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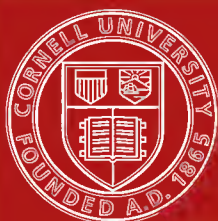
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Immigration laws and regulations of July



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DEPARTMENT OF COMMERCE AND LABOR

U.S. - BUREAU OF IMMIGRATION AND NATURALIZATION

Immigration Laws
and
Regulations of July 1, 1907

Fifth Edition, approved October 5, 1908

Embodying Amendments to Rules 6, 20, 22, 23, 26, 29, 32, 35, and 41

Also Changes in Statistical Rules 1, 4, 5, 7, 8, 11, 12

16, 17, 18, 21, 23, 24, 26, 30, 31, and 32



WASHINGTON
GOVERNMENT PRINTING OFFICE
1908

IMMIGRATION LAWS AND REGULATIONS.

IMMIGRATION ACT OF FEBRUARY 20, 1907.

NOTE.—The Immigration Act of February 20, 1907, ^{Note as to} repeals the act of March 3, 1903, and all prior acts or ^{acts published} parts of acts inconsistent with the new law. In the back ^{herein.} of this pamphlet are published such portions of the prior acts as are not repealed by or reenacted in the act of February 20, 1907; also the act of March 2, 1907, regarding expatriation. If necessary to refer to the old acts, they may be found in the pamphlets "Immigration Laws and Regulations" heretofore issued, or in the United States Statutes at Large, as follows:

- Act approved March 3, 1875: 18 Stat., part 3, page 477.
- Act approved August 3, 1882: 22 Stat., page 214.
- Act approved June 26, 1884 (sec. 22 only): 23 Stat., page 58.
- Act approved February 26, 1885: 23 Stat., page 332.
- Act approved February 23, 1887: 24 Stat., page 414.
- Act approved October 19, 1888: 25 Stat., page 565.
- Act approved March 3, 1891: 26 Stat., page 1084.
- Act approved February 15, 1892 (sec 7): 27 Stat., page 449.
- Act approved March 3, 1893: 27 Stat., page 569.
- Act approved August 18, 1894: 28 Stat., page 390.
- Act approved March 2, 1895: 28 Stat., page 780.
- Act approved June 6, 1900: 31 Stat., page 611.
- Act approved April 29, 1902: 32 Stat., part 1, page 176.
- Act approved March 3, 1903: 32 Stat., part 1, page 1213.
- Act approved March 22, 1904: 33 Stat., part 1, page 144.
- Act approved April 28, 1904: 33 Stat., part 1, page 591.
- Act approved February 3, 1905: 33 Stat., part 1, page 684.

List of immigration acts.

ACT OF FEBRUARY 20, 1907.

AN ACT to regulate the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a tax of four dollars for every alien entering the United

Head tax:

Head tax: States.^a The said tax shall be paid to the collector of customs of the port or customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States. The money thus collected, together with all fines and rentals^b collected under the laws regulating the immigration of aliens into the United States, shall be paid into the Treasury of the United States, and shall constitute a permanent appropriation to be called the "immigrant fund," to be used under the direction of the Secretary of Commerce and Labor to defray the expense of regulating the immigration of aliens into the United States under said laws, including the contract labor laws, the cost of reports of decisions of the Federal courts, and digest thereof, for the use of the Commissioner-General of Immigration, and the salaries and expenses of all officers, clerks, and employees appointed to enforce said laws. The tax imposed by this section shall be a lien upon the vessel, or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel, or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied upon aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor upon otherwise admissible residents of any possession of the United States, nor upon aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory:^c *Provided*, That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section thirty-two of this Act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory:^d *Provided further*, That if in any fiscal year the amount of money collected under the provisions of this section shall exceed two million five hundred thousand dollars, the excess above

To whom paid;

By whom paid.

Head tax, fines, and rentals, to constitute—

Immigrant fund:

For what used.

Head tax:

To be lien upon vessel;

How payment enforced; Classes exempted from payment of;

Payment on account aliens from contiguous territory;

No more than \$2,500,000 to go into immigrant fund;

^a For specific exceptions, see Rule 2.

^b For method of depositing fines and rentals, see Rule 3; for procedure in collecting fines and reporting suits for collection, see Rules 28, 29, and 30.

^c See paragraph (g), Rule 2.

^d See Rules 2, 25, and 27.

that amount shall not be added to the "immigrant fund." *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply: *a* *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, the President may refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone.^b

Head tax:
 Exceptions—
 Guam, Porto Rico, and Hawaii.

Passports:
 If limited and used to detriment labor conditions, holders to be rejected.

SEC. 2. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had two or more attacks of insanity at any time previously; paupers; persons likely to become a public charge;^c professional beggars; persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease;^d persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living;^e persons who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude; polygamists, or persons who admit their belief in the practice of polygamy, anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all government, or of all forms of law, or the assassination of public officials; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in pros-

Excluded classes:

Idiots, Insane, etc.;

Paupers, persons likely to become a public charge; Diseased;

Mentally or physically defective;

Criminals;

Polygamists;

Anarchists;

Prostitutes, etc.;

^a See Rule 2.

^b For President's proclamation and regulations drawn thereunder, see Rule 21.

^c For provisions for landing under bond persons likely to become public charges and persons certified for physical defects, see Rule 20.

^d For provision for placing in hospital, "with the express permission of the Secretary," persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, see Rule 10.

Excluded classes: **Contract laborers;** **Assisted aliens;** **Children under 16;** **Exceptions—** **Offenses political;** **Transits;** **Skilled labor;** **Actors, artists, etc.**

prostitutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons hereinafter called contract laborers, who have been induced or solicited to migrate to this country by offers or promises of employment or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; those who have been, within one year from the date of application for admission to the United States, deported as having been induced or solicited to migrate as above described; any person whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes, and that said ticket or passage was not paid for by any corporation, association, society, municipality, or foreign government, either directly or indirectly; all children under sixteen years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe: *Provided*, That nothing in this Act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further*, That the provisions of this section relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *And provided further*, That skilled labor may be imported if labor of like kind unemployed can not be found in this country: *And provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants.

Prostitutes: **Importation or holding penalized;**

SEC. 3. That the importation into the United States of any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States, any alien woman or girl for the purpose of prostitution, or for any other immoral purpose, or whoever shall hold or attempt to hold any alien woman or girl for any such purpose in pursuance of such illegal importation, or whoever shall keep, maintain, control, support, or harbor in any house or other place, for the purpose of prostitution, or for any other immoral purpose, any alien woman or girl, within three years after she shall have entered the United States,

^a For regulations, see Rule 5.

shall, in every such case, be deemed guilty of a felony, and on conviction thereof be imprisoned not more than five years and pay a fine of not more than five thousand dollars; and any alien woman or girl who shall be found an inmate of a house of prostitution or practicing prostitution, at any time within three years after she shall have entered the United States, shall be deemed to be unlawfully within the United States and shall be deported as provided by sections twenty and twenty-one of this Act.^a

Prostitutes:

Deportation of, within three years.

SEC. 4. That it shall be a misdemeanor for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to assist or encourage the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the terms of the last two provisos contained in section two of this Act.

Contract laborers:

Importation of, forbidden;

SEC. 5. That for every violation of any of the provisions of section four of this Act the person, partnership, company, or corporation violating the same, by knowingly assisting, encouraging, or soliciting the migration or importation of any contract laborer into the United States shall forfeit and pay for every such offense the sum of one thousand dollars, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such alien thus promised labor or service of any kind as aforesaid, as debts of like amount are now recovered in the courts of the United States; and separate suits may be brought for each alien thus promised labor or service of any kind as aforesaid.^b And it shall be the duty of the district attorney of the proper district to prosecute every such suit when brought by the United States.

Penalty for importing;

U. S. attorneys to prosecute suits;

SEC. 6. That it shall be unlawful and be deemed a violation of section four of this Act to assist or encourage the importation or migration of any alien by promise of employment through advertisements printed and published in any foreign country; and any alien coming to this country in consequence of such an advertisement shall be treated as coming under promise or agreement as contemplated in section two of this Act, and the penalties imposed by section five of this Act shall be applicable to such a case: *Provided*, That this section shall not apply to States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States advertising the inducements they offer for immigration thereto, respectively.

Advertising for, forbidden;

Exception, in favor States and Territories.

SEC. 7. That no transportation company or owner or owners of vessels, or others engaged in transporting aliens into the United States, shall, directly or indirectly, either by writing, printing, or oral representation, solicit, invite,

Soliciting:

Forbidden on part transportation companies;

^a See paragraph (c), Rule 31, and Rules 34-38.

^b For method of reporting, see Rule 30.

- Soliciting:** or encourage the immigration of any aliens into the United States, but this shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, stating the sailings of their vessels and terms and facilities of transportation therein; and for a violation of this provision, any such transportation company, and any such owner or owners of vessels, and all others engaged in transporting aliens into the United States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.
- Penalty for.** States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.
- Unlawful landing:** **SEC. 8.** 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 who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.^a
- Penalty for.** States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.
- Unlawful landing:** **SEC. 9.** That it shall be unlawful for any person, including any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien subject to any of the following disabilities: Idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time, such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.^b
- Method of collecting.** of such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.^b
- Penalty for.** States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.
- Unlawful landing:** **SEC. 8.** 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 who shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter the United States shall be deemed guilty of a misdemeanor, and shall, on conviction, be punished by a fine not exceeding one thousand dollars, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.^a
- Penalty for.** States, and the agents by them employed, shall be severally subjected to the penalties imposed by section five of this Act.
- Unlawful landing:** **SEC. 9.** That it shall be unlawful for any person, including any transportation company other than railway lines entering the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel to bring to the United States any alien subject to any of the following disabilities: Idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time, such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.^b
- Method of collecting.** of such person or transportation company, or the master, agent, owner, or consignee of any such vessel shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of one hundred dollars for each and every violation of the provisions of this section; and no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, and in the event such fine is imposed, while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.^b

^a For method of reporting, see Rule 30.

^b For method of imposing, see Rule 28.

SEC. 10. That the decision of the board of special inquiry, hereinafter provided for, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section two of this Act.^a

Appeals:

Not allowed
aliens afflicted
with tubercu-
losis or danger-
ous contagious
diseases.

SEC. 11. That upon the certificate of a medical officer of the United States Public Health and Marine Hospital Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.^b

Guardian en voyage:

Transporta-
tion companies
to bear ex-
pense of.

SEC. 12. That upon the arrival of any alien by water at any port within the United States,^c it shall be the duty of the master or commanding officer of the steamer, sailing or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, state as to each alien the full name, age, and sex; whether married or single; the calling or occupation; whether able to read or write; the nationality; the race; the last residence; the name and address of the nearest relative in the country from which the alien came; the seaport for landing in the United States; the final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; whether the alien has paid his own passage or whether it has been paid by any other person or by any corporation, society, municipality, or government, and if so, by whom; whether in possession of fifty dollars, and if less, how much; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States,

Manifests:

In coming
passengers—

What to con-
tain;

^a See Rules 6 and 20; also latter part of section 25.

^b See Rule 12.

^c For the procurement of manifests from Canadian transportation companies, see paragraph (e), Rule 25.

Manifests: and what is the alien's condition of health, mental and physical, and whether deformed or crippled, and if so, for how long and from what cause; that it shall further be the duty of the master or commanding officer of every vessel taking alien passengers out of the United States, from any port thereof, to file before departure therefrom with the collector of customs of such port a complete list of all such alien passengers taken on board.

Outgoing passengers— Such list shall contain the name, age, sex, nationality, residence in the United States, occupation, and the time of last arrival of every such alien in the United States, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the collector of customs at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each alien taken on board his vessel;^a and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section fifteen of this Act.^b That the collector of customs with whom any such list has been deposited in accordance with the provisions of this section, shall promptly notify the Commissioner-General of Immigration that such list has been deposited with him as provided, and shall make such further disposition thereof as may be required by regulations to be issued by the Commissioner-General of Immigration with the approval of the Secretary of Commerce and Labor:^c *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date:^c *Provided further*, That it shall be the duty of the master or commanding officer of any vessel sailing from ports in the Philippine Islands, Guam, Porto Rico, or Hawaii to any port of the United States on the North American Continent to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation, giving the names of all aliens on board said vessel.^d

What to contain;

Penalty;

With whom deposited;

Of aliens from the Philippines, Guam, Porto Rico, and Hawaii;

How made up;

SEC. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, and no one list or manifest shall contain more than thirty names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience

^a For the procurement of manifests from Canadian transportation companies, see paragraph (c), Rule 25.

^b For method of imposing fine, see Rule 29.

^c See Rule XXIX, statistical regulations.

^d See paragraphs (b) and (c), Rule I, statistical regulations.

of identification on arrival. Each list or manifest shall be verified by the signature and the oath of affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is an idiot, or imbecile, or a feeble-minded person, or insane person, or a pauper, or is likely to become a public charge, or is afflicted with tuberculosis or with a loathsome or dangerous contagious disease, or is a person who has been convicted of, or who admits having committed a felony or other crime or misdemeanor involving moral turpitude, or is a polygamist or one admitting belief in the practice of polygamy, or an anarchist, or under promise or agreement, express or implied, to perform labor in the United States, or a prostitute, or a woman or girl coming to the United States for the purpose of prostitution, or for any other immoral purpose, and that also, according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect.

Manifests:
To be signed and sworn to by master, as to correctness of contents;

SEC. 14. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessel.^a

To be signed and sworn to by surgeon;

SEC. 15. That in the case of the failure of the master or commanding officer of any vessel to deliver to the said immigration officers lists or manifests of all aliens on board thereof, as required in sections twelve, thirteen, and fourteen of this Act, he shall pay to the collector of customs at the port of arrival the sum of ten dollars for each alien concerning whom the above information is not contained in any list as aforesaid: *Provided*, That in the case of failure without good cause to deliver the list of passengers required by section twelve of this Act from the master or commanding officer of every vessel taking alien passengers out of the United States, the penalty shall be paid to the collector of customs at the port of departure

Incoming passengers—

Penalty of \$10:

Outgoing passengers—

Penalty of \$10:

^a See paragraph (g), Rule 20.

Manifests: and shall be a fine of ten dollars for each alien not included in said list; but in no case shall the aggregate fine exceed one hundred dollars.^a

Aggregate fines not to exceed \$100.

Inspection: SEC. 16. That upon the receipt by the immigration officers at any port of arrival of the lists or manifests of incoming aliens provided for in sections twelve, thirteen, and fourteen of this Act, it shall be the duty of said officers to go or to send competent assistants to the vessel to which said lists or manifests refer, and there inspect all such aliens, or said immigration officers may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this Act, bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where a suitable building is used for the detention and examination of aliens the immigration officials shall there take charge of such aliens, and the transportation companies, masters, agents, owners, and consignees of the vessels bringing such aliens shall be relieved of the responsibility for their detention thereafter until the return of such aliens to their care.

On board vessel;

Landing for, not actual landing;

If placed in station, immigration officers responsible.

Medical examination:

To be made by P. H. and M.H. surgeons;

P. H. and M. H. Service to be reimbursed for surgeons' salaries.

Unlawful landing:

SEC. 17. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health and Marine-Hospital Service, who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine and who shall certify for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien,^b or, should medical officers of the United States Public Health and Marine-Hospital Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner-General of Immigration under the direction or with the approval of the Secretary of Commerce and Labor. The United States Public Health and Marine-Hospital Service shall be reimbursed by the immigration service for all expenditures incurred in carrying out the medical inspection of aliens under regulations of the Secretary of Commerce and Labor.

SEC. 18. That it shall be the duty of the owners, officers, or agents of any vessel or transportation line, other than

^a For procedure, see Rule 29.

^b See Rule 9.

those railway lines which may enter into a contract as provided in section thirty-two of this Act, bringing an alien to the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the negligent failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and be punished by a fine in each case of not less than one hundred nor more than one thousand dollars or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment;^a and every such alien so landed shall be deemed to be unlawfully in the United States and shall be deported as provided in sections twenty and twenty-one of this Act.^b

SEC. 19. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came; and if any master, person in charge, agent, owner, or consignee of any such vessel shall refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens, or shall fail to detain them thereon, or shall refuse or fail to return them to the foreign port from which they came, or to pay the cost of their maintenance while on land, or shall make any charge for the return of any such alien, or shall take any security from him for the payment of such charge, such master, person in charge, agent, owner, or consignee shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine of not less than three hundred dollars for each and every such offense; and no vessel shall have clearance from any port of the United States while any such fine is unpaid:^c *Provided*, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner-General of Immigration, the deportation of any alien found to have come in violation of any provision of this Act, if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this Act: *Provided*, That the cost of maintenance of any person so detained resulting from such suspension of deportation shall be paid from the "immigrant fund"^c but no alien certified, as provided in section seventeen of this Act, to be suffering from tuberculosis or from a loathsome or dangerous contagious disease other than one of quaran-

Unlawful landing:

Exception under sec. 32;

Penalty for;

Deportation of aliens so landed.

