratory facilities; quarters for administrative personnel.

Mobile, Ala.—Hospital with capacity of 20 beds; laboratory facilities; quarters for administrative personnel.

Norfolk, Va.—Hospital with capacity of 50 beds; laboratory facilities; quarters for administrative personnel.

New Orleans, La.—Hospital with capacity of 30 beds; laboratory facilities; quarters for administrative personnel.

Pensacola, Fla.—Hospital with capacity of 20 beds; laboratory facilities; quarters for administrative personnel.

Portland, Me.—Hospital with capacity of 30 beds; laboratory facilities; quarters for administrative personnel.

San Diego, Calif.—Hospital with capacity of 20 beds; laboratory facilities; quarters for administrative personnel.

Savannah, Ga.—Hospital with capacity of 10 beds; laboratory facilities; quarters for administrative personnel.

Seattle, Wash.—Hospital with capacity of 30 beds; laboratory facilities; quarters for administrative personnel.

I trust that the above information and suggestions may be helpful, but assume that the Commissioner General of Immigration and his assistants will be found to be in a better position to furnish you with definite recommendations as to the facilities necessary at the various immigration stations in order to effect a more efficient medical examination and control of arriving aliens, after such conference as may be deemed necessary with representatives of the Supervising Architect's office or other agencies of the Government competent to estimate on the cost of construction.

With every assurance of esteem, I am,

Sincerely yours,

(Signed) H. S. CUMMING,
Surgeon General.

The health of the American people is of first consideration, and I can not urge too earnestly the taking of prompt steps to protect that health against known and unknown diseases carried by aliens of all kinds through the establishment of a thorough system of medical examination at every port or point of entry of every alien of every type and nature entering the country either temporarily or permanently.

Eloquent testimony as to the results of the procedure practiced at the port of San Juan, P. R., is found in a report of the acting commissioner at that port under date of April 22, 1922. He reports in part the following:

Alien arrivals at ports of Porto Rico July 1, 1921, to March 31, 1922.

Port of arrival.	Seamen.		Passengers.	
	Arrived.	Medically certified.	Arrived.	Medically certified.
San Juan.....	9,045	16	1,277	20
Mayaguez.....	2,396	None.	100	None.
Guanica.....	2,325	None.	32	None.
Ponce.....	2,927	None.	127	None.

A case in point has just come up in this office. The Dutch Steamship *Irene* arrived at San Juan this morning from Europe, via St. Thomas, Virgin Islands of United States. In accordance with the procedure as practiced by the medical examiners, a medical examiner did not visit the vessel. Informed by the master of the vessel that it was desired to land for hospital treatment an alien crew man afflicted with the ———, the boarding officer passed the information over to the office of the medical examiner by telephone. No word has yet been received in this office from the medical examiner (about three hours later).

Other specific cases of significance are:

1. Alien ——— (BSI 665/1339). Her passport showed that she was coming for medical treatment, and her testimony was to the same effect. Her doctor reported that she had (before leaving Santo Domingo) made arrangements with him for treatment for gallstones. The medical examiner passed her on primary inspection, and again on reexamination made at request of the board. Alien testified that at primary inspection "he (the medical examiner) asked me only what was the matter with me, or whether there was anything the matter with me." In reply to the question, "What else did he ask you?" she replied, "He wanted to know whether I was vaccinated."

2. Alien ——— (BSI 665/1346) testified that she left Porto Rico five years previously for Tenerife, Canary Islands; immediately upon her arrival there she entered a sanatorium for "lungers," where she remained till the day she sailed for Porto Rico. Medical examiner passed her on primary inspection, and again on reexamination made at the request of the board. In reply to the question, "Did the medical examiner of the Immigration Service examine you aboard the steamship *Antonio Lopez* this morning?" she replied, "The quarantine doctor looked at me; but he did not examine me at all." In answer to the question, "Did he examine your children (seven in number) at all?" she replied, "No, he did not examine them, either."

From the foregoing, and much other like data on record in this office it appears manifest that, unless the Surgeon General issue to the officer in charge for Porto Rico "additional instructions," to the end that "the procedure practiced in the past" may be improved, an adequate medical examination of alien seamen and passengers arriving at ports of Porto Rico can not be expected in the future.

In explanation of any defects of form or substance that may exist in this letter the subscriber takes the liberty of stating that he has written it very hurriedly, in order that it may go forward by the mail due to leave for the mainland to-day.

Mental and physical defectives, illiterates, etc.

The immigration laws provide that mental defectives, ranging from feeble-minded to idiots, shall not be admitted when applying as alien immigrants. This also includes persons apparently normal at the time of application who have had one or more attacks of insanity; also those afflicted with a loathsome contagious disease. They also bar absolutely any alien above the age of 16 years unable to read in some language, and also those so physically defective that their condition may interfere with their ability to earn a living. The law also provides that temporary admission may be granted to any otherwise inadmissible alien if it would be cruel or inhuman to deport immediately, and authorizes the Secretary of Labor to authorize hospital treatment of certain enumerated persons afflicted with a loathsome contagious disease.

When I assumed office I found the hospitals at the ports filled with patients afflicted with loathsome contagious diseases, especially ringworm and favus of the scalp, and those afflicted with trachoma, a dangerous disease of the eyes. I also found that a great many illiterates had been temporarily admitted, and about 200 mental defectives had been admitted during the period 1914 to 1921, many because deportation was impractical during the war and others because the entire family, except the afflicted member, was in America.

It has always seemed to me that the extraordinary power to temporarily admit any otherwise inadmissible alien when it would be inhuman to do otherwise must be construed as meaning just what it says. I feel that it is not a device for admitting for periods of months and years the excluded classes, especially where there is no prospect of improving conditions for deportation by temporary admission. Experience has taught us, as a matter of fact, that when once temporary admission is granted to a mental defective or any other of the excluded classes, it is regarded as a step toward permanent admission and results in heart-breaking pleas by friends and relatives when efforts are made to enforce the law. In many instances whole communities have made an issue of a particular case, insisting vehemently that the officers of the law were fiends incarnate because they proposed to do that which the law compelled them to do. In a number of cities such cases were made a public issue and votes were taken by the public through the newspapers as to whether or not a feeble-minded boy or girl who had been temporarily admitted should be deported.

It has been the attitude of the department since my incumbency that the laws of the land must be enforced by executive officers. So long as the law of the land mandatorily excludes any class of aliens, so long must the executive officers see to it that they are excluded. No one, of course, would argue that the provisions of the law should be relaxed and that these excluded classes outside the illiterates should be admitted. It has been the policy in the past year to absolutely refuse temporary admission to any alien who could not be permanently admitted, except in the very extreme case of immediate overwhelming hardship which could be overcome by a delay.

By a course of firm conduct and impartial dealing, the department has succeeded in eliminating from the country a majority of the mental defectives that had been accumulated, and progress is being made in eliminating the others. It makes one's heart bleed with compassion to deal with many of these unfortunates and makes an officer wish that he might trade places with a hangman. The hangman's job is an act which takes but a moment and then it is over. The unfortunate creatures who have been given temporary admission and thereby have given birth to the hope that they may be permanently admitted often face a fate vastly worse than death. Yet

the officer of the law has no discretion. Frequently alien families deliberately come one or two at a time and establish themselves here in order to establish a basis for a plea of mercy and consideration for the final member who, when he or she arrives, is found to be mandatorily excluded because of mental or physical condition. Often the head of a family has become an American citizen before he has permitted an insane or feeble-minded child to apply for admission. Such a situation complicates the matter, but in nowise relieves the officers in charge of immigration from their duty to exclude or deport. I am glad to be able to announce that, aside from the disposition of those who are temporarily admitted before I assumed office, the problem of these afflicted is being rapidly solved by the strict enforcement of the law, which has taught both the alien and the transportation companies that it is useless for the relatives of the afflicted to apply for their admission or for the transportation company to carry them. Were a policy of relaxation to be instituted, this country would rapidly be flooded by mentally and physically defective aliens who lived through the horrors of the great European war. One of the aftermaths of that war is a great army of mentally defective children, physically defective adults and aged, and a great number of hopeless, despairing individuals.

Oriental.