Deportation:

By vessel bringing;

Cost of, and of detention, to be borne by steamship companies;

Penalty for failure to hold, deport, or maintain;

Penalty for taking security.

Witnesses:

Authority to hold;

Cost paid from immigrant fund.

Hospital treatment—by express permission of Secretary;

Of those suffering with tuberculosis or loathsome or dangerous disease.

^a For method of reporting, See Rule 30.

^b See paragraph (d), Rule 31, and Rules 34-38.

^c See Rule 14.

tinable nature shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor: ^a *Provided*, That upon the certificate of a medical officer of the United States Public Health and Marine-Hospital Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the "immigrant fund," be held for treatment until such time as such alien may, in the opinion of such medical officer, be safely deported.^a

Insane aliens: Holding for treatment, expense in immigrant fund.

Deportation: **SEC. 20.** That any alien who shall enter the United States in violation of law, and such as become public charges from causes existing prior to landing, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported to the country whence he came at any time within three years after the date of his entry into the United States. Such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the "immigrant fund" provided for in section one of this Act, and the deportation from such port shall be at the expense of the owner or owners of such vessel or transportation line by which such aliens respectively came: ^b *Provided*, That pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than five hundred dollars with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.^c

Bond: Releasing arrested aliens on.

Deportation: **SEC. 21.** That in case the Secretary of Commerce and Labor shall be satisfied that an alien has been found in the United States in violation of this Act, or that an alien is subject to deportation under the provisions of this Act or of any law of the United States, he shall cause such alien within the period of three years after landing or entry therein to be taken into custody and returned to the country whence he came, as provided by section twenty of this Act,^b and a failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and return to the country whence he came any alien ordered to be deported

Of aliens subject thereto: Penalty against vessels for refusal to deport on warrant;

^a See Rule 10.^b See Rules 31-37.^c See paragraph (g). Rule 35.

under the provisions of this Act shall be punished by the imposition of the penalties prescribed in section nineteen of this Act: ^a *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner.^b

SEC. 22. That the Commissioner-General of Immigration, in addition to such other duties as may by law be assigned to him, shall, under the direction of the Secretary of Commerce and Labor, have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder. He shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this Act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid; all under the direction or with the approval of the Secretary of Commerce and Labor. And it shall be the duty of the Commissioner-General of Immigration to detail officers of the immigration service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges: *Provided*, That the Commissioner-General of Immigration may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this Act, detail immigration officers, and also surgeons, in accordance with the provisions of section seventeen, for service in foreign countries.

SEC. 23. That the duties of the commissioners of immigration shall be of an administrative character, to be prescribed in detail by regulations prepared, under the direction or with the approval of the Secretary of Commerce and Labor.

SEC. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or de-

Deportation:

Attendants
for deported
persons.Commissioner-
General:

Duties of:

To make con-
tracts for re-
lief of aliens;To detail of-
ficers to inves-
tigate public
charges;To detail of-
ficers abroad.Commission-
ers:

Duties of.

Employees:

Appointing
and promoting.

^a For method of reporting, see Rule 30.

^b For procedure for providing attendaut, see Rule 37.

creased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration and in accordance with the provisions of the civil-service Act of January sixteenth, eighteen hundred and eighty-three: *Provided*, That said Secretary, in the enforcement of that portion of this Act which excludes contract laborers, may employ, without reference to the provisions of the said civil service Act, or to the various Acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw from the "immigrant fund" annually fifty thousand dollars or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*, That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation Act approved August eighteenth, eighteen hundred and ninety-four, or the official status of such commissioners heretofore appointed.

Contract labor laws: Immigration officers shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered under the provisions of this Act who shall knowingly or wilfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission to the United States shall be deemed guilty of perjury and be punished as provided by section fifty-three hundred and ninety-two, United States Revised Statutes. The decision of any such officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry.

Special provision for enforcement of: **Appointing:** SEC. 25. That such boards of special inquiry shall be appointed by the commissioner of immigration at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of law.^a Each

Commissioners: **Appointing:**

Immigration officers: **Power and authority of;**

False swearing before, perjury;

Challenging decision of.

Boards of special inquiry: **Detaining aliens for;**

Appointing:

^a See Rule 17 for form of oath of board member.

board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards: *Provided*, That at ports where there are fewer than three immigrant inspectors, the Secretary of Commerce and Labor, upon the recommendation of the Commissioner-General of Immigration, may designate other United States officials for service on such boards of special inquiry. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before boards shall be separate and apart from the public, but the said boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner-General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision which shall be rendered solely upon the evidence adduced before the board of special inquiry: *Provided*, That in every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of the appropriate immigration officers, if adverse to the admission of such alien, shall be final, unless reversed on appeal to the Secretary of Commerce and Labor; but nothing in this section shall be construed to admit of any appeal in the case of an alien rejected as provided for in section ten of this Act.^a

SEC. 26. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary in such amount and containing such conditions as he may prescribe, to the people of the United States, holding the United States or any State, Territory, county, municipality, or district thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district,

Boards of special inquiry:

Other officials for:

Authority of;

Hearings before, private.

Appeals: Manner of taking;

Decision on, based solely upon original evidence;

Unless taken, decision of officers final;

Not allowed in cases rejected under section 10.

Bonds: Landing under; In what cases permissible;

Bringing suits upon.

^a See Rules 5-8.

county, or municipality in which such alien becomes a public charge.^a

Suits:
Compromising, etc.;
Under former acts not affected hereby.

SEC. 27. That no suit or proceeding for a violation of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

SEC. 28. That nothing contained in this Act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this Act; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters the laws or parts of laws repealed or amended by this Act are hereby continued in force and effect.

Courts, circuit and district:
Jurisdiction.

SEC. 29. That the circuit and district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this Act.

Exclusive privileges:
How granted;

SEC. 30. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station, shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe: *Provided*, That no intoxicating liquors shall be sold in any such immigrant station; that all receipts accruing from the disposal of such exclusive privileges as herein provided shall be paid into the Treasury of the United States to the credit of the "immigrant fund" provided for in section one of this Act.

Proceeds from, to be paid into immigrant fund.

Peace officers:
Admission to stations.

SEC. 31. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

Commissioner-General:
To make rules and contracts for inspection on land boundaries.

SEC. 32. That the Commissioner-General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy passengers in ordinary travel between the United States and said countries, and shall have power to enter into contracts with transportation lines for the said purpose.^b

^a See Rule 20 as to circumstances under which accepted.

^b For arrangement on Canadian border, see Rule 25; on Mexican border, Rule 27.

SEC. 33. That for the purpose of this Act the term "United States" as used in the title as well as in the various sections of this Act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone: *Provided*, That if any alien shall leave the canal zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this Act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens.

"United States:"
Meaning of term.

Canal Zone:
Inspection of aliens from.

SEC. 34. That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, may appoint a commissioner of immigration to discharge at New Orleans, Louisiana, the duties now required of other commissioners of immigration at their respective posts.

Commissioner:
Appointment of, at New Orleans.

SEC. 35. That the deportation of aliens arrested within the United States after entry and found to be illegally therein, provided for in this Act, shall be to the trans-Atlantic or trans-Pacific ports from which said aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which said aliens embarked for such territory.

Deportation:
To be to transoceanic ports;

SEC. 36. That all aliens who shall enter the United States except at the seaports thereof, or at such place or places as the Secretary of Commerce and Labor may from time to time designate, shall be adjudged to have entered the country unlawfully and shall be deported as provided by sections twenty and twenty-one of this Act: *Provided*, That nothing contained in this section shall affect the power conferred by section thirty-two of this Act upon the Commissioner-General of Immigration to prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico.^a

Of aliens entering unlawfully.

Ports of entry:

To be designated on land borders.

SEC. 37. That whenever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife, or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable, or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable or that they can be permitted to land without danger to other persons, they shall, if otherwise admissible, thereupon be admitted.^b

Admission:

Of diseased wife or minor children of alien who has declared intention to become citizen.

^a See Rule 38; also paragraph (g), Rule 21.

^b See Rule 11.

Anarchists: **SEC. 38.** That no person who disbelieves in or who is opposed to all organized government, or who is a member of or affiliated with any organization entertaining and teaching such disbelief in or opposition to all organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, shall be permitted to enter the United States or any territory or place subject to the jurisdiction thereof. This section shall be enforced by the Secretary of Commerce and Labor under such rules and regulations as he shall prescribe. That any person who knowingly aids or assists any such person to enter the United States or any territory or place subject to the jurisdiction thereof, or who connives or conspires with any person or persons to allow, procure, or permit any such person to enter therein, except pursuant to such rules and regulations made by the Secretary of Commerce and Labor shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both.^a

Not to be admitted;

Penalty for assisting to enter.

Immigration Commission: **SEC. 39.** That a commission is hereby created, consisting of three Senators, to be appointed by the President of the Senate, and three members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, and three persons, to be appointed by the President of the United States. Said commission shall make full inquiry, examination, and investigation by sub-committee or otherwise into the subject of immigration. For the purpose of said inquiry, examination, and investigation, said commission is authorized to send for persons and papers, make all necessary travel, either in the United States or any foreign country, and, through the chairman of the commission or any member thereof to administer oaths and to examine witnesses and papers respecting all matters pertaining to the subject, and to employ necessary clerical and other assistance. Said commission shall report to the Congress the conclusions reached by it and make such recommendations as in its judgment may seem proper. Such sums of money as may be necessary for the said inquiry, examination, and investigation are hereby appropriated and authorized to be paid out of the "immigrant fund" on the certificate of the chairman of said commission, including all expenses of the commissioners and a reasonable compensation, to be fixed by the President of the United States, for those members of the commission who are not members of Congress; and the President of the United States is also authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or

How appointed;

Authority and duties;

Expenses of, how paid.

International Conference:

President authorized to arrange for;

^a For method of reporting, see Rule 30.

to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral, and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

International
Conference:
Purpose of.

SEC. 40. Authority is hereby given the Commissioner-General of Immigration to establish, under the direction and control of the Secretary of Commerce and Labor, a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall be had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens who may ask for such information at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner-General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner-General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

Information
division:
Establish-
ment of;

Duties and
authority of.

State agents:
Appointment
and stationing
at ports;
Courtesies
to;

Control of.

SEC. 41. That nothing in this Act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests.^a

Foreign offi-
cials:
Exempted
from provi-
sions hereof.

^a See paragraph (b), Rule 2.

Amendatory of
navigation act.

SEC. 42. It shall not be lawful for the master of a steamship or other vessel whereon immigrant passengers, or passengers other than cabin passengers, have been taken at any port or place in a foreign country or dominion (ports and places in foreign territory contiguous to the United States excepted) to bring such vessel and passengers to any port or place in the United States unless the compartments, spaces, and accommodations herein-after mentioned have been provided, allotted, maintained, and used for and by such passengers during the entire voyage; that is to say, in a steamship, the compartments or spaces, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow for each and every passenger carried or brought therein eighteen clear superficial feet of deck allotted to his or her use, if the compartment or space is located on the main deck or on the first deck next below the main deck of the vessel, and twenty clear superficial feet of deck allotted to his or her use for each passenger carried or brought therein if the compartment or space is located on the second deck below the main deck of the vessel: *Provided*, That if the height between the lower passenger deck and the deck immediately above it is less than seven feet, or if the apertures (exclusive of the side scuttles) through which light and air are admitted together to the lower passenger deck are less in size than in the proportion of three square feet to every one hundred superficial feet of that deck, the ship shall not carry a greater number of passengers on that deck than in the proportion of one passenger to every thirty clear superficial feet thereof. It shall not be lawful to carry or bring passengers on any deck other than the decks above mentioned. And in sailing vessels such passengers shall be carried or brought only on the deck (not being an orlop deck) that is next below the main deck of the vessel, or in a poop or deck house constructed on the main deck; and the compartment or space, unobstructed by cargo, stores, or goods, shall be of sufficient dimensions to allow one hundred and ten cubic feet for each and every passenger brought therein. And such passengers shall not be carried or brought in any between decks, nor in any compartment, space, poop, or deck house, the height of which from deck to deck is less than six feet. In computing the number of such passengers carried or brought in any vessel, children under one year of age shall not be included, and two children between one and eight years of age shall be counted as one passenger; and any person brought in any such vessel who shall have been, during the voyage, taken from any other vessel wrecked or in distress on the high seas, or have been picked up at sea from any boat, raft, or otherwise, shall not be included in such computation. The master of a vessel coming to a port or place in the United States in violation of either of the provisions of this section shall be deemed guilty of a misdemeanor; and if the

number of passengers other than cabin passengers carried or brought in the vessel, or in any compartment, space, poop, or deck house thereof, is greater than the number allowed to be carried or brought therein, respectively, as hereinbefore prescribed, the said master shall be fined fifty dollars for each and every passenger in excess of the proper number, and may also be imprisoned not exceeding six months.

Amendatory of navigation act.

This section shall take effect on January first, nineteen hundred and nine.

SEC. 43. That the Act of March third, nineteen hundred and three, being an Act to regulate the immigration of aliens into the United States, except section thirty-four thereof, and the Act of March twenty-second, nineteen hundred and four, being an Act to extend the exemption from head tax to citizens of Newfoundland entering the United States, and all Acts and parts of Acts inconsistent with this Act are hereby repealed: *Provided*, That this Act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section six, chapter four hundred and fifty-three, third session Fifty-eighth Congress, approved February sixth, nineteen hundred and five, or, prior to January first, nineteen hundred and nine, section one of the Act approved August second, eighteen hundred and eighty-two, entitled "An Act to regulate the carriage of passengers by sea."

Repealing clause:

Exceptions.

SEC. 44. That this Act shall take effect and be enforced from and after July first, nineteen hundred and seven: *Provided, however*, That section thirty-nine of this Act and the last proviso of section one shall take effect upon the passage of this Act and section forty-two on January first, nineteen hundred and nine.

When effective.

Approved February 20, 1907. (34 Stat., pt. 1, p. 898.)

IMMIGRATION REGULATIONS.

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DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF IMMIGRATION AND NATURALIZATION.

Note: Meaning of terms employed.

NOTE.—Wherever, in the following rules, the expression “Immigration Act” is used, it shall be understood to refer to the act entitled “An act to regulate the immigration of aliens into the United States,” approved February 20, 1907; and wherever a numbered section is mentioned it shall be understood to refer to the section of that number in said act, unless explicitly stated to the contrary.

Philippine Islands:

Regulations not applicable to.

The following rules do not apply to aliens seeking admission to the Philippine Islands, the administration of the immigration laws and the collection of head tax therein having been vested in the officers of the general government of those islands by section 6 of the act approved February 6, 1905.

RULES RELATING TO HEAD TAX.

Head tax: **Collection of;** **Rule 1. Collection of head tax.**—The head tax imposed by section 1 of the Immigration Act is to be levied and collected in respect of all aliens entering the United States, except such as are described in Rule 2 hereof.

Certification of, to collector; Upon the arrival of any aliens at any seaport of the United States, the immigration officer in charge shall certify to the collector of customs the number of aliens on account of whom the tax is payable and the name of the person required to pay the same. Upon receipt of such certificate, the collector of customs shall forthwith collect a tax of four dollars for each alien so certified.

Deposit of; The tax collected on account of aliens, who are not permitted to land, but are held for examination by a board of special inquiry, and the tax collected on account of

Refundment of; aliens permitted to enter for the purpose of passing in transit through the United States, shall be held as a special deposit, to be refunded, in the one case, when an alien detained for examination has been excluded, and in the other, when an alien proceeding in transit through the United States has left the country. The collections so

made shall no longer be held on special deposit, but shall be accounted for in the regular manner, in the case of aliens detained for examination, so soon as it shall appear that they are admitted, and, in the case of aliens entering for the purpose of transit, if, at the expiration of thirty days, it is not shown that they have passed out of the country.

Head tax:

The head tax payable on account of aliens entering the United States from foreign contiguous territory shall be levied and collected, at Mexican border ports, according to the provisions of Rule 27 hereof, and at Canadian border ports according to the terms of an agreement between the Commissioner-General of Immigration and certain transportation companies, embodied in Rules 24 and 25 hereof.

Collection of, on Mexican and Canadian borders;

RULE 2. Exemptions from head tax.—The head tax shall not be levied in respect of the following aliens:

Exemptions from—

(a) Aliens who do not enter the United States because excluded from admission thereto by the Immigration Act. (Secs. 1 and 2.)