Ever since 1892 the United States has been committed to the policy of excluding Chinese laborers and other oriental labor. The wisdom of the policy can not well be questioned.

The original legislation on the subject was imperfect and failed to go very far in accomplishing its purpose. The exclusion acts have been amended from time to time with the purpose of keeping out Chinese labor, but permitting others than laborers to enjoy the same privileges of coming and going that is extended to citizens and subjects of the most favored nations. In 1892 and again in 1893 laws were enacted for the registration of all Chinese then in the United States and provision made for the barring from our ports of all Chinese laborers. Since then other oriental races have been included in various forms of legislation.

With the passing of the years many devices have been resorted to to circumvent the plain provisions of the law. Efforts to enter the country surreptitiously are constantly resorted to by the excluded classes with varying success. From time to time the decisions of courts have provided openings within the law which apparently were not contemplated by Congress when the legislation was enacted.

The exempt classes consist of accredited officials of the Chinese Government, merchants, students, teachers, and travelers for curiosity or pleasure; also the wives and children of persons of the Chinese

race who are American citizens by birth; also the wives and minor children of members of the exempt classes, such as merchants and others. Very few come as teachers or travelers for curiosity or pleasure. The law provides methods for compelling the departure from the country of travelers who stay beyond a reasonable time under their status.

Under judicial decisions, however, the Government may not remove from the country any other of the exempt classes who, after entry, lose their exempt status and become laborers. The courts have held that any merchants or students or teachers or others of these exempt classes who come here in good faith as such exempts and who later become laborers can not be deported unless the Government can show irregularity or fraud in the procuring of the so-called section-6 certificate certifying to their exempt status at the time of their admission. This point is brought out sharply by the Supreme Court of the United States in the *Lin Hop Fong* case (209 U. S. 453). This Chinese person was admitted in 1899 as a merchant of the exempt class and almost immediately after entry became a laborer. He was ordered deported by lower tribunals, but on appeal the United States Supreme Court said:

While this certificate may be overcome by proper evidence and may not have the effect of a judicial determination, yet being made in conformity to the treaty and upon it the Chinaman having been duly admitted to a residence in this country, he can not be deported as in this case because of wrongfully entering the United States upon a fraudulent certificate unless there is some competent evidence to overcome the legal effect of the certificate.

The certificates are issued under the provision of section 6 of the exclusion law by the Chinese Government and viséed by an American consul presumably upon an investigation as to the person's status.

The United States Supreme Court holds that the wives and children of the members of the exempt classes are themselves exempt and shall be admitted without presenting the certificate required by section 6 of the law. As a rule these Chinese exempts arrive here alone without bringing their families, or come when they are unmarried and later return to China and marry and then ultimately desire to bring their families. The same is true of Chinese persons who are citizens by birth. We find that great numbers of young Chinese men are brought here on the showing that they are the minor sons of domiciled Chinese of exempt classes. It is not necessary that such son be a minor if he is a son of an American citizen. If he is, however, the son of a merchant or other exempt, the privilege is limited to minor children, but in practical experience it is found rather difficult to know whether they are below the age of 21 or not. This department made a rule that it must be shown that the alleged children of these exempts were members of the immediate household of the alleged

father and dependent upon him for support. The courts have held this rule to be void and set it aside. Many alleged sons of exempts who are being admitted are themselves married men and the heads of independent households.

By decision of the courts, not only are these exempts allowed to bring their natural children but also adopted children. The courts have also held that these alleged minor children of exempts when brought here need not maintain their exempt status, but may become laborers if they choose.

The courts have held that the foreign-born children of American citizens of the Chinese race are themselves citizens and may come here as such at any time provided they have not taken acts of expatriation. Those who come always claim that they have not taken such acts, and of course it is manifestly impossible for this department to prove that they have.

Since the enactment of the seamen's law permitting alien seamen of all races to take shore leave for the purpose of reshipping foreign, the representatives of the excluded races are largely resorting to the device of seamanship to enter the country unlawfully. It has generally been held that 60 days is a reasonable time within which an alien seamen may reship foreign. That gives him 60 days of unrestrained liberty in the United States. Seamen of the excluded races who desire to remain here simply disappear in the body of our citizenship and mingle with the representatives of their races in the large cities, and as a result it is practically impossible to locate them or to compel their departure. In an effort to stem this ever-increasing flow of excluded laborers under the guise of seamen, the Secretary of Labor, under the power granted him in the immigration law to prescribe regulations for shore leave, provided that seamen of the excluded races must furnish a bond of \$500 that they will depart within 60 days. During the first nine months that this rule was in force more than \$100,000 was collected in forfeited bonds of Chinese seamen alone. Recently a district court discharged two seamen on habeas corpus, holding that the department was without power to require a bond under the seamen's act, in spite of the provision in the immigration law that the Secretary of Labor may prescribe regulations under which excluded alien seamen may have shore leave and in spite of the established policy of this Government that laborers of certain races shall be excluded.

The navigation act itself makes no distinction between alien seamen of the excluded races and seamen of other races. It was for that very reason that when the immigration act of February 5, 1917, was framed Chinese seamen were placed on the same basis as seamen of other races. Sections 32 and 33 of that law, however, gave the Secretary of Labor power to make regulations for the landing of such seamen

of excluded races for the purpose of reshipping foreign as to him may seem proper and necessary to prevent such alien seamen from remaining permanently in the United States. The Commissioner General of Immigration in his report for the fiscal year ended June 30, 1921, reports, among other things, the following:

Seventy-three Chinese stowaways were discovered on a vessel which recently arrived at the port of San Francisco from the Orient. It was ascertained that these stowaways had for years been crew members of different vessels plying between this country and ports in China; that on their previous return to Hongkong on the vessel on which they arrived as stowaways they refused to sign the vessel's articles for the return trip to this country, ostensibly abandoning their calling; that an equal number of their countrymen, inexperienced as seamen, were thereupon signed on the articles of the ship in their stead; and that the 73 old crew members then stowed away on the vessel and actually performed the customary duties aboard the vessel up to the time of her arrival at San Francisco, when they again stowed away. This was no mere prank that the Chinese were playing on the vessel authorities. On the contrary, it was a deliberately planned scheme, which possibly had worked without detection on previous occasions, to assist (undoubtedly for a satisfactory consideration) 73 of their countrymen to gain surreptitious and unlawful admission to the United States. Measures the purpose of which was to effectually stop practices of this character have been taken.

Under date of September 13, 1921, our San Francisco office reported the discovery of 29 stowaways on board a steamer which entered that port from the Orient, all of whom expected to get shore leave as seamen, and clearly did not intend to reship foreign. It is reported that by means quite baffling crews from the Orient are padded until the arrival of the vessel at an American port, and then the excess crew men take shore leave and never return. It is also alleged that it has been found to be an extensive practice for men of the excluded races to stowaway on ships manned by crews of the same race, and when such ships arrive at an American port, by a connivance with the regular crew members, these stowaways get shore leave in the guise of being sailors on the vessel, and, having secured shore leave, never return.

So extensively has this practice grown that the reported desertions at the port of San Francisco alone amount to from 75 to 150 per month. Desertions at Atlantic ports of this same type of seamen have been very extensive. The evidence seems conclusive that nearly all of these are not real seamen but secure berths as such with the sole view of obtaining shore leave at an American port and never returning. It is practically impossible to locate such deserting seamen of the oriental races as have reached the section devoted to their races in our large cities. It is not an exaggeration to say that prior to the requirement of a bond of \$500 there were added to the coolie population of the United States not less than 150 to 200 per month. In the summer of 1921 information from various sources reached this office that about 5,000 Chinese seamen were

then in New York and that they were becoming a menace to the representatives of their own race. Careful investigation showed that there were not less than 2,500 of such seamen in that city. Gradually these have been absorbed in industry.

In addition to these sources by which Chinese laborers are added to our population through methods declared unlawful, there is a constant and ever-growing stream of unlawful entry not only of Chinese but also of other excluded races. The thousands of miles of our land border offer a splendid opportunity for smuggling, and at present there is much of this unlawful traffic from the islands of the sea lying southeast of us. Every year thousands of Chinese pass around or through the United States on their way to Cuba and other islands of the West Indies. An investigation made of the situation in Cuba by this department during the current year would indicate that there are 25,000 to 30,000 Chinese coolies in Cuba who are there for the sole purpose of endeavoring to smuggle into the United States. Quite recently it has been discovered that large numbers of Chinese coolies are being taken to the British West Indies through the Panama Canal, thousands have passed in transit through portions of the United States to Mexico and to Cuba, thousands have passed through Canada to advantageous locations in the Atlantic Ocean, and thousands of others have entered Canada and gradually find their way into the United States. The gasoline launch, the automobile, and now the flying machine are the means for bringing them in. Our investigations indicate that communication is had between these orientals in Cuba and other points near our border with members of their race lawfully in the United States, and these are drilled in the essential facts to furnish proof that they are native-born Americans or are sons of natives or of exempts. When apprehended after their unlawful entry they are usually ready with a good case. During the past year the smuggling across the Mexican border has been greatly reduced, and strong efforts have been made to curb the flow from Cuba and the West Indies. Many hundreds have been apprehended in the act of unlawful entry and have been deported.

The problem of deporting Chinese seamen who took shore leave and then failed to depart, however, has become serious because of the want of appropriation. If as a matter of fact there are 5,000 seamen unlawfully in New York, it would require a minimum of \$500,000 to deport them to China. The best estimate obtainable places the price higher than that. The appropriation for deportations of all kinds for the current year is but \$250,000.

In a recent decision the Supreme Court of the United States held that under our Constitution a Chinese person arrested within the United States is entitled to have his status determined by a court

proceeding rather than by immigration officers, unless there is clear evidence of his unlawful entry. Those familiar with the problem can readily understand the difficulty of deporting a Chinese person who is apprehended far away from the border and taken before a United States commissioner. The Chinese person claims citizenship by birth and produces witnesses to prove his allegation. It is practically impossible for the Government to prove that his testimony is not true, and he is discharged as being a citizen, and the certificate of discharge gives him a clear bill as an American citizen with all the rights appertaining thereto.

It seems clear in the light of 30 years' experience under the present Chinese exclusion law that the act needs careful revision and amending. They were experimental acts, and, in the light of subsequent developments, were rather crude. It would seem that the whole code should be rewritten. The basis for such a law at the very outset should be a reregistration of all Chinese persons now in the United States, and then proceed from that basis. At first blush one gains the impression that section 8 of the immigration act of February 5, 1917, would be an effective instrument. It reads as follows:

That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, or shall conceal or harbor, or attempt to conceal or harbor, or assist or abet another to conceal or harbor in any place, including any building, vessel, railway car, conveyance, or vehicle, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter or to reside within the United States under the terms of this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$2,000 and by imprisonment for a term not exceeding five years, for each and every alien so landed or brought in or attempted to be landed or brought in.

The fact is that this section has signally failed in every way. The courts have held that proof must be of such a nature as to bring home knowledge to those operating ships or that there must have been an actual, clear, bona fide attempt to bring unlawful aliens into the country. Apparently now sections 32 and 33 of the same act are wholly useless. Some of the provisions of the present law are unnecessarily harsh so far as they apply to the clearly exempt classes, while on the other hand they are very defective in avoiding their violation by the dishonest. China is a friendly nation and commercial relations with China are profitable to our commerce. The law should be so framed that it will bring about the exclusion of the laborer but otherwise will encourage commercial relations and facilitate the movement of the merchant who comes here in good faith to patronize our markets. It seems to me the present code could be greatly strengthened by providing that children of the exempt Chinese must be below the age of 16 years in order to be

admitted to their parents; by excluding all adopted children of exempts; by providing for the deportation of all persons who were once of the exempt class and who have become laborers, or by providing for such regulations as will guarantee that the exempt classes will maintain their exempt status while here and will be deported or their deportation arranged for when that status is lost; and particularly by providing for stringent bonds or other conditions for seamen of the excluded races who desire shore leave.

It seems to me that the present situation with reference to oriental labor under our law is simply disgraceful. The pressure for entry into this country is tremendous and apparently well financed. The schemes and plans and plots for circumventing the law are most astute and clever and in numbers are beyond belief. One of the first acts of the present administration of this department was to cancel an arrangement, apparently innocent on its face, for bringing so-called industrial students to the United States for the purpose of stimulating trade relations between the two countries. It was discovered that those who had secured this innocent-looking concession had planned to bring approximately 30,000 coolie laborers to the United States at a profit to the promoters of the plan of not less than \$3,000,000. The details of the plan were most astounding, far-reaching, and complete. Some of the best brains in America had been employed to help carry out the scheme. For months after the concession had been canceled most unusual efforts were made to have it reinstated and to punish those who had a part in canceling it. Bribery and corruption is reported as resulting from all this in a most astounding degree.

The subject is worthy of the most careful consideration and a most thorough and comprehensive revision of the law by Congress.

Selection of immigrants.

With the close of the World War America faced a veritable flood of immigrants, seeking refuge from the conditions in the war-torn countries of Europe and the Near East. To stem the tide Congress passed a law limiting the immigrants from any foreign country to 3 per cent of the foreign-born persons of each nationality resident in the United States in 1910. Under this law the United States has checked the stream of aliens flowing to this country, arbitrarily, pending the framing of a policy under which only the best of those applying for admission will be allowed to enter. In the first year of its operation the 3 per cent law cut down the number of foreigners admitted by more than half a million.

Nearly 1,000,000 foreigners, representing every element in the tangled populations of the Old World, and every race beneath the sun, sought admission to America in the year before the percentage law became effective. During the first year under the law less

than 300,000 were admitted. One effect of the law was to cut down materially the percentage of the total immigration which came from southern and eastern Europe, the source of the alien stream which the year before brought about 750,000 to our shores. The normal immigration from northern and western Europe has been practically unchecked by the percentage law.

One of the peculiar features of the 3 per cent act is the favor shown the Japanese and Chinese races. The law specifically exempts from its operation the countries with which there are treaty agreements, which leaves the so-called "gentlemen's agreement" and the Chinese exclusion laws in full force. The number forming "exempted" classes is considerably in excess of the 3 per cent limit placed upon nationals of other countries. In other words, these "excluded" races are given preference over the so-called "most favored."

The greatest fault with our present immigration system is that it gives the privilege of selection to the sovereign powers of other nations. This power was first given absolute to the Japanese under the so-called "gentlemen's agreement," under the provisions of which that Government covenanted to give passports to only certain classes of her people. There has always been some controversy as to whether this power was fairly executed, though if it is not it is likely that Japanese authorities have been as badly duped as our own.

The passport system at the present time is, with reference to immigration, ill adapted to our needs. It is time that we ourselves had something to say—if we are to continue to rely upon alien labor for the development of our resources—about the kind of emigrants to be given the privilege of taking part in our national affairs. Instead of accepting the passport given by foreign Governments we should set a standard. Those qualified to enter should be selected on the other side and given our certificate of qualification. To accomplish this purpose legislation should be enacted providing for the examination abroad of prospective emigrants by giving the following tests:

1. Blood: To determine the general condition of health, latent diseases, etc.
2. Physical: A physical inventory of the strength and condition, brawn and muscle, affecting ability to earn a living.
3. Mental: That our public institutions may not be filled with men, women, and children to whom we owe no national duty, while our own are not properly cared for; but further still, that our good American blood shall not become polluted with imbecility, insanity, and idiocy. We must keep the American race sturdy in mind as well as in body.

4. Character: This is not least, for no matter what examinations might be given at our ports of entry we could not be assured that the immigrant was not a criminal, a teacher or believer in anarchy, or an immoral person. By having our own representative verify the standing of a prospective emigrant in his home community we can very nearly determine the kind of citizen we may be able to make of him; and if he should not measure up after he gets here, then he should be sent back to the country from which he came.

The present immigration statutes bar aliens over 16 years old who are unable to read in some language or dialect. This test of literacy, and the provisions which exclude the mentally defective and the insane are the only provisions which prescribe mental standards for these future citizens. A certain physical standard is of course also required by the existing laws, but all these tests are made at the ports of entry after the immigrant has broken up his home abroad and sacrificed much to accomplish the journey. Under many circumstances it is hard to enforce the law and send them back when they fail to qualify. This difficulty is made greater by the intercession of relatives and attorneys on this side pleading for their admittance. Very frequently Congressmen and Senators become interested on behalf of relatives of constituents, to the great embarrassment of enforcing officers as well as the Senators and Congressmen.