Excluded aliens—

(b) Diplomatic and consular officers and other accredited officials of foreign governments, their suites, families, and guests coming to the United States to reside or to pass through in transit. (Sec. 41.)

Diplomatic officers—

(c) Head tax shall not be collected on account of aliens entering the United States from Canada, Newfoundland, Cuba, or Mexico whose legal domicile or bona fide residence was in one of the countries specified for at least one year immediately preceding such entrance if it merely appears that the continuity of their physical presence at their place of residence or domicile was broken by one or more transient and temporary departures therefrom; nor shall head tax be collected on account of such aliens if it merely appears that, instead of entering the United States from Canada, Newfoundland, Cuba or Mexico directly, they come by way of some other foreign country in which they had made a merely temporary or transient sojourn.

Residents Canada, Newfoundland, Cuba, and Mexico—

(d) Head tax shall not be collected on account of aliens reentering the United States from Canada, Newfoundland, Cuba, or Mexico who are citizens thereof but who have acquired a legal domicile or bona fide residence in the United States, and who are returning from a visit to one of the said countries, notwithstanding that the period of a full year has not intervened between the date of their departure from and the date of their return to the United States.

(e) Aliens, otherwise admissible, who are residents of any possession of the United States, provided at the time of admission to such possession head tax was paid on their account. (Sec. 1.)

Residents insular possessions—

(f) Aliens who enter the United States only for the purpose of transit to foreign destinations. Collections made in respect of such aliens will be held on special de-

Transits—

Head tax: posit and will be refunded pursuant to Rules 1 and 41.
(Sec. 1.)

Aliens in continuous journey— (g) Aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory. Satisfactory evidence of such previous lawful admission and of previous payment of head tax shall be required in the case of aliens on whose behalf this exemption is claimed, as in paragraphs (c) and (d) of this rule. Personal knowledge on the part of an immigration officer, or a written statement from such an officer based on an examination of official records certifying to the fact of previous entry and payment of tax, will be sufficient. As evidence of the continuity of the transit, production of a dated passenger ticket, where such exists, may be required. (Sec. 1.)

At ports of Guam, Porto Rico, and Hawaii. (h) Aliens arriving in Guam, Porto Rico, or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions for the levy and collection of head tax shall apply. (Sec. 1.)

Immigrant fund: **RULE 3. Accounting for head tax and other receipts.**—All moneys collected on account of head tax, as well as all moneys collected for rentals of exclusive privileges at United States immigrant stations and all moneys collected as fines for violations of the immigration laws (whether imposed by the Department or the courts), shall be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund," with an assistant treasurer of the United States, or national-bank depositary, in the same manner as other miscellaneous collections are deposited. Separate accounts of the receipts and expenditures of money under the act shall be rendered monthly to the Secretary of the Treasury through the Department of Commerce and Labor on forms to be furnished by the Government for the purpose.

RULES RELATING TO ADMISSION OR EXCLUSION.

Immigration Act: **RULE 4. Application of Immigration Act.**—The provisions of the Immigration Act apply to all aliens seeking to enter the United States, except accredited officials of foreign governments, their suites, families, and guests. The act also prescribes the conditions of their admission to or exclusion from the United States, or any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone. The act becomes effective when such aliens arrive from any foreign country, or other place without the jurisdiction of the United States, or from the Canal Zone. The provisions of the Immigration Act do not apply to aliens who have once been duly admitted to the United States or any waters, territory, or other place subject to the jurisdiction thereof,

To whom applicable.

proceeding to or from the continental territory of the United States, except aliens coming from the Canal Zone, and except Japanese or Korean laborers coming from Hawaii, with passports limited to Hawaii, Mexico, or Canada. The admission of aliens coming from the Canal Zone is governed by the regulations applicable to aliens generally; the admission of Japanese or Korean laborers to the continental territory of the United States is governed by the provisions of the Executive order of the President embodied in Rule 21 hereof.

RULE 5. Examination of aliens.—No alien who falls within one of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order embraced in Rule 21 hereof shall be admitted to the United States, nor (with the exception of the Isthmian Canal Zone) to any waters, territory, or other place subject to the jurisdiction thereof. Every alien seeking to enter the United States, as thus defined, who does not fall within any of the classes so enumerated, shall be admitted.

Examination:
Who exclud-
able upon;

Children under sixteen years of age, unaccompanied by one or both of their parents, shall not be permitted to enter the United States, if it appears, or the circumstances indicate, that they are to be placed in forced or "padrone" servitude or in any employment unsuited to their years.

**Children un-
der 16;**

Every alien arriving at a port of the United States shall be promptly examined, as by law provided, either on shipboard or at some other place designated for that purpose. Every alien who may appear to the examining immigrant inspector to be clearly and beyond doubt entitled to land shall be at once admitted; every alien who may not appear to be clearly and beyond a doubt entitled to land shall be detained for examination by a board of special inquiry, which examination shall be promptly conducted separate and apart from the public, and, upon the conclusion thereof, the alien shall be either immediately landed or ordered excluded and returned to the country whence he came. If an appeal lies, the alien shall be informed of his right thereto, and the fact that he has been so informed shall be entered of record in the minutes of the board's proceedings. If the alien elects to appeal, he must, to enable officers to comply with the provisions of section 19, file notice of such appeal not less than forty-eight hours prior to the sailing of the first vessel by which his return may be effected, unless such sailing occurs less than forty-eight hours after the order of deportation is made. But in no event shall an appeal be considered after an alien has, in consequence of an adverse decision of a board of special inquiry, been transferred from an immigrant station to be excluded, unless such transfer has been made to prevent congestion, or danger of contagion, as provided by Rule 8 hereof.

**Primary in-
spection;**

**Board special
inquiry inspec-
tion.**

Appeals:
**Notifying
alien of right
to;**
**Filing notice
of;**

Appeals: If an alien, rejected on account of disability or disease, or because insane or mentally defective, is in such physical or mental condition as to require special care and attention during the ocean voyage and land trip of deportation, the commissioner or inspector in charge shall, when delivering such rejected alien into the custody of the master or first or second officer of the vessel by which deportation is to be effected, furnish such officer with a statement of particulars (Form No. 597) and accompanying receipt and returns, for use in accordance with the provisions of Rule 37 hereof, all applicable requirements of which rule shall be observed. In the cases of aliens rejected by boards of special inquiry, or by the Department on appeal, the commissioner of immigration or inspector in charge shall, as promptly as circumstances permit, notify the steamship line by a vessel of which the alien is to be deported, furnishing full particulars as to the cause of rejection, and, if the alien is diseased, disabled, or insane, a statement of the alien's condition.

When permissible; **per** **RULE 6. Appeals.**—Except as specified in this rule, an appeal may be taken by the alien himself or by a dissenting member of the board from any decision of a board of special inquiry which determines whether an alien shall be admitted or excluded. No appeal is permissible when the decision of the board rejecting an alien *is based upon* a certificate of the examining medical officer which shows—

When not permissible; because decision is based on medical certificate;

(a) That the alien is afflicted with tuberculosis or with a loathsome or dangerous contagious disease;

(b) That the alien is an idiot, an imbecile, an epileptic, or is insane or feeble-minded;

(c) That the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously;

(d) That the alien has any *mental* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge;

(e) That the alien has any *physical* defect which in the board's opinion may affect his ability to earn a living or render him likely to become a public charge; but aliens coming within this class may nevertheless be admitted, in the discretion of the Secretary, as provided in Rule 20 hereof.

Discretion of board of inquiry under section 10;

Boards of special inquiry in reaching decisions "based upon the certificate of the examining medical officer" are to be governed by the following considerations: It is "the decision of the board of special inquiry" which is made unappealable in certain cases by section 10, and not "the certificate of the examining medical officer." In arriving at a decision, therefore, the board is required to exercise its own discretion in determining whether or not it will "base" the same upon the certificate of the examining medical officer. Where the decision of the board is

expressly "based" upon medical certificates of the character specified by section 10, no appeal is allowed by the act. But whether the board will so "base" its decision will naturally depend upon the circumstances of the case. Thus—

Appeals:

When the medical certificate shows that an alien is affected with tuberculosis or with a loathsome or dangerous contagious disease, or when it shows that an alien is an idiot, an imbecile, or an epileptic, or is insane or feeble-minded, the board of special inquiry, in the absence of competent and convincing evidence to the contrary, is virtually forced to "base" its decision upon that certificate, the reason being that whether or not an alien is so affected is purely a matter of medical science and not such a matter as to which a board of laymen can be expected to reach an intelligent conclusion.

Circumstances determining whether board's decision shall be based on medical certificate, and whether case shall be decided by board subject to appeal or shall be considered an application for bond.

Where the medical certificate states that an alien is affected with any mental defect or physical defect (other than those just named), either of which defects is of a nature that might affect the ability of the alien to earn a living or make him likely to become a public charge, or when the medical certificate states that the alien has been insane within five years previously, or has had two or more attacks of insanity at any time previously, the question to be determined is a practical one quite as much as a medical one, and boards of special inquiry should not only receive and carefully consider the certificate of the medical officer, but should likewise consider all the facts and surrounding circumstances of the case, and from the case as a whole reach their own conclusion as to whether the defect is of a nature which may, considering all the circumstances of the case, affect his ability to earn a living or render him likely to become a public charge, or whether the alien has actually been afflicted in the past.

If the defect for which certified is *physical*, not *mental*, and, on consideration of the whole case, the board's decision is that such physical defect is one which may affect his ability to earn a living or render him likely to become a public charge, and the alien is otherwise admissible, he should be given an opportunity to make application for landing under bond in accordance with Rule 20.

Application for landing under bond and

If, on the other hand, the board's conclusion is that the defect is not of such a nature as to affect the ability of the alien to earn a living or render him likely to become a public charge, considering all the facts surrounding his case, and that the alien is otherwise admissible, the board should land the alien unconditionally; or, if the board's conclusion is that the alien should be rejected, not solely because of the certificate but on the basis of all the facts and circumstances, the alien should be rejected and advised of his right to appeal in the usual manner.

Appeals:

To summarize so much of the foregoing as relates to the distinction between *appeals* and applications for admission under *bond*:

Distinction drawn between.

When a board concludes that an alien is "liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis or a loathsome or dangerous contagious disease," and such conclusion is not based solely upon the medical certificate, the board should render a decision, from which decision the alien has the right of appeal.

But when the board reaches such conclusion upon the basis solely of the medical certificate, no decision should be rendered, but the alien should be given an opportunity to apply for admission under bond in accordance with Rule 20.

Appeals:

Notice of, to act as stay of deportation;

RULE 7. Appeals, procedure.—Notice of appeal shall act as a stay of all proceedings until a final decision is rendered by the Secretary; and, within forty-eight hours after the filing of such notice, the complete record of the case shall be forwarded to the Commissioner-General of Immigration by the immigration officer in charge at the port of arrival, accompanied by his views thereon in writing; but on such appeal of any case to the Secretary no evidence will be considered which has not already been passed upon in said case by a board of special inquiry at the original hearing, or upon a rehearing if so ordered. (See sec. 25.) If, to prevent a miscarriage of justice, additional time is granted to the friends or counsel of an appealing alien, the said immigration officer may require the deposit of a sum of money sufficient to defray the cost of maintaining appellant during the additional time thus allowed.

Evidence considered on;

Granting additional time for;

Making record of;

Notifying steamship of dismissal of.

RULE 8. Appeals, procedure.—The commissioner of immigration or the immigration officer in charge at the port of landing shall enter of record the name of every alien found upon examination to be within any of the prohibited classes, with a statement of the decision in each case; and if such decision be appealed from immediately upon the receipt from the Department of its conclusions thereupon the alien shall be landed or deported in accordance with such conclusion. If a landing is refused on appeal, the master, agent, consignee, or owner of the vessel by which the said alien arrived shall be notified by the commissioner or officer in charge, and advised that the alien will be placed aboard the vessel of the line involved next sailing, for deportation. The commissioner or officer in charge at a port of entry where a detention station is located may, immediately upon exclusion, place debarred aliens on board the vessel by which they are to be deported, if in his judgment such action is necessary to prevent congestion or danger of contagion in such station. (See Rule 5.)

Medical examination:

What surgeons to conduct;

RULE 9. Medical examination.—Officers of the United States Public Health and Marine-Hospital Service (or, if such officers are not available, civil surgeons of not less than four years' professional experience) are required by section 17 of the Immigration Act to make a physical and

mental examination of all arriving aliens, and to certify for the information of immigration officers any and all physical and mental defects or diseases observed by them. Every officer of such Service detailed for this duty shall, subject to the instructions of the Surgeon-General of the Public Health and Marine-Hospital Service, be under the direction of the immigration officer in charge of the port to which he may be detailed.

Medical examination:

The certificate of the medical officer shall state the physical or mental defect or disease observed, specifying the name by which it is known in common speech as well as the name by which it is known in medicine; and the certificate shall also state:

Certificates covering, contents of—

(a) Where an alien is certified as having been insane within five years previous, or as having had two or more attacks of insanity at any time previously, how the previous existence of the malady has been ascertained (sec. 2);

Insane within 5 years;

(b) Where an alien is certified as being afflicted with a loathsome or dangerous contagious disease, that the disease named is in fact a loathsome or dangerous contagious disease, and is or is not of a quarantinable nature (secs. 2, 19);

Contagious diseases;

(c) Where an alien is certified as having a mental or physical defect of a nature which may affect his ability to earn a living, or as being likely to become a public charge by reason of any mental or physical disability, the bearing of such mental or physical shortcoming upon the customary occupation of the alien and upon his general capacity for useful employment, whether such defect is of a temporary or permanent nature, and whether the deficiency of the alien has been corrected by artificial or educational means (secs. 2, 10, 26);

Mental and physical defects;

(d) Where an alien is certified for permission to land for medical treatment in any hospital of the United States, or where it is certified that the health or safety of an insane alien would be unduly imperiled by immediate deportation, that the alien is not suffering from tuberculosis or from a loathsome or dangerous contagious disease of a nonquarantinable nature, and the probable duration of the alien's detention in hospital, asylum, or elsewhere (sec. 19);

When hospital treatment required;

(e) Where an alien is certified as being helpless from sickness, mental or physical disability, or infancy, whether such alien requires the protection or guardianship of an attendant (secs. 11, 21);

For helplessness;

(f) Where the wife or minor children of a domiciled alien are certified as being affected with any contagious disorder, whether such disorder is a loathsome or a dangerous one, the probable length of time needed to determine whether the disorder will be easily curable, and whether they can be permitted to land without danger to other persons (sec. 37); and

Wives and minor children;

Medical examination:

Certificates covering contents of—

Persons afflicted at time foreign embarkation.

(g) Where an alien is certified as being an idiot, imbecile, epileptic, or afflicted with tuberculosis or with a loathsome or dangerous contagious disease, whether the alien was so afflicted at the time of foreign embarkation, whether the existence of the disease or disability might have been detected by means of a competent medical examination at such time, how the previous condition of the alien has been ascertained, and the ground for believing that it might have been detected by a competent examination.

Landing for hospital treatment:

Conditions under which permissible;

RULE 10. *Landing for hospital treatment.*—(a) Where an alien has been excluded by decision of a board of special inquiry and the order for the return of the alien has been suspended, or where an alien is held, pending the determination of his case, by order of court, to await transportation, on account of his health, because his testimony is required in the prosecution of offenders against the act, or for some other cause, an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of the alien for hospital treatment or other appropriate care or attention.

Evidence required, in urgent cases—

(b) Such an application will be granted as of course where it is certified by the medical examiner that the health or safety of an insane alien would be unduly imperiled by immediate deportation, or where it is manifest to the commissioner of immigration, or the immigration officer in charge, that the condition of the alien requires immediate hospital treatment. In such cases, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded.

—In other cases;

(c) In all other cases the application will not be granted unless it clearly appears from the report of the commissioner of immigration, or the immigration officer in charge, or from other evidence accompanying the application, that such a course is necessary to meet the ends of justice and humanity.