Therefore, in addition to the importance of giving America the right to choose her future residents from among those applying, two other good results will be achieved by the legislation requested. First, it will prevent the breaking up of homes and families, all or part of which might be found inadmissible upon arrival; and, second, it would give us a record of the individual made up at his own home, upon which our program for Americanization and education could be intelligently based. Better immigrants should be the watchword, for it means better citizens and better institutions.

BUREAU OF NATURALIZATION.

For the better administration of existing naturalization laws I make the following recommendations for legislation. Under the separate heading "Enrollment of aliens" attention is called to the necessity for an adequate plan of Americanizing the foreign born.

(a) A law specifically defining the duties and authority of the "citizenship training" service, establishing a statutory roll of its employees, and making an appropriation for its field service separate from that for the naturalization field service. It is impossible, otherwise, to ascertain its cost, and to limit its activities within the bounds of reason under the vague language of the section of the act of May

9, 1918 (9th subdivision), under which present activities along that line are conducted.

(b) A law abolishing the present system of providing for allowance of compensation by administrative action for additional clerical assistants to clerks of naturalization courts collecting fees in any fiscal year in excess of \$6,000, and substituting therefor retention by such clerks of courts of such proportion of said excess as may be deemed sufficient to secure the clerical assistants required to promptly and efficiently dispose of the preparation and filing of naturalization papers by applicants therefor. As the law now stands, it operates admirably in the great majority of the courts—all those collecting less than \$6,000 per annum or slightly more than that amount—but in the few large city courts, where the business brings in many times that amount, there is constant difficulty in satisfying the demands for clerical assistants which can only be satisfied measurably, and even then at the cost—as the sums allowed come from the same general and fixed appropriation which provides for the field service—of sacrificing, to the extent of such allowance, the latter service. Moreover, the personnel of the field service is selected from eligible registers, and the department can exact of them efficient work; on the other hand, the assistant naturalization clerks are not in any degree under department control, but are selected by the clerk of court.

It seems clear that the requirement that all collections in excess of \$6,000 in any fiscal year shall be remitted through the department to the Treasury should be abolished and, in lieu thereof, the clerk should be permitted to retain such proportion of said excess as Congress may in its judgment deem necessary—if not one-half, as is done of collection less than \$6,000, one-third or even one-fourth.

(c) A law should be enacted dispensing with the requirement that every petitioner who arrived in this country since the passage of the act of June 29, 1906, shall obtain and file with his petition a certificate of arrival. It is sufficient to say that whatever usefulness the certificate of arrival was originally intended to serve is decidedly overbalanced by the serious administrative difficulties that have within recent years prevented the prompt procurement of these certificates, by the comparatively negligible value thereof, and by the fact that where the original landing record can not be located for one cause or another, as proves to be the case in a large number of instances, an administrative expedient must be resorted to which practically nullifies the originally contemplated purpose of certificates of arrival.

(d) The law authorizing the Government to institute proceedings for the revocation of naturalization certificates which have been procured through fraud or illegality should be enlarged so that the Government would have the authority to revoke naturalization certificates because of gross misconduct or disloyalty occurring *subse-*

quent to naturalization. The purpose of this suggestion is so manifest that further comment or argument in its favor seems unnecessary.

(e) The law with respect to the presumption of expatriation by virtue of continued residence abroad without in the meantime taking steps to preserve the status of citizenship by registration before American diplomatic or consular officers does not now satisfactorily define the status of persons of this class who ultimately return to the United States, and as a consequence gives rise to serious question concerning the political status of such persons. The law should be amended so that the status of such persons would be definitely defined, and the surest way to accomplish this result would seem to be a provision declaring that after the lapse of the time which may be prescribed such persons shall *cease* to be citizens.

(f) The law should be changed so as to permit the use of depositions to establish residence in the same State in which petition has been filed in those cases where a petitioner has lived at two or more places in the same State during the five-year period preceding his naturalization, subject, of course, to restrictions that experience has taught are necessary in order to mitigate present hardships and at the same time preserve the substance of the present requirements.

Because of the desire on the part of the administration to make the cost of government as low as possible to the American people I hesitate to suggest that the appropriations for the Bureau of Naturalization be increased. Nevertheless there is merit in the following recommendations of the Commissioner of Naturalization:

(1) For the employment of a sufficient number of naturalization examiners to enable each application for naturalization to be investigated *personally*, and with such a degree of thoroughness as will insure the admission to American citizenship only of those aliens who are entirely qualified to be vested with that privilege. With the limited corps of examiners now available, it is a physical impossibility to make *personal* examinations in every case, and with the desired degree of thoroughness, and in a certain percentage of naturalization applications, the unsatisfactory method of correspondence examinations must be resorted to at present.

(2) For the employment of an adequate clerical force in the bureau in Washington for the purpose of indexing all naturalization certificates granted since the Federal Government commenced the maintenance of naturalization records in 1906. Nothing is more important to the practical utility of those records in behalf of those who have been vested with citizenship, directly or indirectly, than a general index which will place within the ready means of those who may be affected thereby the opportunity of determining their status and offering to agencies concerned the practical evidence of their citizenship. The limited clerical force in the bureau, whose activities have been confined to more pressing though not more important matters, has at no time in the bureau's history been adequate to index these invaluable records. The lack of such index has not only proved a distinct handicap to the bureau in its operations but has left unsatisfied many individuals, attorneys, Government agencies, and others who have had legitimate need for authoritative information concerning the citizenship status of persons.

Registration of aliens.

One of the problems before the American people is the proper care and education of the approximately 7,000,000 of naturalizable aliens in the United States—potential citizens. This is one of the tasks to be accomplished by the Bureau of Naturalization. There are certain standards required of those applying for naturalization. I will not say that these standards are too low, though when we consider the great privilege we confer when granting citizenship they are none too high. If the present standards were strictly required, our difficulties, so far as they arise from foreign-born citizens, would be pretty well eliminated. The problem of eradicating the false doctrines of radicalism in America would be no nearer solution if we made citizens of every alien forthwith; the solution lies in enlightening the foreign born, alien and citizen, in the privileges and duties, rights and responsibilities which attach to citizenship, and the nature and methods of government of a republic, with emphasis upon the natural changes which may be brought about through evolution by means of the ballot.

To put across such a program there must be method—a systematic and automatic means of bringing the alien into contact with the Government in a friendly spirit of cooperation. The alien should be acquainted with the solicitude of the Government as to his individual welfare; the Government must know the alien. In order that there may be a thorough survey of the field to be covered and a perfect understanding of the work to be done every alien should be required to enroll for the training which the Government should undertake to give.

I should strongly oppose any enrollment if it were to be conducted as a system of espionage. The opponents of the suggestion seem to be of the opinion that such a provision of law would amount to that, but the theory has never been advanced that enrollment for the purpose of exercising the privilege of franchise was a means of police identification. Nor has it ever been denied that a registration of all children up to 14 or 16 years to insure a complete common-school education was anything other than desirable. If we require of native-born American children a knowledge of American history, civil government, civics, and so on, before they may become of voting age why should we not require as much of those who enter the country of their own volition to participate in the advantages of an organized stable Republic? It is, however, true, that such an enrollment for educational direction would automatically bring to the notice of the Government those who actively resisted organized government or are disposed to treat lightly institutions of law and order. Such aliens are as much of a menace to the foreign-born as to native

citizens and should not be permitted to spread their doctrines of disregard for life and property rights. Deportation is an adequate remedy for this evil and it should be exercised.

It is not disputed that the matter of education is distinctly a function of the States. Citizenship, however, is a matter of Federal concern and the Constitution gives to Congress the right to determine under what conditions a foreigner may become naturalized. The Federal Government, therefore, is the logical agency through which preparation for citizenship should be supervised, and the Bureau of Naturalization should be authorized to provide the facilities by which candidates may be able to meet high standards fixed to elevate the dignity of citizenship. A citizenry united in language, understanding and spirit, and ambition is necessary to the high ideals to which America was dedicated by our forefathers. This can be accomplished only under competent Federal direction.

Concerning the constitutional right of Congress to require enrollment of aliens the United States Supreme Court (149 U. S. 698) said:

Congress has the right to provide a system of registration and identification of any class of aliens within the country, and to take all proper means to carry out that system.

And, again, the court, in the opinion, stated:

Congress having the right, as it may see fit, to expel aliens of a particular class or to permit them to remain, has undoubtedly the right to provide a system of registration and identification of the members of that class within the country; and to take all proper means to carry out the system which it provides.

Not only have we the foregoing extracts from a decision of the United States Supreme Court, but there is really nothing new in this idea. It has already been worked out in the United States and was in effect as a part of the naturalization laws of the United States as enacted in 1798 and reenacted in 1802.

Annual enrollment for the purposes mentioned should be accompanied by fees sufficient to cover the expenses which would be incurred in furnishing the education prescribed.

CHILD LABOR.

The subject of child labor has been given very careful attention in the last year and a number of important surveys have been made to ascertain the extent of this unhealthful economic factor.

The reports of the Bureau of the Census would indicate that more than a million children between the ages of 10 and 16 are engaged in gainful work in industry. The details reveal that children between 10 and 15 years to the number of approximately 660,000 are engaged in the sugar-beet fields, the cotton fields, and the onion

fields of the land. Apparently the usual method is to employ whole families by contractors to work in these fields. The children work with the adults usually from sunrise to sunset, walking in a stooped position or crawling through the fields, pulling up the weeds, pulling up beets and onions, cutting the tops from these, and also in picking cotton. There are a number of definite movements of these families composed largely of children from State to State where these agricultural industries thrive.

More than 50,000 children are employed as spinning girls and doffer boys in textile factories. Children in the cotton mills, it is reported, work 60 hours a week, and those over 14½ years old work nights. Thousands do industrial home work stringing beads, pulling threads from lacework, etc.

This condition of children in industry under supervision of parents or near relatives seems to have gone on without interruption while the national child labor laws were in force. It is doubtful whether any legislation of the type heretofore enacted or thus far contemplated would reach this evil, or children working in agricultural pursuits or in the homes under the supervision of their parents or close relatives.

Under the previous administration the custom grew up of suspending the operation of the immigration laws on the Mexican border to permit the importation of Mexican families for the purpose of working in cotton fields and sugar-beet fields. After carefully reviewing the whole situation I reached the conclusion that this was not only unauthorized by law but was really encouraging the most flagrant form of child labor. It is true that these industries are really suffering for help, but it seemed to me improper to permit the importation of so-called cheap labor in the form of the labor of women and children in order to supply the market. I feel that it is a practical aid toward eliminating child labor when we create conditions which will require that adults or people above the age of 16 shall do this work.

A complete survey would indicate that 1,500,000 American children are now the victims of premature toil in the mines and mills and factories and fields and homes of this country. This is all wrong. The great problem of our childhood is of the utmost importance to the perpetuity of the Nation. Our children are entitled to a life that will conserve their strength while young and that will educate their minds and hearts so that they may be efficient when they grow to maturity.

Forty-two States out of the forty-eight have adopted so-called child-labor laws, some of which are highly developed and rigidly enforced. Others are rather rudimentary and indifferently enforced. The manufacturer in the State where children under the age of 16 years are not permitted to work at all and where those above 16 and

below 18 are permitted to work only under certain restricted conditions and regulations complain that they are subject to unfair competition by competitors who manufacture in States where there are no laws on the subject of child labor or where the laws are not comprehensive and practically not enforced. A remedy must be found to meet this condition. There are those who advocate uniform child-labor laws by the States, believing that it is a subject which should be dealt with only by the States. On the other hand, there are those who advocate the adoption of an amendment to the Federal Constitution giving Congress exclusive power to deal with the subject. Regardless of which method may be adopted, it is urgent that some method should be adopted which will forever blot from the escutcheon of this Nation the black spot of child labor which still exists in some form in some places.

Long continued hours of toil at a time when the bones and the muscles of the body of the child are undeveloped bring about a condition which retards its development. We are told that at times in some places children of 12 years or thereabouts are compelled to labor 8 and 10 and 12 hours per day in employment which so exhausts them that their nerves are frazzled when night comes and they are unable to sleep. The destiny of such poor victims seems clear. When they reach the age of manhood or womanhood instead of being able to do their share of the world's work and do it effectively and efficiently, they are wrecks, physically, mentally, and morally, a large percentage of them landing in the poorhouse, or the madhouse, or the jail, or a premature grave. There is not a single defense that can be urged in favor of this awful system, and every instinct of humanity prompts its abolition. But beyond the instinct of humanity, ordinary wisdom and prudence of any Government will prompt it to conserve the physical, mental, and moral fiber of its growing childhood merely from the standpoint of insuring the perpetuation of the Government.

The decision rendered by the United States Supreme Court on May 15, 1922, in the case of *Bailey & Bailey v. The Drexel Furniture Co.*, to the effect that the child-labor tax was unconstitutional, has provoked widespread discussion as to what shall be the next step in the control of child labor. In a previous decision (*Hammer v. Dagenhart*) the Supreme Court declared unconstitutional an act which closed the channels of interstate and foreign commerce to the products of child labor. The court seems to have made the issue clear—either to give up the plan of a Federal minimum and rely solely upon the States, or to undertake to secure a Federal amendment definitely giving to Congress the power to pass a child-labor law. Both the first and second Federal child-labor laws sought only a minimum national standard. State laws that were higher were still operative and were enforced by State machinery. An amendment

giving to Congress the right to establish a Federal minimum and leaving to the States the right to raise and not lower standards, thus securing to the children all the advantages of our Federal form of government, is being advocated by the most representative organizations of women, trade-unions, the National Consumers' League, and the National Child Labor Committee.

PROCEDURE OF FEDERAL COURTS IN CHILDREN'S CASES.

Although the principles governing the juvenile court have been accepted, in theory at least, by every State but two, our Federal laws, like the old criminal law, make no distinction between adults and children. In consequence, United States courts, save those operating in the District of Columbia, are still proceeding against little children by the ordinary methods of arrest, detention in jail with adults, indictment by the grand jury, and final discharge or sentence of fine or imprisonment. Needless to say this practice is very apt to leave an indelible impression upon the mind of the child injurious in its effect upon their later lives. Under this system a child of 7 or 8 years of age, should he in innocent mischief break a corner mail box, would be subject to the same treatment—the same arrest, detention, trial, and punishment—as would be meted out to the inveterate criminal who committed a like offense with intent to rob and plunder mail shipments of bullion made from the Federal Treasury. A report issued by the Children's Bureau during the year, entitled "The Federal Courts and the Delinquent Child," has called attention to the extent of this problem and the urgent need for remedial legislation. The United States should lead and not lag far behind the States in the care that it gives children who come under its jurisdiction.

THE WOMEN'S BUREAU.

For the coming year the Women's Bureau is faced with the need for two distinct types of information. The fact that almost every State will have a legislative session during the winter has brought many demands for special information from groups who want a foundation of facts upon which they can base their programs. In fact, so many requests for State surveys have been made that it has been impossible to grant them all. Two surveys in important industrial States are to be undertaken within a short time and it may be possible to inaugurate others at a later date, but already it has been necessary to refuse requests for surveys which should be made in four States.

The importance of the basic information on wages and hours which is furnished by these investigations is well recognized, but such studies can not be continued to the elimination of the collection of other equally important material. There are other urgent problems to be studied

which should take prominent place in the plans of the bureau. One of the most conspicuous of these questions which are arousing interest and concern at the present time is the effect of minimum-wage legislation on the earnings and opportunities of women and on the financial condition of the industries to which such legislation applies. The relation between hours and output, the effect of short or long hours on absenteeism and accidents, are also subjects of no small moment in the present day of increasing legislation regulating hours, and of keener industrial competition. Such subjects require expert and intensive study. Definite information about them will be of immense importance to the industries of the country as well as to the women who are employed in those industries. The bureau has already studied certain aspects of these questions in a very slight way. It should devote considerably more time to this type of investigation in order that the necessary information may be made available.