By "express permission" of Secretary—

(d) Applications to land for medical treatment in a hospital of the United States by the "express permission" of the Secretary, made by or on behalf of aliens certified to be suffering from tuberculosis or from a loathsome or dangerous contagious disease (sec. 19), must be accompanied by a certificate of a Public Health and Marine-Hospital surgeon showing the exact character and extent of the malady with which the alien is suffering and estimating the duration of the treatment that will be required to effect a cure. The alien making the application, or the person making it in his behalf, shall deposit with the commissioner of immigration, or inspector in charge, a sum of money sufficient to cover the cost of

Evidence required—

affording the alien treatment for the period of time estimated in the above-mentioned certificate (and give satisfactory assurances that further deposit will be remitted if needed), if such estimated period does not exceed sixty days; and, in the event the estimate is for more than said time, a deposit shall be made sufficient to cover treatment for sixty days, and satisfactory assurances given that at the expiration of said period a further deposit will be made sufficient to cover cost of treatment for thirty days additional and a remittance of a similar amount at the commencement of each succeeding period of thirty days, until the alien is cured and allowed to proceed, or the case otherwise disposed of. There shall also be deposited by the alien, or by the person making the application in his behalf, a sum of money (or transportation ticket and money) sufficient to defray the expense of forwarding the alien, if and when eventually cured, to his destination within the United States; and, in the event that such alien is a person who, by reason of infancy or other cause, will require the care of an attendant while traveling, such deposit shall be sufficient to also cover the expense of detailing an employee of the Immigration Service to accompany the alien to his destination, and the cost of the return of such employee to his or her station, or satisfactory assurances must be given that such an attendant will be furnished by the person making the application. The certificate above mentioned shall be forwarded to the Bureau of Immigration and Naturalization, accompanied by a report of the circumstances of the case, sufficiently detailed to enable the Department to determine whether there are present any peculiar conditions that render the exercise of its authority necessary to meet the ends of justice and humanity. Such report shall also show whether the deposits and assurances hereinbefore mentioned have been made and given, describing the character of the assurances. If the application is granted by the Department the alien will be permitted to enter a hospital for treatment. Should such treatment extend over a period exceeding sixty days and the deposit to cover any succeeding thirty-day period not be promptly forthcoming upon demand, the fact of such failure shall be immediately reported to the Department in order that instructions for the deportation of the alien may issue. When any alien so detained is cured and allowed to proceed to destination, such amount as remains unexpended of the deposit or deposits made on his account shall be returned to the depositor and his receipt taken therefor.

Landing for hospital treatment:

By "express permission" of Secretary—

Deposits required—money and transportation;

Procedure regarding alien and deposits;

(e) The landing or detention of an alien for the purpose contemplated by this rule shall not be construed in any manner to alter the status of the alien with reference to his right to enter or remain in the United States. (Sec. 19.)

Not admission.

Wives and children of domiciled aliens:

Landing of, for treatment;

Evidence required.

Helpless aliens:

Guardian en voyage for, when deported.

Disabled aliens:

Hospital treatment of;

RULE 11. Detention of sick wives or children.—Where, upon the arrival of the wife or minor child or children sent for by a domiciled alien, or of the minor child or children of a naturalized citizen, born abroad prior to his naturalization, such wife, child, or children are found to be afflicted with a contagious disorder and it can not be immediately determined whether the disorder will be easily curable, they shall be held until a determination can be had, and an application may be made, accompanied by the certificate of the medical examiner, to the Secretary of Commerce and Labor for permission to allow the landing of such wife or child for hospital treatment or other appropriate care or attention. In such cases, where necessary, pending the decision of the Secretary, hospital treatment or other appropriate care or attention shall be immediately afforded. This application or the accompanying papers must clearly show that the husband or father has actually taken up his permanent residence in this country and has actually filed his declaration of intention to become a citizen of the United States, or has actually been naturalized, and that he is in fact the husband or father of the alien in question. Nothing contained herein shall be taken as in any manner affecting the liability of transportation companies under section 9, or as altering the status of the aliens concerned with reference to their admission or exclusion. (See sec. 37, and Rules 10 and 12.)

RULE 12. Detention of attendants for helpless aliens.—Where it is found that an alien is helpless from sickness, mental or physical disability, or infancy, and that, if excluded, he will require the protection and guardianship of an attendant upon his return to the country whence he came, if the alien arrives accompanied by others, not more than one of such accompanying aliens (preferably a natural guardian or relative) shall be detained to act if, in the judgment of the commissioner of immigration or the immigration officer in charge, such detention is necessary. Such detention shall not be deemed necessary, but is permissible, in quarantinable cases. If the alien arrives unaccompanied, a suitable person shall be employed for the purpose. The expense incident to such detention or employment and to the transportation involved shall be borne by the transportation company. (Secs. 11, 19, 21.)

RULE 13. Detention and treatment of aliens, procedure and expense of.—(a) A disabled alien, within the purview of Rules 10, 11, and 12 hereof, may be afforded the required medical treatment on board ship or in the detention quarters, or may be removed to a suitable hospital for treatment, as in his discretion the commissioner of immigration or inspector in charge at the port may decide is required by existing circumstances and the condition of the alien's health as reported upon by the surgeon charged

with the medical examination of aliens at such port. If such an alien is removed to a hospital he shall not be regarded as in any sense landed, and the cost of his maintenance and care there must be borne in one of the several ways hereinafter specified, as the circumstances of the case may require.

(b) If in the judgment of the commissioner or inspector in charge, based upon the expressed opinion of the medical examiner, it is necessary as a measure of humanity or for the proper care of an alien removed to hospital to also place in the hospital a suitable attendant or some person who is dependent upon the disabled alien, or the reverse, the cost of the detention in hospital of such additional person must be borne in the same manner as the cost of treating the disabled alien.

(c) The expenses involved in detaining or treating aliens shall be borne as follows: (1) *By the immigrant fund*.—In cases of (aa) Those held as witnesses under section 19 and Rule 14; (bb) Insane aliens whose health or safety would be unduly imperiled by immediate deportation (sec. 19); (cc) Wives and minor children of aliens who have declared intention, or minor children of naturalized citizens born abroad prior to naturalization of parent (sec. 37 and Rule 11; Op. Compt., Jan. 15, 1908). (2) *By the alien*.—Those treated by "express permission" of the Secretary, under section 19, although afflicted with tuberculosis or a loathsome or dangerous contagious disease, in accordance with the provisions of Rule 10 (Op. Compt., Jan. 15, 1908). (3) *By the alien, preferably, but by immigrant fund under special authority*.—Aliens whom it is necessary for any reason to hold at a port of entry, after admission, in accordance with Rule 15. (4) *By steamship companies*.—Aliens not falling within any of the foregoing classes whom it is necessary for any reason to hold or to treat in hospital pending determination of right to land, or awaiting deportation under order of rejection of a board of special inquiry or of the Department (sec. 19).

(d) Covering cases of the character mentioned in class (4) of the preceding paragraph, bills for hospital treatment and maintenance shall be rendered monthly by hospitals against the steamship companies responsible, through the office of the commissioner of immigration or inspector in charge, the latter's approval to be attached to the bills, if found correct, before forwarding them to the companies for settlement. Officers of the Immigration Service will in all such cases look to the steamship companies for settlement of the hospital bill. If any steamship company refuses to pay such bills rendered with the approval of the immigration officials, it will, of course, be necessary to require thereafter that all aliens brought by the vessels of such company shall be held on board ship until their applications for admission have been finally adjudicated.

Disabled
aliens:

Attendants
for;

Expenses of
hospital care
of;

Bills for hos-
pital treat-
ment of;

Refusal to
pay for treat-
ment of.

Witnesses:

Holding
aliens to act
as.

RULE 14. *Holding of aliens as witnesses.*—When it is thought that the deportation of an excluded alien should be suspended so that his testimony may be had in a prosecution of offenders against the Immigration Act, in reporting to the Bureau the violation of law involved, immigration officials should give reasons for the belief that the violators should be prosecuted and the aliens held as witnesses, and if such reasons are found sufficient, authority will issue, with the approval of the Secretary, for the holding of the witnesses at the expense of the “immigrant fund.” (Sec. 19.)

Assisting and
protecting
aliens:Providing
means in case
of accident.

RULE 15. *Assistance to admitted aliens.*—Any alien who has been admitted may be permitted to wait for friends or remittances upon payment by him of the actual expenses incurred by reason of such delay. In case such an alien is unable, from accident or other unavoidable circumstances, to immediately continue his journey, and is without sufficient means to defray the expense of his enforced delay, the commissioner of immigration may, in his discretion, pay said expense, reporting said case to the Bureau of Immigration and Naturalization, with reasons for his action, and request that such expense be repaid out of the “immigrant fund.”

Charges for
care and main-
tenance:Not to ex-
ceed actual
cost.

RULE 16. *Charges for care and maintenance.*—At ports where the Immigration Service maintains hospitals no charge for food, lodging, or maintenance, or for hospital attendance, medicines, or other hospital expenses shall be made in excess of the actual cost of furnishing the same, the intention being to make the Service self-supporting without profit.

Members of
boards of spe-
cial inquiry:Oath to be
taken by.

RULE 17. *Oath, board of special inquiry.*—Any immigration or other Government officer appointed to serve on a board of special inquiry under the provisions of section 25 of the Act approved February 20, 1907, shall be required to subscribe to the following oath:

FORM 566. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE.

I, _____, having been designated by _____
_____ to serve as a member of a board of special inquiry,
under the provisions of section 25 of the act of Congress approved
February 20, 1907, do solemnly _____ that I will use my best
endeavors as a member of such board to enforce the laws of the
United States relating to the admission or exclusion of certain
classes of aliens, and that I will well and faithfully discharge the
duties of the office mentioned.

_____ and subscribed before me this _____ day of _____
_____, A. D. 190__.

[Official seal.] _____

Attorneys:

Fees to be
charged by;

RULE 18. *Appearance of attorneys.*—Attorneys and persons appearing in behalf of detained aliens shall not be permitted to charge a sum exceeding ten dollars in each case unless the commissioner or officer in charge shall, in

writing, allow an additional compensation. A family or party of aliens traveling together shall be regarded as constituting a "case" within the meaning hereof. If for any special reason an attorney deems himself entitled to a larger fee, or if it is actually necessary for such attorney to incur expense in an alien's behalf, he shall report such facts to the commissioner or officer in charge when applying for the privilege of charging an additional fee or claiming reimbursement for expenses, and, if permission is granted, shall collect such additional fee or expenses only through the commissioner or officer in charge. Any one charging an alien a fee prior to his detention, or charging or receiving from an alien or his relatives or friends a fee, gift, or compensation for his services in excess of the above rate, except in the manner provided, or who shall deprive an alien of any part of his chattels or effects in lieu of, or as security for, said fee, will, upon reasonable proof of such misconduct, and after having been allowed a fair opportunity to answer the charge, be disbarred by the Department (to which a full report of the matter shall be made) from practicing at any immigration station of the United States. The names and addresses of attorneys or other persons so disbarred shall be conspicuously posted at the immigration station where the misconduct occurred and their names recorded in the office of the Commissioner-General of Immigration.

Attorneys:

Method of disbarring for misconduct;

Keeping record of.

RULE 19. *Notice of sailings.*—The master, agent, owner, or consignee of any vessel on which aliens are brought to the United States shall, at least twenty-four hours in advance thereof, notify the commissioner of immigration or officer in charge of the intended time of sailing of such vessel, in order that such officer may place on board the vessel every alien brought thereon who has been finally refused a landing.

Notice of sailings:

Masters of vessels to give.

RULE 20. *Admissions under bond.*—If, in following the provisions of Rule 6 hereof relating to appeals, the board of special inquiry reaches the conclusion that an alien in whose case a medical certificate for some physical defect, other than tuberculosis or a loathsome or dangerous contagious disease, has been rendered *is* excludable solely because such certified physical defect is, in the board's opinion, "of a nature which may affect the ability of such alien to earn a living," or render him liable to become a public charge, but that such alien is otherwise admissible, and, after notice of his right to do so, the alien signifies an intention to apply for admission under bond, the board shall not enter an excluding decision against the alien as in other cases, but shall make a special finding of fact in the premises and report the same, including the certificate of the medical examiner, to the immigration officer in charge, who shall forward the report, together with his recommendation, to the Secretary of Commerce

Admissions under bond:

Cases in which permissible;

Procedure for;

- Admissions under bond:** and Labor, through the Commissioner-General of Immigration. (See secs. 10 and 26 and Rule 6.)
- Amount of bond:** If, in the exercise of the discretion conferred by law, the Secretary decides to admit the alien, a bond will be required in an amount which in no case shall be less than
- Sureties on bond:** five hundred dollars. The sureties thereto shall be parties of known and ascertained responsibility and approved by the commissioner of immigration or immigration officer
- Bond to be in duplicate:** in charge. The bond shall be executed in duplicate on forms supplied by the Bureau, but shall not be accepted until landing of the alien under bond is authorized by the Department.
- Procedure if bond not forthcoming.** If, within a reasonable time, not to exceed thirty days, after the receipt of the Department's authority for the landing of an alien under bond, there is not forthcoming bond with acceptable sureties, that fact, and all others that may have a bearing upon the matter, shall be reported to the Department, with request for instructions; and if in any such case the former decision of the Department is reversed, the alien shall then be formally rejected by the board.
- Japanese and Korean laborers:** **RULE 21. Japanese and Korean laborers.**—The following rule is promulgated for the purpose of giving effect to an Executive order of the President issued on March 14, 1907, reading:
- President's proclamation concerning:** Whereas, by the act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, whenever the President is satisfied that passports issued by any foreign government to its citizens to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone, are being used for the purpose of enabling the holders to come to the continental territory of the United States to the detriment of labor conditions therein, it is made the duty of the President to refuse to permit such citizens of the country issuing such passports to enter the continental territory of the United States from such country or from such insular possession or from the Canal Zone;
- And Whereas, upon sufficient evidence produced before me by the Department of Commerce and Labor, I am satisfied that passports issued by the Government of Japan to citizens of that country or Korea and who are laborers, skilled or unskilled, to go to Mexico, to Canada and to Hawaii, are being used for the purpose of enabling the holders thereof to come to the continental territory of the United States to the detriment of labor conditions therein;
- I hereby order that such citizens of Japan or Korea, to wit: Japanese or Korean laborers, skilled and unskilled, who have received passports to go to Mexico, Canada or Hawaii, and come therefrom, be refused permission to enter the continental territory of the United States.
- It is further ordered that the Secretary of Commerce and Labor be, and he hereby is, directed to take, through the Bureau of Immigration and Naturalization, such measures and to make and enforce such rules and regulations as may be necessary to carry this order into effect.
- Subject to general immigration laws:** (a) Aliens from Japan and Korea are subject to the general immigration laws.

(b) Every Japanese or Korean laborer, skilled or unskilled, applying for admission at a seaport or at a land-border port of the United States and having in his possession a passport issued by the Government of Japan, entitling him to proceed only to Mexico, Canada, or Hawaii, shall be refused admission.

Japanese and Korean laborers:
Limited passports held by;

(c) If a Japanese or Korean laborer applies for admission and presents no passport, it shall be presumed (1) that he did not possess when he departed from Japan or Korea a passport entitling him to come to the United States, and (2) that he did possess at that time a passport limited to Mexico, Canada, or Hawaii.

Presumptions concerning;

(d) If a Japanese or Korean alien applies for admission and presents a passport entitling him to enter the United States or one which is not limited to Mexico, Canada, or Hawaii, he shall be admitted, if it appears that he does not belong to any of the classes of aliens excluded by the general immigration laws.

Passports to U. S. or unlimited;

(e) If a Japanese or Korean alien applies for admission and presents a passport limited to Mexico, Canada, or Hawaii, and claims that he is not a laborer, either skilled or unskilled, reasonable proof of this claim shall be required in order to permit him to enter the United States.

Evidence as to status of;

(f) When a Japanese or Korean alien is rejected as being a skilled or unskilled laborer holding a passport limited to Mexico, Canada, or Hawaii, he shall be allowed the right of appeal to the Secretary of Commerce and Labor under the same conditions as attach to aliens rejected under the general immigration laws.

Appeal by;

(g) If a Japanese or Korean skilled or unskilled laborer is found in the continental territory of the United States without having been duly admitted upon inspection, the procedure employed under the general immigration laws for the arrest and hearing of aliens who have entered the United States surreptitiously shall be observed, to the end that the right of such alien to be and remain in the United States may be determined; and if it shall appear that such alien falls within the class excluded by the foregoing Executive order, and has entered the United States since the 14th of March, 1907, the said alien shall be deported according to the provisions of sections 20, 21, and 35 of the act of Congress approved February 20, 1907.

Arrest of;

Deportation of;

(h) In case any Japanese or Korean is detained or denied admission by virtue of the foregoing Executive order, he shall, in addition to being informed of his right of appeal to the Secretary of Commerce and Labor, be advised that he may communicate by telegraph or otherwise with any diplomatic or consular officer of his Government, and shall be afforded opportunities for so doing.

Right of, to communicate with diplomatic officers;

(i) The officials of the Department charged with the enforcement of the immigration laws are instructed that in the execution of this rule scrupulous care shall be

Courtesy and consideration due to;

Japanese and
Korean labor-
ers:

taken to see that the courtesy and consideration which the Department requires in the case of all foreigners, of whatever nationality, are shown to those affected by this rule. All officers of this Department are hereby warned that no discrimination will be tolerated, and that those coming under this rule must be shown every courtesy and consideration to which the citizens of most favored nations are entitled when they come to the United States.