To the student of industrial conditions, hardly less important than the problems just discussed are the findings of the census of 1920 in regard to the industrial distribution of wage-earning women and the changes which have taken place since 1910. As the census figures for 1920 become available it is important for the Women's Bureau to study and interpret these figures so that their significance may be easily apparent. An intensive study of a limited number of census schedules has already shown that they are a rich fund of information and that a more detailed study and analysis of their returns along the lines particularly pertaining to the subjects in which the bureau is interested will lead to most significant results.

In addition to the studies outlined above the educational and exhibit work done by the bureau should be expanded. New exhibits should be made available and additional graphic material, illustrating in popular form the standards and policies advocated by the bureau, should be prepared for the use of the many agencies that are constantly requesting such material.

By the removal of the legislative restriction which now limits salaries to \$1,800, the Women's Bureau would be enabled to employ necessary experts to conduct investigations; sufficient appropriation should be made to enable it to carry on an adequate program to include extension of educational and exhibit work and investigations of—

- (a) The effects of special legislation upon the employment of women.
- (b) Wages, hours, and working conditions for women in industry in different sections of the country.
- (c) The effect on women in industry of certain conditions such as the piecework system, posture at work, the lifting of weights, and industrial poisons.

- (d) Critical compilation of existing statistical material relating to women in industry.
- (e) Codification of laws regulating conditions for women in industry.

Investigations already undertaken have shown the urgent need for more definite and detailed information upon which to base policies regarding the conditions noted above. Without delay, such information should be made available for the benefit of industry itself as well as that of the wage-earning women of the country. With its present appropriation the Women's Bureau can scarcely scratch the surface of the many matters it should examine thoroughly. A program which would be more adequate and extensive would be welcomed by the many persons in the country who have at heart the welfare of its more than eight and a half million wage-earning women.

Respectfully submitted.

JAMES J. DAVIS,
Secretary of Labor.

APPENDIX I.

RECENT DECISIONS OF THE SUPREME COURT AS TO THE CONSTITUTIONALITY OF STATUTES AFFECTING LABOR.

Decisions of the Supreme Court, as of any other court, may involve the constitutionality of statutes, on a construction merely, or they may construe and apply the common law. Cases involving the constitutionality of statutes are relatively few, yet several such cases have been before the court in recent years. Beginning with January 1, 1918, up to the present time 13 such cases may be enumerated, in 5 of which State or Federal statutes were declared unconstitutional, while in 8 instances laws whose validity had been challenged were sustained.

The earliest case was that of *Hammer v. Dagenhart*, decided June 3, 1918 (247 U. S. 251, 38 Sup. Ct. 529). This case involved the constitutionality of the act of September 1, 1916 (39 Stat. 675), which prohibited transportation in interstate commerce of goods on which children were employed in violation of certain standards set up by the act. The statute was said, four justices dissenting, not to be within the power of Congress to enact as exceeding the commerce power given by the Constitution, and invading the police power reserved to the States. Being primarily concerned with manufacture the law could not be sustained as a regulation of commerce.

The same difficulty existed in connection with the act of February 14, 1919 (40 Stat. 1138), which proposed to tax the net profits of a factory or mine in which children were employed contrary to the standards established by the act. (Case decided May 15, 1922.) With a single dissenting voice the court held that the necessary effect of the act was a regulation of subject matter purely within the authority of the State, and to permit the indirect effect, which was the clear intent of the act, "would be to break down all constitutional limitations of the powers of Congress and completely wipe out the sovereignty of the States." (*Bailey v. Drexel Furniture Co.*, 42 Sup. Ct. 449.)

The decision of the court declaring unconstitutional the anti-injunction law of Arizona in the case *Truax v. Corrigan* (1921), 257 U. S. 312, 42 Sup. Ct. 124, was based on the construction of the statute by the supreme court of the State, rather than its terminology. The statute is a practical duplicate in terms of the corresponding provisions of the Clayton Act, but as the act was construed by the State courts, it was held (four justices dissenting) to violate the fourteenth amendment of the Constitution of the United States, denying equal protection and permitting the infliction of irreparable injury.

Other decisions which decided against the validity of State laws were one of Mississippi (*New Orleans & N. E. R. Co. v. Harris* (1918),

247 U. S. 367, 38 Sup. Ct. 535). Section 1985 of the Mississippi Code, amended by ch. 215, Acts of 1912, provided for proof of injury being prima facie evidence of the want of skill and care. This was held not to be a valid enactment in connection with proceedings under the Federal employers' liability act, the rule as to burden of proof of negligence being that it must be affirmatively shown by the plaintiff, and no State law could, in effect, amend the Federal statute in that regard.

The other case referred to involved the application of the New York workmen's compensation law to maritime employments (*Knickerbocker Ice Co. v. Stewart* (1920), 253 U. S. 149, 40 Sup. Ct. 438). Four justices dissented in this case. The compensation act as originally passed was construed by the State to apply to longshoremen, bargemen, etc., but this construction was overthrown by the Supreme Court in *Southern Pacific Co. v. Jensen* (1917), 244 U. S. 205, 37 Sup. Ct. 524, the same four justices dissenting. In the meantime Congress had undertaken to amend the Judicial Code so as to confer upon the States power to dispose of claims for compensation for injuries to maritime workers, and it was this provision that was before the court in the *Knickerbocker* case. It was said that while Congress might legislate concerning maritime workers, it could not confer the power so to do upon the States. The Constitution was intended to relieve maritime commerce from unnecessary burdens of discordant legislation, and this end would be thwarted if the diverse statutes of the States were put in control. It may be noted that the same conclusion was reached, and on the same grounds, by the Supreme Court of California a few weeks earlier than the above decision (*Sudden & Christenson v. Industrial Commission* (1920), 188 Pac. 803).

During the period covered by this survey the constitutionality of a statute relative to seamen's wages (U. S. R. S., sec. 4530), amended by the seamen's act, March 4, 1915, was challenged. This law provides for the payment of half the wages earned at any port entered, subject to certain limitations. This statute was upheld as applicable to ships of any nationality enjoying the privilege of American ports (*Strathearn S. S. Co. v. Dillon* (1920), 252 U. S. 348, 40 Sup. Ct. 350).

Other cases sustained State laws, one (*Ariz. Copper Co. v. Hammer* (1919), 250 U. S. 400, 39 Sup. Ct. 553) affirming the validity in general of the Arizona compensation law, which gave the employee unusual opportunities in regard to claims for compensation or suits for liability. Four justices dissented on account of the unrestricted liability to which the employer was exposed, but the majority regarded it as valid.

The compensation act of Texas was sustained without dissent against charges of improper classification making the law discriminatory and invalid. The classification used was said by the court to be within the power of the legislature, and all objections offered were found untenable (*Middleton v. Texas Power & Light Co.* (1919), 249 U. S. 152, 39 Sup. Ct. 227).

Improper classification was a charge made against the Indiana compensation law in that it was compulsory as to coal mines and elective as to other industries. This was held by the Supreme Court to be within the judgment and power of the legislature to determine (*Lower Vein Coal Co. v. Industrial Board* (1921), 255 U. S. 144, 41 Sup. Ct. 252).

The New York statute authorizes compensation for disfigurement not physically disabling, and this was held to be valid legislation, since such disfigurement might reasonably be expected to interfere with opportunities for employment, and was properly considered in an industrial statute (*N. Y. Central R. Co. v. White* (1919), 250 U. S. 596, 40 Sup. Ct. 44). The power of the State to establish an exclusive system of State insurance was sustained in a case involving the validity of a law of Ohio (*Thornton v. Duffy* (1920), 254 U. S. 361, 41 Sup. Ct. 137). The subject of employers' liability was considered in a case involving the validity of a provision of the Oklahoma constitution, which provides that "the defense of contributory negligence or of assumption of risk shall, in all cases whatsoever, be a question of fact, and shall, at all times, be left to the jury." (Art. 23, sec. 6.) The defendant claimed that this provision was a denial of a vested right in the defense of contributory negligence and that the provision contravened the fourteenth amendment. This the Supreme Court denied, upholding the State constitution (*Chi., R. I. & P. R. Co. v. Cole* (1919), 251 U. S. 54).

The remaining case is one in which a law of Arizona fixing eight hours as the maximum workday for women was sustained (*Dominion Hotel v. Arizona* (1919), 249 U. S. 265, 39 Sup. Ct. 273).

This completes the list of decisions in which the constitutionality of statutes was involved. As already stated, five of them were against the validity of laws regarded as beneficial to employed persons, two cases involving Federal child labor laws. The third involved the regulation of injunctions, and a fourth an attempt to confer upon the States the power held by Congress alone, while the fifth was merely a construction of a Mississippi statute, restricting it to State jurisdictions.

The cases upholding the laws related mainly to the recent enactment of workmen's compensation, legislation on this subject being held valid in each of the five cases in which State laws were under consideration; in the three remaining cases one related to hours of labor for women, one to employers' liability, and one to the Federal statute as to seamen's wages.

Prominent recent decisions not involving constitutionality are *Duplex Printing Press Co. v. Deering* (1921), 254 U. S. 443, 41 Sup. Ct. 172, and *American Steel Foundries Co. v. Tri-City Central Trades Council* (1921), 257 U. S. 184, 42 Sup. Ct. 72. The cases involved the activities of labor organizations and a construction of the Clayton Act. It was held that the Clayton Act related only to actual employees or prospective employees of an employer, so that the activities of persons outside the actual employment were not within its scope, and were engaged in a secondary boycott, which had no protection under the act. In the second case it was said that coercive and intimidating action could not be engaged in over a claim of protection by this act, though peaceable persuasion was permissible and an injunction prohibiting it must be modified.

APPENDIX II.

ACT CREATING THE DEPARTMENT OF LABOR.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby created an executive department in the Government to be called the Department of Labor, with a Secretary of Labor, who shall be the head thereof, to be appointed by the President, by and with the advice and consent of the Senate; and who shall receive a salary of twelve thousand dollars per annum, and whose tenure of office shall be like that of the heads of the other executive departments; and section one hundred and fifty-eight of the Revised Statutes is hereby amended to include such department, and the provisions of title four of the Revised Statutes, including all amendments thereto, are hereby made applicable to said department; and the Department of Commerce and Labor shall hereafter be called the Department of Commerce, and the Secretary thereof shall be called the Secretary of Commerce, and the act creating the said Department of Commerce and Labor is hereby amended accordingly. The purpose of the Department of Labor shall be to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment. The said Secretary shall cause a seal of office to be made for the said department of such device as the President shall approve and judicial notice shall be taken of the said seal.

SEC. 2. That there shall be in said Department an Assistant Secretary of Labor, to be appointed by the President, who shall receive a salary of five thousand dollars a year. He shall perform such duties as shall be prescribed by the Secretary or required by law. There shall also be one chief clerk and a disbursing clerk, and such other clerical assistants, inspectors, and special agents as may from time to time be provided for by Congress. The Auditor for the State and Other Departments shall receive and examine all accounts of salaries and incidental expenses of the office of the Secretary of Labor and of all bureaus and offices under his direction, and all accounts relating to all other business within the jurisdiction of the Department of Labor, and certify the balances arising thereon to the division of bookkeeping and warrants and send forthwith a copy of each certificate to the Secretary of Labor.

SEC. 3. That the following-named offices, bureaus, divisions, and branches of the public service now and heretofore under the jurisdiction of the Department of Commerce and Labor, and all that pertains to the same, known as the Commissioner General of Immigration, the Commissioners of Immigration, the Bureau of Immigration and Naturalization, the Division of Information, the Division of Naturalization, and the Immigration Service at Large, the Bureau

of Labor, the Children's Bureau, and the Commissioner of Labor, be, and the same hereby are, transferred from the Department of Commerce and Labor to the Department of Labor, and the same shall hereafter remain under the jurisdiction and supervision of the last-named department. The Bureau of Immigration and Naturalization is hereby divided into two bureaus, to be known hereafter as the Bureau of Immigration and the Bureau of Naturalization, and the titles Chief Division of Naturalization and Assistant Chief shall be Commissioner of Naturalization and Deputy Commissioner of Naturalization. The Commissioner of Naturalization or, in his absence, the Deputy Commissioner of Naturalization, shall be the administrative officer in charge of the Bureau of Naturalization and of the administration of the naturalization laws under the immediate direction of the Secretary of Labor, to whom he shall report directly upon all naturalization matters annually and as otherwise required, and the appointments of these two officers shall be made in the same manner as appointments to competitive classified civil-service positions. The Bureau of Labor shall hereafter be known as the Bureau of Labor Statistics, and the Commissioner of the Bureau of Labor shall hereafter be known as the Commissioner of Labor Statistics; and all the powers and duties heretofore possessed by the Commissioner of Labor shall be retained and exercised by the Commissioner of Labor Statistics; and the administration of the act of May thirtieth, nineteen hundred and eight, granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment.

SEC. 4. That the Bureau of Labor Statistics, under the direction of the Secretary of Labor, shall collect, collate, and report at least once each year, or oftener if necessary, full and complete statistics of the conditions of labor and the products and distribution of the products of the same, and to this end said Secretary shall have power to employ any or either of the bureaus provided for his department and to rearrange such statistical work and to distribute or consolidate the same as may be deemed desirable in the public interests; and said Secretary shall also have authority to call upon other departments of the Government for statistical data and results obtained by them; and said Secretary of Labor may collate, arrange, and publish such statistical information so obtained in such manner as to him may seem wise.

SEC. 5. That the official records and papers now on file in and pertaining exclusively to the business of any bureau, office, department, or branch of the public service in this act transferred to the Department of Labor, together with the furniture now in use in such bureau, office, department, or branch of the public service, shall be, and hereby are, transferred to the Department of Labor.

SEC. 6. That the Secretary of Labor shall have charge in the buildings or premises occupied by or appropriated to the Department of Labor, of the library, furniture, fixtures, records, and other property pertaining to it or hereafter acquired for use in its business; he shall be allowed to expend for periodicals and the purposes of the library and for rental of appropriate quarters for the accommodation of the Department of Labor within the District of Columbia, and for all other incidental expenses, such sums as Congress may provide from time to time: *Provided, however,* That where any office, bureau, or branch of the public service transferred to the Department of Labor

by this act is occupying rented buildings or premises, it may still continue to do so until other suitable quarters are provided for its use: *And provided further*, That all officers, clerks, and employees now employed in any of the bureaus, offices, departments, or branches of the public service in this act transferred to the Department of Labor are each and all hereby transferred to said department at their present grades and salaries, except where otherwise provided in this act: *And provided further*, That all laws prescribing the work and defining the duties of the several bureaus, offices, departments, or branches of the public service by this act transferred to and made a part of the Department of Labor shall, so far as the same are not in conflict with the provisions of this act, remain in full force and effect, to be executed under the direction of the Secretary of Labor.