Definition of
term "laborer,
skilled and un-
skilled ;"

(j) For practical, administrative purposes, the term "laborer, skilled and unskilled," within the meaning of the Executive order of Mach 14, 1907, shall be taken to refer primarily to persons whose work is essentially physical, or, at least, manual, as farm laborers, street laborers, factory hands, contractors' men, stable men, freight handlers, stevedores, miners, and the like; and to persons whose work is less physical, but still manual, and who may be highly skilled, as carpenters, stone masons, tile setters, painters, blacksmiths, mechanics, tailors, printers, and the like; but shall not be taken to refer to persons whose work is neither distinctively manual nor mechanical, but rather professional, artistic, mercantile, or clerical, as pharmacists, draftsmen, photographers, designers, salesmen, bookkeepers, stenographers, copyists, and the like. The foregoing definition is subject to change, and will not preclude the Secretary of Commerce and Labor from deciding each individual case which comes to him by way of appeal in accordance with the particular facts and circumstances thereof.

Indorsement
of passports.

(k) Passports presented by Japanese and Koreans shall be plainly indorsed, in indelible ink, by the officer admitting or rejecting the applicant, in such a manner as to show the fact and date of admission or rejection, the name of the officer being signed to such indorsement; after which the passport shall be returned to the person by whom presented.

Seamen:
Why exami-
nation of nec-
essary ;

RULE 22. In consideration of the necessities of commerce and navigation, it has been held that foreign seamen arriving at the ports of the United States, and landing therein in the pursuit of their calling, are not ordinarily within the operation of the immigration act (23 Op. Atty. Gen., 521; 207 U. S., 120). But in order that this exemption shall not avail to permit the introduction into the United States of aliens excluded therefrom by the said act, it is necessary to observe the following distinctions between foreigners who are seamen and other aliens:

Who are sea-
men ;

A seaman is any person employed to serve in any capacity on board any vessel plying between foreign ports and ports of the United States, whose occupation consists in following the sea, and who lands in the United States with no intention of remaining, and not otherwise than on shore leave, or on the business of his vessel, or for the purpose of reshipping.

Aliens, members of the crew of vessels engaged in the coastwise trade of the United States, are aliens within the meaning of the immigration act and subject to its provisions (Ops. Solr., June 14, 1907, and Sept. 16, 1907).

Seamen:
In coastwise trade;

Aliens, though members of the crew of vessels engaged in the foreign trade, if their employment terminates at the end of the voyage to the United States, or if discharged in a port of the United States, are to be treated as seamen only if it appears that they intend to reship on a vessel bound to a foreign port, or to depart from the country within a reasonable time.

Discharged;

Aliens, though members of the crew of vessels engaged in the foreign trade, if they desert their ship, shall, until the contrary is shown, be deemed to have abandoned their calling, and to be no longer seamen, within the meaning of this rule.

Deserting;

Aliens, though landing in the United States as seamen, if found thereafter engaged in any occupation not connected with the business of a vessel to which they are attached, or if found to be public charges, shall be treated as other aliens are treated, and shall be liable to deportation in like manner and for like causes.

Found in United States otherwise engaged;

In the application of the immigration act to aliens, members of the crew of vessels engaged in the foreign trade of the United States, the following instructions will be observed:

Application of act to;

(a) Aliens coming to the United States as members of the crew of any vessel, who are found to be seamen as herein defined, shall not be examined by officers of the Immigration Service further than may be necessary to determine their status as seamen, and to ascertain that they are not insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease; head tax shall not be certified on their account; they shall not be prevented from landing temporarily in the United States, nor required to land at any designated time or place; neither shall any manifest of them be required, nor shall they necessarily be returned to the country whence they came by the vessels bringing them. Alien seamen, however, who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease, and the existence of whose disease or disability might have been detected by means of a competent medical examination at the time of foreign embarkation, are persons whose employment on board vessels is in nowise necessary to commerce and navigation, and who are, accordingly, not within the exception in favor of seamen, because not within the reason thereof. The bringing of such seamen to the United States, therefore, is unlawful by the terms of section 8.

General procedure regarding—

To what extent examined;

If mentally or physically afflicted, not considered bona fide;

(b) All aliens coming to the United States as members of the crew of a vessel, who, for any of the reasons hereinbefore mentioned, are found not to be seamen as herein

All seamen to be primarily inspected;

Seamen:

defined, shall in no respect be distinguished, by reason of their present employment, from other aliens seeking admission into the United States; but it shall be the duty of the inspectors and medical officers detailed for the purpose to determine whether such aliens are clearly and beyond doubt entitled to land, and to hold for examination by a board of special inquiry such as are not so entitled, and to follow the same procedure as in the case of alien passengers seeking to land, including the certification of head tax on account of those landed.

If not *bona fide*, must not be landed;

(c) In case any alien employee of a vessel is found by the immigration officials not to be a *bona fide* seaman seeking to land in the pursuit of his calling, and is declared by such officials inadmissible under the immigration act, the master, owner, agent, or consignee of such vessel will be required, subject to the penalties imposed by said act, to prevent the landing of such inadmissible alien and to return him to the country whence he came.

Head tax not assessable on if *bona fide*;

(d) Head tax shall not be assessed on account of *bona fide* seamen who seek to land only in the pursuit of their calling. But on account of those who desert and remain in the United States, not being apprehended and returned to their vessels, and on account of such as are discharged with the intent to remain in the United States, the head tax shall be assessed. In determining whether head tax is assessable, it will not in any case be assumed that a deserting alien seaman has deserted with the intention to reship, but some reasonably convincing evidence of such an intent shall be required. Head tax assessed on account of discharged or deserted alien seamen shall be held on special deposit subject to refundment on submission of proof of departure, for a period not exceeding three months, and at the expiration of such period shall be covered into the Treasury.

Head tax on to be deposited temporarily;

Manifests of not *bona fide*;

(e) Of such aliens employed on board vessels as are found by the immigration officials not to be *bona fide* seamen, or not to be seeking to land in the regular course of their pursuit with intent to continue their calling, the immigration officials shall prepare lists, in lieu of manifests, for use in compiling statistics, indicating in such lists that the alien applicants therein enumerated arrived at the port as employees of a vessel.

Procedure if ill and law of vessel's country requires return home;

(f) If, upon the arrival of a vessel from a foreign port, it is discovered that any alien member of the crew of such vessel is ill or disabled to such an extent as to make it obligatory upon the master of the vessel, under the navigation laws of the country to which the vessel belongs, to return the seaman to the country where he embarked, immigration officials shall confer with the master and with the consular representative of the country to which the vessel belongs, with the object of perfecting plans by which the master may be able to observe the laws of his own country without making possible or encouraging a violation of the immigration laws of the

United States. If the disabled seaman relinquishes his calling, he shall be treated like any other alien seeking admission to the United States; and if, upon being brought before a board of special inquiry, his rejection is ordered the master of the vessel shall be required to return him by such vessel, or at his own expense, to the country where he embarked. If the seaman does not relinquish his calling, or if the master desires to return him otherwise than by the vessel on which he arrived, it will be permissible for him to pass through the United States, in transit to the country where he embarked, by the most expeditious and direct route: *Provided*, That (if he is suffering with a loathsome or dangerous contagious disease, or with tuberculosis, or is in such physical or mental condition as to render him a person likely to become a public charge or otherwise inadmissible) arrangements are made for his proper care while passing through the country, and a sum of money sufficient to defray the expenses thereof is furnished by the master of the vessel. This being a provision made in the interest of trade, and because of the peculiar position occupied by seamen under principles of international comity, immigration officials shall exercise care to insure a thorough understanding with all parties concerned, that violations of the immigration laws may be provided against, and that the spirit of foreign laws may be observed.

Seamen:
Care to be exercised concerning, when ill and allowed transit;

(g) With a view to the more efficient enforcement of the immigration law with respect to foreign crews, and for the greater convenience both of officers of the Immigration Service and of the commercial interests involved, the following special procedure will be observed in cases where the master, agent, owner, or consignee of any vessel engaged in the foreign trade of the United States shall give satisfactory assurances of ability and willingness to comply with the conditions thereof:

Special procedure concerning, to be followed in lieu of general procedure if agreed to by vessel—

1. The master, owner, agent, or consignee of any such vessel shall enforce at its foreign ports of departure and call a rigid medical examination of aliens seeking employment on such vessel which will insure the rejection of any and all applicants suffering with any mental or physical affliction which would make them inadmissible to the United States under section 2, or would render the vessel liable to the fine mentioned in section 9 of the immigration act. Any failure on the part of any vessel to enforce such a medical examination in the case of any member of the crew, coming to the knowledge of an officer of the Immigration Service, shall be promptly reported to the Department for appropriate action.

Mental and physical examination of, at foreign ports;

2. In any case in which an alien seaman is not employed or articulated for the return trip voyage to and away from the United States, and in any case in which it becomes necessary for any reason to discharge an alien member of a crew, the master, owner, agent, or consignee of the vessel shall notify the commissioner of immigration or the im-

Report of prospective discharge of, in United States ports;

- Seamen:** migrant inspector in charge at the port of such necessity in due season to permit the inspection and examination of such alien under the provisions of the immigration act.
- Regulation of shore leave, and reporting suspicious cases of;** 3. Masters, owners, agents, and consignees of such vessels shall enforce in the ports of the United States regulations on the subject of shore leave which will prevent as far as possible the permanent landing of alien members of the crew before inspection by the immigration authorities. They shall, also, furnish the immigration authorities with the names of aliens employed on their vessels of the *bona fides* of whose intention to follow the sea they have any reason to doubt, and shall afford opportunity for the inspection of such aliens; and, except by express permission of the Immigration Service, they shall under no condition grant shore leave or permit the landing of alien seamen who are insane, idiots, imbeciles, epileptics, or persons afflicted with tuberculosis or with a loathsome or dangerous contagious disease.
- Reporting desertions of, and apprehending deserters;** 4. When desertions occur, the master, agent, owner, or consignee of the vessel shall promptly notify the local immigration authorities of the name and description of the deserter, and any other information obtainable which would aid in the apprehension of such deserter, to the end that he may be returned to the vessel for conveyance to the foreign port of shipment.
- Presumptions in favor of vessels under special procedure.** Where the foregoing conditions have been faithfully complied with, and satisfactory evidence thereof has been presented, of the sufficiency of which the Secretary of Commerce and Labor shall be the sole judge, the master, agent, owner, or consignee will be deemed to have provided a "competent medical examination" of the vessel's crew at the time of foreign embarkation within the meaning of section 9, and will be deemed to have taken reasonable precautions to prevent the landing of alien members of the crew within the meaning of section 18; and the special procedure prescribed in the several articles of this paragraph (*g*) will be followed.
- Stowaways:** **RULE 23. Alien stowaways.**—The immigration act contains no provision relating in terms to stowaways, and the sections thereof prescribing inspection of applicants for admission do not, as a general rule, cover their cases. There are two good and sufficient reasons for refusing to examine stowaways: (1) By stealing passage they not only evade on their own account, but make it impossible for vessel officials to observe the mandatory terms of sections 9 and 12 to 15, requiring medical inspection and detailed manifesting *at the foreign port of embarkation*, so that they occupy the status of persons who have failed to comply with plain provisions of law, an observance of which is necessary to a proper inauguration of their inspection under section 16; and (2) even aside from the fact that stowaways thus come before the immigration officials as violators of the law, they are persons obviously falling within the excluded classes named in section 2 in
- Reasons for not examining under law;**

every instance, at least to the extent that they are persons who are "assisted by others to come," and with respect to whom it would be practically impossible to show "affirmatively and satisfactorily" that they do not belong to the excluded classes.

Stowaways:

Therefore, alien stowaways shall not, as a rule, be examined or permitted to land at ports of the United States, nor shall head tax be certified on their account. The masters of vessels immediately upon arrival shall report to the immigration officer in charge the names of any alien stowaways on board, and shall take every precaution to prevent their landing, subject to the penalty prescribed by section 18, holding them on board the vessel until it departs from the United States.

Not to be examined, as general rule;

Vessels to report concerning;

While these regulations cover all ordinary cases of stowaways and will in practice be found to be of almost universal application, yet cases may rarely arise in which the alien, though a stowaway, may nevertheless be entitled to inspection and to admission if found to belong to none of the excluded classes. For example, the alien, though originally a stowaway, may have been, because of the particular facts of his case, accepted by the vessel as a passenger and manifested in such a way as to substantially comply with the law, or may have been employed as a member of the crew, or the causes which led the alien to stowaway may have been such as to bring his case within the first proviso to section 2 of the immigration act, and entitle him to special consideration. Exceptional cases of this character should be promptly brought to the attention of the Department, with a full statement of facts and a request for instructions.

Exceptional cases of, to be brought to attention of Department.

RULE 24. Ports of entry, Canada.—In accordance with section 36, the following are named as Canadian border ports of entry for aliens; and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Eastport, Calais, Vanceboro, Houlton, and Lowelltown, Me.; Beechers Falls, N. H.; Island Pond, Newport, Richford, St. Albans, Swanton, and Alburg, Vt.; Rouses Point, Malone, Fort Covington, Nyando, Ogdensburg, Morristown, Clayton, Cape Vincent, Charlotte, Lewiston, Niagara Falls, and Buffalo, N. Y.; Detroit, St. Clair, Port Huron, and Sault Ste. Marie, Mich; Duluth, Beaudette, and Noyes, Minn.; Pembina, Neche, Portal, and St. John, N. Dak.; Sweet Grass and Gateway, Mont.; Porthill and Eastport, Idaho; Marcus, Oroville, Sumas, and Blaine, Wash.

Ports of entry, Canada: List of.

RULE 25. Admission and exclusion, Canadian ports.—In view of the agreement between the various steamship and railroad companies in the Dominion of Canada and the Commissioner-General of Immigration of the United States of America, inspection and entry of aliens into the

Canadian agreement: Admission under;

Canadian agreement: United States from foreign countries, through Canadian territory, under the Immigration Act, will be accomplished in accordance with the following provisions:

Seaports of inspection: (a) All aliens arriving in Canada, destined to the United States, shall be inspected at any one of the following ports: Halifax, Nova Scotia; Quebec and Point Levi, Quebec; St. John, New Brunswick; and Vancouver and Victoria, British Columbia; and the holders of certificates, duly signed by the United States commissioner of immigration for Canada, shall be entitled to admittance to the United States, at any one of the places of entry along the border thereof named in Rule 24, without further examination by the United States immigration officers as to their right to enter, upon their identification and their surrender of said certificates to such officials.

Certificates of admission:

(b) The said certificates shall be in the following form:

Alien certificate. No. ----

Form of; FORM 524. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,

This is to certify that -----, a native of -----, who arrived at the port of -----, per steamship "-----," on the ----- 190--, has been duly inspected and registered, and will be admitted into the United States upon proper identification and surrender of this certificate to any immigration officer at the frontier.

The description of the holder is as follows: Age, -----; height, -----; weight, -----; color of hair, -----; color of eyes, -----
Remarks: [Note destination, etc.]-----

-----,
U. S. Commissioner of Immigration.

Surrendered at -----, to Inspector -----
-----, 190--.

Seaport examination by inspectors and boards: (c) The examination at Canadian ports of all aliens destined to the United States shall be similar in all respects to that conducted at ports of the United States. Such aliens as, in the opinion of the examining inspector, are not clearly entitled to admission shall be taken before a board of special inquiry, the decision of which shall be final, unless reversed upon appeal, as provided for in section 25.

Deportation of rejected aliens: (d) All aliens arriving at Canadian seaports, destined to the United States and who may be adjudged inadmissible thereto, shall be refused the certificates herein called for, and the steamship company bringing such aliens to such Canadian seaport shall be required to return them to the countries from which they respectively came.

Manifests of incoming passengers: (e) The masters, owners, or agents of vessels bringing aliens to Canadian ports, destined to the United States, shall be required to furnish to the United States immigrant inspectors in charge at such ports complete manifests

and alphabetical books of all alien passengers arriving upon vessels of their respective lines, and, in addition thereto, complete manifests of all alien passengers destined to the United States such as are now required by law in the cases of vessels bringing aliens to the ports of the United States; and the said masters, owners, or agents shall pay to the United States commissioner of immigration for Canada the sum of four dollars for each and every alien brought to a Canadian port and destined to the United States: *Provided*, That no head tax shall be levied against or collected from Canadian steamship lines on aliens brought to Canada, destined to the United States, who are shown to belong to any one of the excluded classes and who are returned to the country whence they came. In addition to the foregoing, the Canadian steamship companies will furnish to the United States commissioner of immigration for Canada (for transmission to the Commissioner-General of Immigration) manifests of all passengers not citizens of the United States leaving the United States and proceeding by the vessels of such companies to foreign ports, as required in the cases of United States transportation companies by section 12.

Canadian agreement:

Payment of head tax;

Manifests of outgoing passengers;

(f) All aliens of the class upon whom head tax is chargeable not provided with certificates of the character described in paragraph (a) hereof who shall apply at the border between Canada and the United States within one year after arriving at a Canadian port shall be required to return to such port, or to any one of the ports designated in paragraphs (a) and (f) hereof, for guaranty of payment of head tax, examination, and the procurement of the certificate described in paragraph (a): *Provided*, That aliens destined in good faith to Canada, and who shall have settled at some point in the Dominion of Canada, who shall apply as above for admission to the United States within one year after arrival in Canada, shall be examined by the boards of special inquiry located at any one of the following points: Yarmouth, Nova Scotia; Montreal, Quebec; Newport, Vt.; Buffalo and Suspension Bridge, N. Y.; Detroit, Port Huron, and Sault Ste. Marie, Mich.; Duluth, Minn.; Winnipeg, Manitoba; Portal, N. Dak.; Sweet Grass, Mont.; and Sumas and Blaine, Wash. That the decisions of the said boards of special inquiry shall have the same force and effect as decisions rendered by boards of special inquiry at seaports of the United States. That the various steamship lines shall return at their own expense, from some seaport of the Dominion of Canada or of the United States, as they may deem most practicable and may elect, to the trans-Atlantic or trans-Pacific country whence the aliens came, those aliens coming within the provisions of this paragraph who are shown to belong to any of the excluded classes mentioned in section 2, whenever in the

Certificates of admission;

Extra boards;

Effect of board decision;

Deportation of aliens rejected by boards;

- Canadian agreement:** judgment of the Secretary of Commerce and Labor the deportation of such aliens in the manner described is deemed necessary to safeguard the interests of the United States.
- Facilities at seaports:** (g) All facilities in the way of accommodations, access to aliens, and the keeping of aliens apart from the public until after inspection shall be afforded to the immigrant inspectors of the United States at the Canadian ports of landing to enable them to make such inspection as is required by the laws of the United States.
- Certificates of admission:** (h) It is expected that the railway and other transportation companies in the Dominion of Canada will not sell to any aliens en route to any part of the United States tickets for their transportation. or transport them in cars or vessels from the port of entry, until after they have exhibited their certificates as herein provided, and will not knowingly transport into the United States any rejected or undesirable aliens or those who are by law prohibited from entering said country, but will return the rejected aliens to the ports at which they arrived. All aliens on account of whom the transportation companies are exempted from payment of head tax, who proceed to the border between the United States and Canada without having first been examined and granted a certificate of admission of the character described in paragraph (a) hereof, and who may be excluded by a border board of special inquiry, shall be returned by the transportation company carrying said aliens to the border a reasonable distance in Canada from said border. Aliens of the class last above mentioned carried to a border point where there is no board of special inquiry shall be returned and conveyed for examination to the nearest point at which a board of special inquiry is located.
- Prerequisite to transportation:** (i) The various steamship lines, parties to the Canadian agreement, shall return at their own expense, at any time within three years from the date of landing in Canada, from some Canadian port, or when that is not practicable from some port of the United States, such aliens as, having been brought into the Dominion of Canada upon their respective lines and having subsequently proceeded to the United States, are shown to belong to any one of the excluded or deportable classes mentioned in the act of Congress approved February 20, 1907, whenever deportation of such an alien is ordered by the Secretary of Commerce and Labor.
- Returning aliens not holding certificates of admission:** (j) The immigration regulations adopted by the Department of Commerce and Labor relating to the examination of aliens at ports of the United States shall apply, in so far as may be practicable, to the inspection of aliens coming through the Dominion of Canada destined to the United States.
- Examination before boards:** (k) All aliens of the taxable class seeking to enter the United States from Canada or Newfoundland shall be
- Deportation of excluded and deportable classes:**
- Application of regulations to aliens coming through Canada:**
- Guaranteeing payment of head tax:**

denied examination under the United States immigration laws (except to a sufficient extent to determine their liability for head tax) until they present to the examining officer or officers a certificate from a duly appointed agent of the transportation company bringing such aliens to the border, guaranteeing that responsibility for the payment of head tax on account of such aliens will be assumed by said transportation company, certificate guaranteeing payment of head tax being returnable to the applicant for admission in the event of his exclusion, such certificate before its return to the alien to have the word "Rejected" stamped or written in red ink across its face.

Canadian agreement:

Returning head - tax certificate;

Disposition of head tax collected in Canada;

(l) All moneys collected as provided in paragraph (e) hereof shall be transmitted by the United States commissioner of immigration for Canada to an assistant treasurer of the United States in the same manner as other miscellaneous collections are reported by collectors of customs of the United States, to be deposited to the credit of the Treasurer of the United States on account of the "immigrant fund." Statement of such receipts, under this agreement, must be rendered monthly to the Secretary of Commerce and Labor, on forms provided for that purpose.

(m) Said United States commissioner of immigration for Canada shall give bond to the United States in the sum of ten thousand dollars, with sureties approved by the Secretary of Commerce and Labor, conditioned for the faithful discharge of his duties and the remittance of above collections. He shall make monthly reports to the Commissioner-General of Immigration, upon blanks to be furnished by the Department of Commerce and Labor, of all aliens arriving at stations under the jurisdiction of the said commissioner of immigration.

Commissioner bonded;

(n) United States officers charged with the execution of the immigration laws and regulations along the Canadian border will, at the end of each month and from time to time as may be required, report in writing to the United States commissioner of immigration for Canada, upon blanks to be prescribed by him, the number of aliens passing through their respective ports of entry and the Canadian ports at which they landed, and the said commissioner of immigration for Canada will make to the Commissioner-General of Immigration similar reports in consolidated form, comprising both ocean and border ports.

Reports from Canadian border.

RULE 26. *Ports of entry, Mexico.*—In accordance with section 36, the following are named as Mexican border ports of entry for aliens, and any alien who enters the United States across such border at any other point shall be deemed to have entered the country unlawfully, and shall be arrested and deported, under sections 20, 21, and 35 of said act, in the manner provided by Rule 34 hereof: Brownsville, Hidalgo, Rio Grande City, Laredo, Eagle Pass, Del Rio, Presidio, and El Paso, Tex.; Douglas,

Ports of entry, Mexico:
List of.

Mexican border: Naco, Lochiel, Nogales, and Aros Ranch, Ariz.; and Campo, Calexico, and Tia Juana, Cal.

Inspection along: **RULE 27.** *Admission and exclusion, Mexico.*—Aliens applying for admission at the Mexican border ports of entry named in Rule 26 are subject to examination in the same manner and to the same extent as though arriving at sea-ports, except in the following particulars:

Blanks to be used in collecting statistics and head tax: (a) In the cases of aliens who are brought to said ports by a transportation or bridge company statistical data shall be gathered and information as to the manner in which head tax, if taxable, is to be assessed indicated by the use of a blank form reading as follows:

Report of inspection—Mexican border.

FORM 548. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
PORT OF _____,
(Date) _____, 190__

Name of passenger, _____; Age, _____; Sex, _____; Married or single, _____; Calling or occupation, _____; Read or write, _____; Nationality, _____; Race, _____; Last residence, _____; Final destination, _____; Ticket to destination, _____; Who paid passage? _____; Money, _____; Going to relative or friend; if so, whom? _____; Ever in U. S.? _____; if so, where and when? _____; Ever in prison, etc.? _____; Polygamist, _____; Anarchist, _____; Contract laborer, _____; Health, etc., _____; Whether in transit; and if so, how? _____; Admitted on primary inspection, _____; Held for board of special inquiry, _____; Whether taxable; and if so, transportation or bridge company or individual responsible for payment of head tax, _____

(Signature) _____
(Title) _____

Use of above blank: (b) The above blank shall be used by every officer of the immigration service making examinations of aliens brought to Mexican border ports by transportation or bridge companies, and shall be filled out completely in each case and delivered to the inspector in charge at the port of entry, who will thereupon compile from such forms a detailed notice to the collector of customs, upon blanks which will be provided, reading as follows:

Blanks for reporting aliens subject to head tax:

Statement of aliens subject to head tax—Mexican border.

FORM 549. DEPARTMENT OF COMMERCE AND LABOR,
IMMIGRATION SERVICE,
OFFICE OF _____,
PORT OF _____,
(Date) _____, 190__

COLLECTOR OF CUSTOMS,
Port (or district) of _____

I hereby certify that head tax has been incurred by _____ (transportation or bridge company or individual) _____ on account of alien passenger arriving by ^a _____ on this date, and duly admitted, as follows:

Aliens subject to head tax, at \$4 each, as follows:

_____ \$ _____

^a Give train number or state mode of transportation.

Amount to be deposited on account of alien in transit (Rule 41) and held as special deposit (Treasury decision 24439), as follows:

Mexican border:

----- \$-----

 Total----- \$-----
 (Signature)-----
 (Title)-----

(c) In the cases of taxable aliens who cross the border by other than regular (bridge or railway) transportation as a preliminary to regular examination under the laws, such alien shall be questioned only sufficiently to determine with precision whether, in the event that full examination should show him to be admissible, he is in financial condition to pay the four dollars head tax. If found to be in possession of sufficient funds in this respect, the examination may be completed, and if the alien is found eligible he shall be required to pay the head tax before being permitted to land; the blanks above given to be used for the purpose of certifying the head tax to the collector of customs.

Examination concerning funds in alien's possession.

RULE 28. *Fine, bringing of diseased aliens.*—As a means of enforcing the collection of any fine imposed under the provisions of section 9 of the Immigration Act, the said section directs the refusal of clearance papers to any vessel bringing an alien diseased as described therein to a port of the United States. To avoid, on the one hand, the denial of reasonable time to the master, agent, owner, or consignee to show cause why such fine should not be imposed and, on the other hand, the loss of the summary and effective means provided for the collection of such fines, the following instructions will be observed:

Fines: On account of diseased aliens—

(a) The certificate of the medical examiner in the case of an alien afflicted with a loathsome or dangerous contagious disease shall state in terms whether, in his judgment, the "existence of such disease might have been detected by means of a competent medical examination at the port of foreign embarkation."

Manner of imposing;

Medical certificates;

(b) Upon the receipt of a medical certificate in compliance with the preceding paragraph hereof, the commissioner of immigration or inspector in charge at the port of arrival shall at once serve notice upon the master, agent, owner, or consignee of the vessel upon which such alien arrived in the following form, printed blanks for that purpose to be procured from the Department, viz:

Notification;

Notice of liability for fine on account of bringing diseased alien to the United States.

Form of notice;

FORM 507. DEPARTMENT OF COMMERCE AND LABOR,
 IMMIGRATION SERVICE,
 OFFICE OF-----,
 PORT OF-----,
 -----, 190--
 To-----
 ----- of the steamship -----
 [Master, agent, owner, or consignee.]

[Prepare in triplicate.]

Fines:

In conformity with the requirements of Rule 28 of the Immigration Regulations, you are hereby notified that the certificate of the examining surgeon, based upon a physical examination of the alien whose name is shown herein, indicates that a fine should be imposed under the provisions of section 9 of the Immigration Act approved February 20, 1907.

If you desire a hearing as to whether a fine should be imposed in this instance, you will be allowed sixty days from the date of this notice for that purpose, and the vessel on which the said alien arrived will be granted clearance papers when she is ready to sail and allowed to proceed upon her outward-bound voyage, upon condition that you deposit with the collector of customs at this port, prior to her sailing, the sum of one hundred dollars as security for the payment of the said fine, should it be imposed.

Name or alien.	Steamship.	Disease.

[Name.]		

[Official title.]		
Received the above notice	-----, 190	at ----- M.
		[Time.]

(Witness:)

Disposition of notice:

(c) The notification shall be prepared in triplicate, the original to be delivered by an employee of the Immigration Service at the office of the master, agent, owner, or consignee to whom it is addressed, said employee to witness the signature of the recipient. Receipt of service shall be indorsed upon the duplicate and triplicate, the duplicate to be returned to the office of the commissioner of immigration or inspector in charge and preserved as proof of delivery, and the triplicate to be delivered to the collector of customs, who will withhold clearance papers until the deposit is made.

Deposit:

(d) The special deposit of one hundred dollars required to stay action for the period of sixty days shall be made to the collector of customs for the district wherein the port of arrival is located before such sailing, and in default thereof all further proceedings shall be discontinued and the facts certified to the Bureau of Immigration and Naturalization by first mail, together with the medical certificate and duplicate notice, in order that such action may be taken as the evidence requires.

Stay of action:

(e) If, after service of the notice as provided in paragraph (b) of this circular, the deposit of one hundred dollars has been made in conformity with the said notice, the commissioner of immigration or inspector in charge shall suspend further proceedings until the submission of the evidence offered to show why the said fine should not be imposed, or until the lapse of the specified period of sixty days thereafter. When the said evidence has been submitted it shall be forwarded, together with the certificate of the examining surgeon and duplicate notice, to the Commissioner-General of Immigration, for presentation to the Secretary of Commerce and Labor, by the

said commissioner or inspector in charge, who shall at the same time present his written views as to whether the said fine should be imposed. If no evidence is submitted prior to the expiration of the said sixty days, then said commissioner or inspector in charge shall report the case, without such evidence, for action by the Secretary of Commerce and Labor.

Fines:

(f) Upon receipt of the decision of the Secretary of Commerce and Labor, a copy thereof shall be forwarded to the collector of customs, together with such data as may enable him to identify the special deposit made in that particular case. If the said decision imposes the fine, the one hundred dollars deposited as security shall be accounted for by the said collector in the usual manner as a fine; if the decision holds that the penalty has not been incurred, the collector of customs shall return to the depositor the amount deposited as security.

Final proceedings.

RULE 29. *Fine, failure to deliver manifests.*—If the master or commanding officer of any vessel bringing aliens to a United States port fails to deliver to the immigration officers at such port lists or manifests, as required by sections 12, 13, and 14, and it therefore becomes necessary to collect the fine imposed by section 15, the following instructions shall be observed:

Fines—
For nonmanifesting—

(a) Written notice, clearly setting forth the particulars in which the lists or manifests are deficient, shall be served upon the steamship company concerned, allowing such company the period of sixty days from date of notice within which to place before the Department, through the local immigration officials, such evidence, if any, as said company may possess to show cause why the statutory penalty should not be collected. Copies of such notices and the responses thereto shall be kept of record, and shall be forwarded to the Department in the event the collection of the penalty is protested; and in no protested case shall suit be instituted to enforce collection until the Department has rendered a decision directing that collection be made.

Notice and procedure as to incoming passengers;

Procedure for protesting collection;

(b) Similar notice shall be given by collectors of customs as a preliminary to collecting fines for failure to promptly furnish manifests of outward-bound alien passengers. (See Rule XXIX, statistical regulations.)

Notice as to outgoing passengers;

(c) Under an opinion of the Attorney-General, the fine mentioned in this rule can not be remitted. (25 Op. At. Gen., 336.)

Can not be remitted;

(d) In no case covered by this rule shall the aggregate amount of fines collected in any one instance of departure of a vessel exceed one hundred dollars.

Aggregate not to exceed \$100, in cases of departure;

(e) The detailed statistical information required under section 12 of the Immigration Act and section 1 of the naturalization act of June 29, 1906, shall not hereafter be required to be furnished in the cases of diplomatic and

Exemption on account of diplomatic and consular officers;

Fines:

consular officers, and other officials duly accredited by their governments, together with their suites, families, and guests, coming to the United States or in transit. The names of all such diplomatic and consular representatives and their suites, families, and guests, with their respective titles, should, however, appear grouped together upon the manifest.

**Questioning
aliens concern-
ing items lack-
ing in mani-
fests.**

(f) As an additional precaution, all aliens examined at ports of entry, concerning whom complete information is not furnished in the manifests, should be questioned as to whether demand was made upon them by the representatives of the steamship company at the port of foreign embarkation for the items of information that are lacking; and in case such answer is in the negative, the affidavit of the alien shall be taken and filed for future reference if required.

**Certificate of
surgeon, re-
garding aliens
aboard vessel:**

(g) The certificate (unverified) of a responsible surgeon located at the point of embarkation or at the last port of call, prepared in the form appearing upon the reverse side of the manifest (Form 1500), shall be accepted as a sufficient compliance with section 14 requiring that when no surgeon sails with a vessel bringing aliens to the United States, the mental and physical examination of such aliens shall be made by "some competent surgeon employed by the owners of the said vessel."

**What accept-
able.**

(h) There will be furnished to the steamship company by the Bureau of Immigration and Naturalization blank books suitable for use in the preparation of alphabetical indexes of manifests.