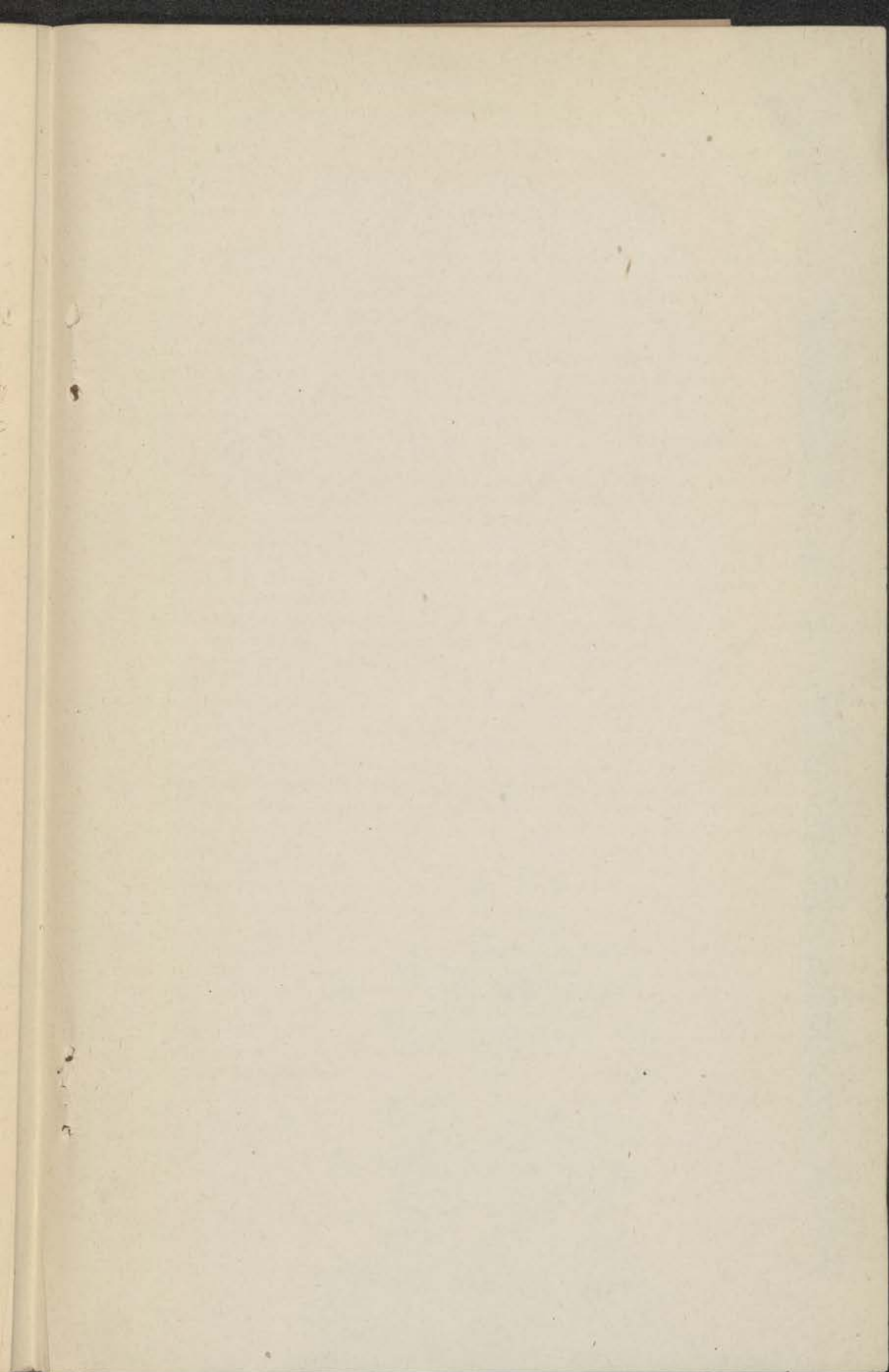
SEC. 7. That there shall be a solicitor of the Department of Justice for the Department of Labor, whose salary shall be five thousand dollars per annum.

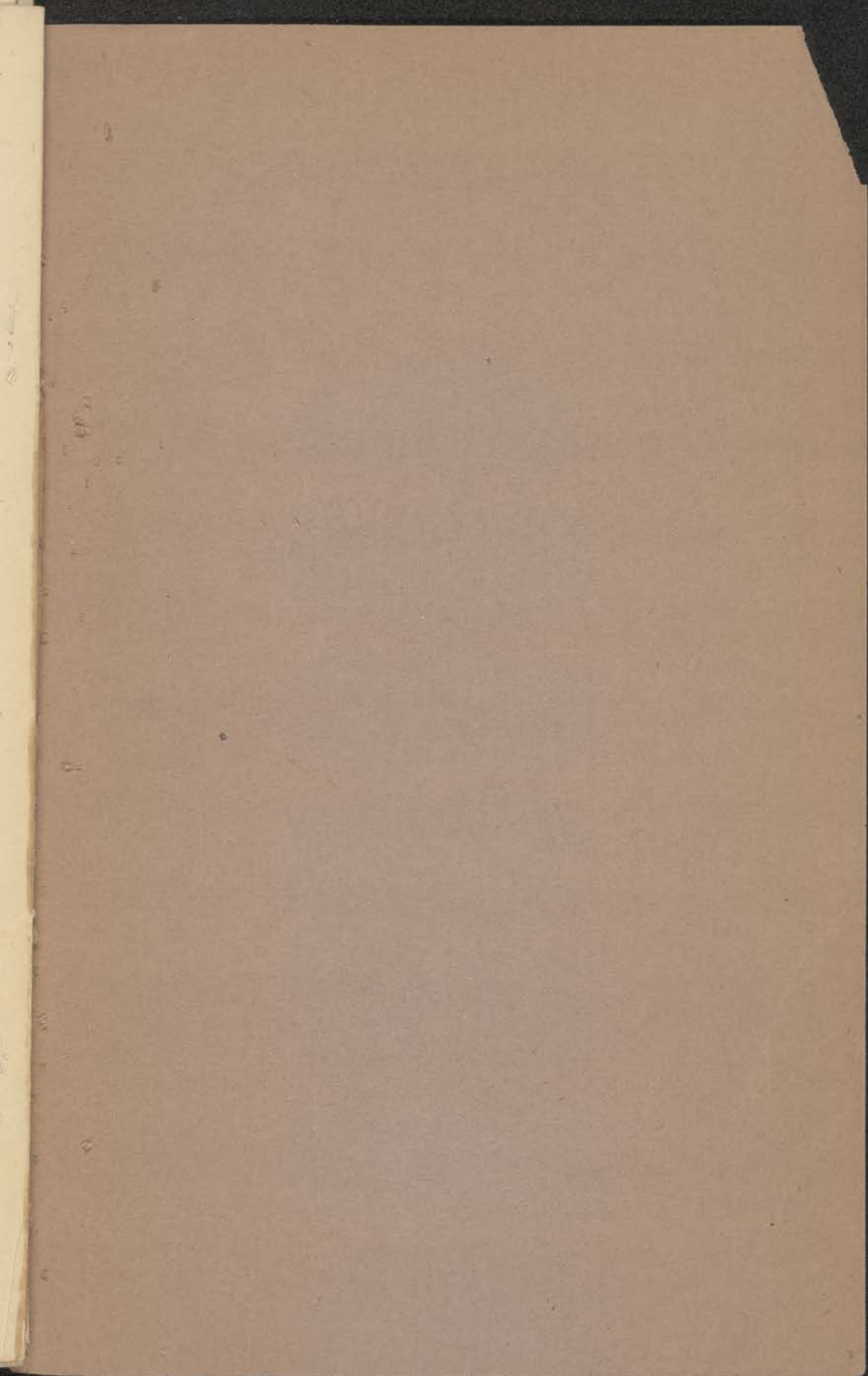
SEC. 8. That the Secretary of Labor shall have power to act as mediator and to appoint commissioners of conciliation in labor disputes whenever in his judgment the interests of industrial peace may require it to be done; and all duties performed and all power and authority now possessed or exercised by the head of any executive department in and over any bureau, office, officer, board, branch, or division of the public service by this act transferred to the Department of Labor, or any business arising therefrom or pertaining thereto, or in relation to the duties performed by and authority conferred by law upon such bureau, officer, office, board, branch, or division of the public service, whether of an appellate or revisory character or otherwise, shall hereafter be vested in and exercised by the head of the said Department of Labor.

SEC. 9. That the Secretary of Labor shall annually, at the close of each fiscal year, make a report in writing to Congress, giving an account of all moneys received and disbursed by him and his department and describing the work done by the department. He shall also, from time to time, make such special investigations and reports as he may be required to do by the President, or by Congress, or which he himself may deem necessary.

SEC. 10. That the Secretary of Labor shall investigate and report to Congress a plan of coordination of the activities, duties, and powers of the office of the Secretary of Labor with the activities, duties, and powers of the present bureaus, commissions, and departments, so far as they relate to labor and its conditions, in order to harmonize and unify such activities, duties, and powers, with a view to further legislation to further define the duties and powers of such Department of Labor.

SEC. 11. That this act shall take effect March fourth, nineteen hundred and thirteen, and all acts or parts of acts inconsistent with this act are hereby repealed.





SAN DIEGO PUBLIC LIBRARY



3 1336 05750 2552