Manifests:

**Alphabetical
indexes of.**

Fines:

**Method of
reporting when
U. S. attorney
requested to
prosecute.**

RULE 30. Fines, reporting of.—The following method will be observed in reporting fines incurred under the immigration laws:

(a) Commissioners of immigration or inspectors in charge will, in all cases wherein a United States attorney is requested to institute proceedings for the recovery of prescribed penalties or to undertake criminal prosecution of an alleged offender against the immigration laws, make a report at the same time to the collector of customs for the district in which the offense was alleged to have been committed. Said report shall be rendered in every case which may arise, irrespective of the possible outcome of any legal proceedings, and shall embrace the following: (1) Date when offense was committed; (2) act, and section thereof, violated; (3) nature of offense; (4) name of offender; (5) nationality, kind, and name of vessel; (6) statutory amount of fine; (7) date of reporting case to United States attorney.

(b) Upon receipt of the above reports, the collector of customs will give each case a number in chronological order. When more than one section of a statute is violated by the same vessel, a separate case number will be given to each violation.

(c) At the close of each month, collectors of customs will render reports in the same manner as in the case of navigation and steamboat-inspection fines, viz: All fines incurred during the month must be reported on Form Cat. No. 1078, showing, under the heading "Remarks," the date when the case was reported to the United States attorney.

Fines:

(d) All fines disposed of during the month must be reported on Form Cat. No. 1032. In connection with this form, the account current (Form Cat. No. 1030) must be used.

(e) At the close of June and December in each year, semiannual reports, on Form Cat. No. 1079, must be rendered, showing all unsettled cases on hand and explaining the cause of delay in disposing of them.

RULES RELATING TO DEPORTATION.

RULE 31. *Deportation, aliens subject to.*—Aliens of the following classes are subject to arrest, upon the warrant of the Secretary of Commerce and Labor, and to deportation to the country whence they came, at any time within three years after landing or entry:

Deportation, aliens subject to:

(a) Aliens who, at the time of entry, belonged to any of the classes of persons enumerated and defined in section 2 of the Immigration Act or in the Executive order of March 14, 1907, and who should, therefore, have been then excluded. (Secs. 20, 21.)

Members excluded classes:

(b) Aliens who become public charges from causes existing prior to landing. (Sec. 20.)

Public charges;

(c) Alien women or girls who are found to be inmates of a house of prostitution or practicing prostitution. (Sec. 3.)

Prostitutes;

(d) Aliens who are found to have entered the United States at any other place than at the seaports thereof or at one of the ports or places designated in Rules 24 and 26 hereof, and aliens found to have entered at a seaport, but at any time or place other than as designated by the immigration officers. (Secs. 18, 38.)

Those entering surreptitiously.

RULE 32. *Public charges from prior causes.*—The case of every alien found to have become a public charge from causes existing prior to landing should be reported to the immigration officer stationed nearest the place where the alien is confined. This report *must be accompanied by*—

Public charges from prior causes:

Reporting cases of;

(1) An unequivocal certificate (Form 534) of the *principal medical officer* of the institution of which the alien is an inmate, setting forth:

Medical certificate of;

(a) That the alien is a public charge, and giving: Date of admission to the institution; date and port of foreign embarkation; ship and line by which arrived; date and port of American debarkation; correct name; name under which manifested; age; nationality; and citizenship.

Data for verifying landing of;

Public charges from prior causes: (b) An accurate statement in plain terms of the mental or physical disability of the alien, covering any and all complications which his condition may present; also his present condition with reference to the degree of helplessness to which reduced; the probability of a cure, or the degree to which health and ability to become self-supporting may be restored; and in insanity cases, whether recurrent attacks might be expected if recovery from present onset were effected.

Statement of causes required; (c) A full and complete recital of the causes to which are attributed the alien's condition as a public charge.

Origin of causes. (d) Whether such causes are considered to have existed prior to or to have arisen subsequent to landing; and if believed to have existed prior to landing, stating specifically the reasons upon which belief in prior cause is based, or, in other words, the features of the case which justify such a conclusion.

Copy of history required. (2) A *complete copy* of the clinical or general history of the case as shown by the hospital records, and including the statements of relatives and friends.

Commitment papers; (3) In the cases of insane patients, a copy of the commitment papers containing the grounds alleged by the examining physicians as the basis for commitment.

Further certificate required if possible; (4) Before applying for a warrant in accordance with Rule 34, the immigration officer to whom the foregoing report is made shall, whenever practicable, cause the alien to be examined by an officer of the Public Health and Marine-Hospital Service, whose certificate should accompany the application for a warrant.

P u b l i c charges: **RULE 33. Public charges, medical certificate.**—In the event that the examining medical officer is able definitely to certify that an alien was, at the time of landing in the United States, afflicted with insanity, idiocy, imbecility, feeble-mindedness, epilepsy, tuberculosis, or a loathsome or dangerous contagious disease, such a certificate will be regarded as prima facie evidence of entry in violation of section 2 of the Immigration Act, and, in the absence of satisfactory evidence to the contrary, the alien will be deported in accordance with the provisions of sections 20 and 21.

Deportation: Application for warrant of. **RULE 34. Deportation, application for warrant.**—Every immigration officer receiving a report in conformity with Rule 32, accompanied by a medical certificate that complies with either Rule 32 or Rule 33, shall communicate with the officer in charge at the port of entry and, if landing is verified from the official records, shall make application for warrant in the manner provided by Rule 35. Such aliens will not be removed from the institutions in which they are confined until after due hearing and after an order of deportation is issued, or unless special instructions for removal are incorporated in the warrant.

RULE 35. *Deportation, procedure.*—In enforcing sections 20 and 21 of the act approved February 20, 1907, the following instructions regarding applications for warrants of arrest and deportation will be observed:

Deportation, procedure:

(a) All applications for warrants must be made, if possible, upon blank form No. 565, which will be furnished upon written request to the Commissioner-General of Immigration, Department of Commerce and Labor, and which must be filled out in accordance with the printed lines contained therein, and be accompanied by the certificate of landing or entry (Form No. 564) hereinafter prescribed, or if not so accompanied the reasons for the absence of such certificate must be given, and in that case all the facts called for in the blank form of said certificate shall be set forth in the application, so far as the facts are ascertainable.

Application for arrest warrant;

(b) A full statement must be made in every such application of the facts, supported if practicable by affidavits, which show the presence in the United States of the alien whose arrest and deportation is sought to be in violation of law.

Affidavits to accompany;

(c) The certificate of landing in or entry into the United States must contain a complete statement in detail of all the facts disclosed as to any such alien by the manifest or list containing his name, with an attached certificate by the officer in charge of such manifest that the information given agrees in all particulars with the record of such alien in said list or manifest.

Verification of landing;

(d) Telegraphic application for warrants should be avoided so far as possible, but, if the circumstances of any particular case make it absolutely necessary to resort to request by wire, such request must state that the foregoing regulations have been complied with, and that the form of application and certificate hereinbefore mentioned have been forwarded to the Department, and must give the substance of the statement of facts contained in the said application and certificate. In order to obviate any possible legal difficulty in the service of the telegraphic warrant, the Department will confirm the telegram by sending in the next outgoing mail a formal written warrant. The statement of facts, contained in the telegraphic application, therefore, must be sufficiently complete and specific to form the basis of the formal warrant.

Telegraphic application for arrest warrant.

(e) If, upon the receipt of any such application and certificate or of the request by wire provided for in paragraph (d), either completely in conformity with these regulations or accompanied by a satisfactory explanation of inability to comply therewith, it appears to the Secretary that the alien whose arrest and deportation is sought is in the United States unlawfully and that the time within which he can be deported has not expired, a warrant for his arrest will be issued directing that he be taken before an officer or officers named therein, and there be given full opportunity to show cause, if there be any,

Issuance of arrest warrant;

- Deportation procedure:** why he should not be deported, and as soon as arrested said alien shall be apprised of his right to be represented by counsel, and he and his counsel shall have the right to inspect all the evidence upon which the Secretary has acted in directing said alien's arrest, and be given an opportunity to offer evidence and submit an argument in his behalf, and be given an opportunity to inspect and make a copy of the report of the hearing and of the findings of the officers before whom it is held. In case said alien is unable to understand or to speak the English language, an interpreter shall, if possible, be secured for the hearing, authority for payment of a reasonable compensation to be obtained by special request therefor; and in the event that the alien is physically or mentally incapable of testifying, his relatives, friends, or acquaintances shall be questioned.
- Hearing under arrest warrant;**
- Medical certificate;** (f) The record of the hearing accorded an alien who is insane or has become a public charge shall be supplemented by a *written* certificate of the medical officer in charge of the institution in which the alien is confined, showing whether such alien is in condition to be deported without danger to life.
- Release under bond;** (g) Pending decision upon the case the arrested alien shall be released from custody, provided there is furnished, as required by the proviso to section 20, a satisfactory bond, running to the United States and conditioned for the production of the alien to the immigration officers for hearing or hearings and for deportation in the event of the issuance of a departmental warrant of deportation. The sureties on such bond shall be parties of ascertained responsibility; and in preparing the bond a blank form supplied by the Bureau of Immigration and Naturalization will be used. No alien so arrested shall be released, however, until the bond offered on his behalf has been approved by the Secretary.
- Sureties on bond;**
- Issuance of deportation warrant;** (h) If, after the receipt of the report of such hearing, it shall appear to the satisfaction of the Secretary, from all the evidence, that such alien is in the United States in violation of law and that the time within which he can be deported has not expired, a warrant will be issued for his deportation.
- Care to be exercised in conducting investigation;** (i) Officers are directed to make thorough investigation of all cases where they are credibly informed, or have reason to believe, that a specified alien is in the United States in violation of law. It is not permissible for officers to resort to any form of intimidation, by threats, violence, or otherwise, in order to extort from any suspected alien or from any other person the information to be embodied in the application for the warrant of arrest. Officers are specially cautioned not to lend their aid in causing the arrest of aliens upon charges arising out of personal spite or enmity, unless the truth of such charges is clearly established.
- Notice to steamship company;** (j) In every case in which a warrant of deportation is issued under sections 20 and 21, the immigration official

in charge at the port from which deportation is to be made shall notify the steamship line, on a vessel of which the alien is to be placed, of the intended deportation as promptly as possible after receipt of the departmental warrant and of advices from the officer under whose supervision the arrest and hearing in the case have been effected. And in all such cases care shall be exercised by all immigration officials concerned to furnish the steamship officials with full and exact information concerning the name, destination, condition of health, etc., of the alien to be deported.

Deportation, procedure:

(k) If the conditions are such that an attendant (or matron) will be required to assist in conveying an alien from an inland point to the seaport of deportation, special request for authorization therefor should accompany the record of hearing under a warrant of arrest. Such attendants will be allowed a nominal compensation of *one dollar* and traveling expenses both ways. This rate must not be exceeded in any instance without special authorization, based upon extraordinary conditions, to be fully set forth for the guidance of the Department.

Attendant to seaport.

RULE 36. *Deportation, cost of maintenance.*—The cost of maintaining aliens during the pendency of warrant proceedings under the preceding rule is a proper charge against the appropriation "Expenses of regulating immigration;" but in the cases of aliens who have become public charges from causes existing prior to landing in the United States, such cost shall not be allowed for any period preceding the date of original notification to an officer of the Immigration Service, and even then only in the event that the Department, upon investigation, orders the deportation of the alien. If proceedings against a procurer or contractor are instituted in accordance with section 3, 5, or 20 of the Immigration Act, immigration officers should report to the United States district attorney the amount of the cost of deporting the alien, including one-half of the entire cost of removal to the port of deportation, so that a proper effort may be made to recover such expense from the procurer or importer and the reimbursement of the Government and the transportation company for their respective parts thereof.

Arrest and deportation:

Expense of maintenance during proceedings, how borne;

Method of obtaining reimbursement when importers are prosecuted.

RULE 37.^a *Deportation, procedure in cases of insane or diseased aliens requiring special care and attention.*—(a) When deportation is to be effected, under sections 20 and 21, and the alien is disabled or mentally or physically diseased, the immigration officer charged with the investigation of the case shall obtain from the physician (if practicable a surgeon of the Public Health and Marine-Hospital Service) having personal knowledge of the condition of the alien's health a statement showing such condition in terms that will enable the Department to

Deportation:

Procedure in cases of insane or diseased aliens;

Aliens requiring special care and attention—

^a For special regulations regarding arrest and deportation of prostitutes and procurers, and anarchists and criminals, see Department Circulars Nos. 156 and 163, respectively.

Deportation: determine whether the alien, if deported, will require special care and attention, which statement shall accompany the report of the hearing of the case forwarded to the Department.

Procedure in cases of— (b) If, upon considering the report of the hearing, the Department decides that the alien is deportable and issues a warrant of deportation, the physician's statement described in paragraph (a) hereof, taken in conjunction with such further evidence of physical or mental condition as is brought out by the hearing, will be made the basis for determining whether direction shall be given that the steamship line by which deportation is to be effected shall be called upon to submit to the Department returns covering the ocean voyage and delivery of the alien to the transoceanic port, and foreign land trip and delivery of alien at final destination, in accordance with paragraph (c) hereof.

Returns by vessels concerning;

Delivery of forms of returns;

(c) If the Department indicates in issuing its warrant of deportation that, in its opinion, the mental or physical condition of the alien is such as to require particular care and attention during the ocean voyage and foreign land trip, the commissioner or inspector in charge shall, when delivering the alien to the master or first or second officer of the steamship by which the return of the alien is to be made, place in the hands of such officer a statement of particulars (Form No. 597) and blank receipt and blank returns attached thereto (lettered, respectively, "A," "B," "C," and "D"), the receipt ("B") to be immediately signed by such steamship officer and returned to the officer delivering the alien, and the blank returns ("C" and "D") to be filled out in due course by appropriate officials of the steamship line and mailed to the commissioner or inspector in charge at the port of deportation, in accordance with instructions given in the statement of particulars.

Preparation of returns;

(d) In preparing the statement of particulars, care will be exercised to furnish exact and full information of the character indicated by the language and blank spaces of the form. The number of the departmental warrant in cases of *deportation*, and the file number of the correspondence in cases of *return*, shall be inserted by the immigration employee charged with the duty of filling out the blanks in the appropriate space at the top of each sheet ("A," "B," "C," and "D") of the blank. Sheets "A" and "B" will be completely filled out (except signature) by such immigration employee; and sheets "C" and "D" will be left blank, except for the careful insertion of the number, it being intended that the steamship officials shall fill out such sheets. Both the original and the carbon copy of sheets "B," "C," and "D" will be delivered to the master or first or second officer of the vessel in whose charge the alien is placed; but of Sheet "A" only the original will be so delivered, the carbon copy being retained in the records of the immigration station.

(e) The commissioner of immigration or inspector in charge by whom the statements of particulars are delivered to steamship masters shall see that in due course the returns, properly and completely filled out, are mailed to him. Any failure on the part of steamship companies so to do, as well as any circumstance, or anything contained in the returns, indicating failure upon the part of the officials of a vessel to accord proper care and attention to a deported alien and to deliver him into proper custody at his final destination, shall be reported to the Department fully and in detail.

Deportation:
Mailing of returns;

RULE 38. *Deportation, where to.*—The deportation of aliens as prescribed in Rules 30 to 36 hereof shall be to the foreign trans-Atlantic or trans-Pacific port from which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such contiguous territory. (Sec. 35.)

To be to transoceanic port;

RULE 39. *Deportation by consent.*—Any alien who has been lawfully landed, but who has become a public charge from subsequently arising physical inability to earn a living, may, by consent of the alien and with the approval of the Bureau of Immigration and Naturalization, be deported within one year from date of landing at the expense of the immigrant fund: *Provided*, That such alien is delivered to the immigration officers at a designated port free of charge; and the charges incurred for the care and treatment of any such alien in any public or charitable institution from the date of notification to an officer of the Bureau until the expiration of one year after landing may be paid from the immigrant fund at fixed rates agreed upon.

Of public charges from subsequently arising causes;

Expense, how borne.

RULES RELATING TO TRANSIT. .

RULE 40. *Aliens in transit.*—Every alien seeking a landing for the purpose of proceeding directly through the United States to a foreign country shall be examined, and, if found to be a member of any one of the excluded classes, shall be refused permission to land, in the same manner as though he intended to remain in the United States. Cases where a refusal of the privilege would entail exceptional hardship may be reported to the Secretary for a special ruling.

Transits:
To be examined;

Cases exceptional hardship to be reported.

RULE 41. *Aliens in transit, head tax for.*—(a) No alien desiring admission at a port of the United States for the professed purpose of proceeding directly therefrom to foreign territory shall be permitted to land thereat except after deposit with the collector of customs at said port, by the master or owner of the vessel or by a representative of any other mode of transportation by which such alien is brought, of the amount of the head tax (four dollars) prescribed by section

Head tax must be deposited on account of;

Transits: 1 of the Immigration Act, said amount to be refunded upon proof satisfactory to the immigration officer in charge at the port of arrival that said alien has passed by direct and continuous journey through and out of the United States within thirty days from the date of admission, proof of such departure to be furnished within sixty days from the date of admission. Special deposits of head tax on account of aliens in transit will, at the expiration of sixty days from the date of admission, be covered into the Treasury as head tax, the cases in which proof of departure is received after the expiration of such period to be reported to the Bureau of Immigration and Naturalization for special authorization, under the provision incorporated in the legislative, executive, and judicial appropriation act approved February 3, 1905.

Head tax to be refunded on proof of departure;
To be covered into Treasury at expiration of 60 days;
How then refundable;

Special system of collecting and refunding head tax on transits from Canadian territory;

(b) All aliens of the taxable class desiring to proceed in transit through the United States from the Dominion of Canada shall be required to furnish to the examining officer or officers guaranty of payment of head tax described in paragraph (k) of Rule 25 of these regulations. If admissible, aliens claiming to be in transit will be given certificate Form 523, providing for refund of head tax upon such certificate being properly indorsed by the alien and by the purser of the outgoing trans-Atlantic or trans-Pacific steamship upon which the holder of said certificate may depart from the United States; or, if the alien be passing in transit through the United States from one point in Canada to another point in Canada, then such indorsement to be made by the conductor of the train upon which the holder of the certificate departs from the United States.

On those arriving at Canadian seaports.

(c) Refund of head tax will be made on aliens of the taxable class, arriving at Atlantic or Pacific ports of Canada and desiring to proceed immediately in transit through the United States, to the transportation line responsible for payment of head tax on such aliens, upon proof satisfactory to the United States commissioner of immigration for Canada that said aliens have passed by direct and continuous journey through and out of the United States within the time limit specified in this rule.

Entering and leaving at same port—refund of head tax on account of;

(d) Even though an alien, being a "transit passenger," enters and leaves the United States at the same port the provisions of this rule shall be applied to his case to the same extent, and in the same manner so far as necessary, as though such alien entered at one port and departed through another. In the cases of those entering across the Canadian border as transient visitors, however, Form No. 569 will be used instead of Form No. 523, under the procedure laid down in paragraph (b) hereof.

Entering as tourists—different practice applying to;

(e) A class of "transit passengers" which requires somewhat different treatment in practice than "transits" as ordinarily understood and "transient visitors," whose cases are covered by the preceding paragraphs hereof,

Immigration officials: **Administration of oaths by.** **RULE 43. Administration of oaths.**—The authority to administer oaths conferred upon immigration officials by section 24 of the Immigration Act is limited to matters “touching the right of any alien to enter the United States.” When, therefore, such officials are detailed to investigate frauds or attempts to defraud the Government, or any irregularity or misconduct of any officer or agent of the United States, section 183 of the Revised Statutes should be relied upon for authority to administer oaths to witnesses.

Posting laws: **Filing certificate of.** **RULE 44. Posting of immigration acts.**—The certificate required by section 8 of the act of Congress approved March 3, 1893, that copies of the immigration acts have been duly posted, shall be filed with the Secretary of Commerce and Labor upon the first days of January and July of each year.

Official communications: **To be sent through official channels.** **RULE 45. Official communications.**—Officers employed in the administration of the immigration and Chinese-exclusion laws are notified that all communications to the Department upon official matters must be addressed to the Commissioner-General of Immigration or to the Secretary of Commerce and Labor through official channels.

Telegraphing: **Code for.** **RULE 46. Telegraphing.**—With the object of reducing the expense of telegraphing in connection with the official business of the Immigration Service, the telegraphic code provided by the Bureau of Immigration and Naturalization will be employed to the fullest extent possible.

Uniforms: **Officers required to wear;** **RULE 47. Uniforms.**—It is hereby ordered that inspection officers and employees of the Immigration Service stationed at ports or places of entry into the United State and elsewhere shall, while on duty, unless otherwise specially directed in writing, wear uniforms designated by the Bureau of Immigration and Naturalization, said uniforms to be purchased by the said inspectors and employees.

Particulars concerning— **Suits;** **(a) UNIFORM SUITS:** Uniform suits will be made of dark blue cloth. The following are the prescribed styles:
Suits for inspectors and assistant inspectors—Coats.—Double-breasted sack, four buttons on each side, ends cut square. Two lower outside pockets, one on upper left side and small ticket pocket on right side. All outside pockets to have flaps, except upper left-hand pocket. Two inside pockets. All pockets to be of liberal size.

Vests.—Single-breasted, six buttons, collar. Four pockets without flaps. Bone buttons.

Trousers.—Plain, with side pockets, two hip pockets, and watch pocket. No stripe. Band back and front on inside at bottom.

Suits for all other officials.—Same as above, except that coat shall be single-breasted instead of double-breasted.

Buttons; **(b) BUTTONS:** The bone buttons upon suits will be of a special pattern designed to fit brass button shells (detachable) which must be affixed and worn in all cases

while on duty. Button shells will be forwarded without cost upon application to the Bureau.

(c) CAPS: Contract has been made for uniform caps, which must be paid for by the employees, the cost per cap being two dollars. If money order for this sum is forwarded to the Bureau, through official channels, full name and title of employee and size of cap wanted being stated, the same will be ordered sent direct to purchaser, express charges collect. The winter cap is made of blue cloth and the summer cap of black silk. *Unless otherwise specified*, BLUE CLOTH cap will be furnished.

(d) CAP INSIGNIA: Caps will be provided with appropriate insignia and lettering without charge to employees, but orders must be placed through the Bureau in every instance.

(e) COLLAR INSIGNIA: Inspectors in charge of stations, or of the various divisions at the principal ports of entry, will be designated by an appropriate legend worn on both sides of the front of the coat collar. These legends will be worked in gold letters upon blue cloth, and may be obtained free of cost upon application to the Bureau. The cloth strips will be attached to coat collars with hooks and eyes, so that they may readily be removed.

(f) SERVICE INSIGNIA: Immigrant and Chinese inspectors one year in the service may be designated by a strip of gold braid upon the top of the cuff of the left coat sleeve 2 inches from the bottom of the sleeve and extending halfway around it. An additional strip may be added one-fourth inch higher than its predecessor for each year's completed service up to five years, when a small gold star may be worn in lieu of the braid, which should then be removed. For each year from five to nine, inclusive, a strip of gold braid may be added. Ten years' continuous service may be indicated by two stars, and so on. The equipments needed to comply with this requirement can be secured without charge upon application to the Bureau, the full name and exact service of the employee being stated. Insignia is issued to inspectors only. The length of service is reckoned from the date of original appointment as inspector, and must not include prior service in other capacities. In making request for insignia, give date of original appointment as inspector, or if at present wearing insignia, describe same and give date on which the last prior addition thereto was received from the Bureau.

(g) SEASONS: The time of changing from one weight of uniform to another will be governed by the change of seasons at the various stations of employees. Officers stationed in Hawaii and Porto Rico may wear white duck uniforms and caps, insignia for the latter to be procured free of cost upon application to the Bureau.

Uniforms:
Particulars
concerning—
Caps;

Cap insignia;

Collar insignia:

Service insignia:

Seasons;

- Uniforms:** (h) **LIGHT-WEIGHT UNIFORMS:** Officers and employees stationed at places where the climate is too warm to admit of comfort in wearing the regular summer uniform may have their uniforms made of light material suited to the locality, subject to the stipulation that the color and style shall conform to the requirements of paragraph (a) hereof. The special buttons required to fit brass shells may be procured from the Bureau.
- Particulars concerning—**
Light-weight uniforms;
- Inspections:** (i) **INSPECTIONS:** Commissioners of immigration and inspectors in charge will make reports to the Bureau on the first days of January and July regarding the condition of each part of the uniform of every employee under their respective jurisdictions, each portion of every uniform being graded as excellent, good, fair, or bad, as the case may be. Form 596 will be used in making these reports, and if any reports showing the condition to be "bad" is made, the steps that have been taken to correct this condition should be noted.
- New appointees.** (j) **NEW APPOINTEES:** Officers having charge of immigration stations, districts, or ports will require employees newly appointed and ordered to report to them for duty to provide themselves with standard uniforms within thirty days from the date of assignment to duty, and will see that the *full uniform* is worn by all employees, as herein provided.

STATISTICAL RULES.

- Manifests required by law:** **RULE I. (a)** The passenger act, approved August 2, 1882 (22 Stat., 186), and the act amendatory thereof, approved February 9, 1905 (33 Stat., pt. 1, p. 711), require that masters of vessels shall deliver to collectors of customs at United States ports lists or manifests of *all passengers* arriving from foreign ports.
- All passengers incoming;**
- Aliens incoming;** (b) By section 12 of the Immigration Act, approved February 20, 1907, masters of vessels are required to deliver manifests of aliens arriving in the United States to immigration officers in charge at port of arrival, and manifests of aliens departing from the United States to collector of customs at port of departure. The said act also requires that manifests of aliens sailing from the Philippine Islands, Guam, Porto Rico, and Hawaii for any port of the United States on the North American Continent shall be delivered to the immigration officers at such continental port of arrival.
- Aliens outgoing;**
- Aliens from insular possessions;**
- (c) Blank forms for use in the preparation of manifests are furnished by the Department, the numbers employed for the above-mentioned purposes, respectively, being: For all passengers incoming, Form 1440; for aliens incoming, Forms 500, 500-A, and 500-B; for aliens outgoing, Forms 628, 628-A, and 628-B; and for aliens from insular possessions, Form 629.
- Blanks furnished by Department.**

RULE II. (a) Collectors of customs shall prepare from the passenger lists (Form 1440) which are in their custody a monthly statement showing, by sex, the total number of United States citizens and total number of passengers arriving each month, and deliver such statement to the immigration officer in charge at the port of entry.

General inward passenger movement:

Duties of collectors concerning;

(b) Collectors should exercise such supervision over the preparation of passenger lists as lies within their power, and should provide facilities for the examination of said lists by immigration officers with a view to prevent or to correct errors therein.

RULE III. (a) Immigration officers are directed to prepare from statements furnished by collectors and from data taken from inward alien manifests (Forms 500, 500-A, and 500-B) monthly reports on Form 619, showing (1) total number of immigrant aliens admitted, by sex; (2) total number of nonimmigrant aliens admitted, by sex; (3) total number of United States citizens arrived, by sex; (4) total number aliens debarred, by sex.

Duties of immigration officers concerning.

(b) In preparing this information from two sources, one of which is not checked by any Government officer, immigration officials should be watchful for inconsistencies, especially with regard to the data taken from passenger lists, and, when necessary, should examine those lists with a view to avoid or to correct errors.

RULE IV. From the manifests of inward-bound alien passengers (Forms 500, 500-A, and 500-B) shall be compiled the following data: Whether immigrant or nonimmigrant alien; age; sex; calling or occupation; whether able to read and whether able to write; race or people; country of last permanent residence; destination (future permanent residence); amount of money; whether ever before in the United States; by whom passage was paid; whether going to join relative or friend, and if so, whom; whether admitted or debarred; if debarred, cause therefor.

Alien inward passenger movement:

Data to be compiled from manifests covering—

RULE V. The above information shall be transferred to monthly statistical reports, that for immigrant aliens admitted to Form 601-606 and 619, inclusive, and that for nonimmigrant aliens admitted to Form 619, 620, and 651-656, inclusive.

Manner of reporting;

RULE VI. Inspectors and other employees should familiarize themselves with the character of data required for statistical purposes, as herein set forth, in order that the different items of information may be properly checked and revised on the inward alien manifests (Forms 500, 500-A, and 500-B) during the personal examination of aliens, whether they arrive in the first or second cabin or steerage. After the revision the entries upon manifests should be sufficiently complete to enable statisticians to compile intelligently and accurately therefrom the statistical data required.

Revision of manifests covering—

Officers to inform themselves of duties respecting;

Allen inward
passenger move-
ment:

Meaning of
terms em-
ployed in man-
ifests and sta-
tistics of and
instructions re-
garding—

"Immigrant
aliens;"

"Nonimmig-
rant aliens;"

One-year res-
idents of for-
eign contig-
uous territory;

"Calling or
occupation;"

Divisions of;

Professional
occupations;

Skilled occu-
pations;

Miscellane-
ous occupa-
tions;

Farmers and
farm laborers,

RULE VII. Arriving aliens whose permanent residence has been outside of the United States, and who intend to reside permanently in the United States, are classed as immigrant aliens. This includes residents and citizens of foreign contiguous territory. Immigrant aliens admitted will be reported in statistics on Form 601-606 and 619.

RULE VIII. Alien residents returning from a temporary trip abroad, and aliens residing abroad, coming to the United States for a temporary trip, shall be classed as nonimmigrant aliens (except as provided by Rule IX). Inspection officers engaged in revising manifests are directed to see that all nonimmigrant aliens are distinctly indicated as such on manifests. Nonimmigrant aliens admitted should be reported on statistical Forms 619, 620, and 651-656.

RULE IX. Aliens who have resided in foreign contiguous territory for one year or more and who are coming to the United States only for temporary sojourn therein should not be reported as nonimmigrant aliens and should not be recorded in any immigration report. Aliens who have resided in foreign contiguous territory less than one year, who come for temporary sojourn, should be recorded as nonimmigrant aliens.

RULE X. (a) Occupations should be described as definitely as possible in manifests, as, for example, civil engineer, mining engineer, locomotive engineer, stationary engineer, brass polisher, steel polisher, iron molder, wood turner, etc., and not simply as engineer, polisher, molder, turner, or other indefinite designation.

(b) The various occupations are classified in statistical reports under three general heads, namely, "Professional," "Skilled," and "Miscellaneous." Dependent women and children and other aliens without occupation should be classified as "No occupation." Occupations not listed in said reports should be recorded by statisticians as "Other professional," "Other skilled," or "Other miscellaneous." In determining to which of these three classes aliens belong, the following instructions should govern:

(c) *Professional*.—Occupations which properly involve a liberal education, or its equivalent, and mental rather than manual labor, should be classed as "Professional."

(d) *Skilled*.—Occupations which properly involve special training and manual dexterity, as the learning of a trade, should be classed as "Skilled."

(e) *Miscellaneous*.—Occupations other than professional and skilled should be classed as "Miscellaneous."

(f) A distinction should be made between farmers and farm laborers. A farmer is one who operates a farm, either for himself or others. A farm laborer is one who works on a farm for the man who operates it. Steamship companies should make this distinction on manifests, and corrections should be made, if necessary, by inspection officers during the examination of aliens.

RULE XI. (a) "Race or people" should be determined by the stock from which aliens sprang and the language they speak. Special attention should be paid to showing this information independently either of country as representing nationality or country as representing last permanent residence, and with respect to these points manifests should be carefully revised by inspection officers. For the convenience of steamship companies and inspection officers, a list of races is shown on the back of manifests. Certain distinctions with regard to race or people are pointed out, as follows:

Alien inward passenger movement;
Meaning of terms employed, etc.—
"Race or people;"

Distinctions regarding;

- (b) *Cuban*.—The term "Cuban" refers to the Cuban people (not Negroes). "Cuban;"
- (c) *West Indian*.—"West Indian" refers to the people of the West Indies other than Cuba (not Negroes). "West Indian;"
- (d) *Spanish-American*.—"Spanish-American" refers to the people of Central and South America of Spanish descent. "Spanish-American;"

"African (black)";

(e) *African (black)*.—"African (black)" refers to the African Negro, whether coming from Cuba or other islands of the West Indies, North or South America, Europe, or Africa. All aliens whose appearance indicates an admixture of negro blood should be classified under this heading.

(f) *Italian (North)*.—The people who are native to the basin of the River Po in northern Italy (i. e., Compartments of Piedmont, Lombardy, Venetia, and Emilia), and their descendants, whether residing in Italy, Switzerland, Austria-Hungary, or any other country, should be classed as "Italian (North)." Most of these people speak a Gallic dialect of the Italian language.

"Italian (North)";

(g) *Italian (South)*.—The people who are native to that portion of Italy south of the basin of the River Po (i. e., Compartments of Liguria, Tuscany, the Marches, Umbria, Rome, the Abruzzi and Molise, Campania, Apulia, Basilicata, Calabria, Sicily, and Sardinia), and their descendants, should be classed as "Italian (South)."

"Italian (South)";

RULE XII. An intended residence of twelve months, whether past or future, shall constitute "permanent residence." The last country in which alien resided with the intention of remaining as long as twelve months shall be the "last permanent residence" regardless of the length of actual residence therein. The last permanent residence should be entered in column 10 of Manifest. Intended future permanent residence should be entered in column 12 as representing "final destination." Name of the State and city should be given if within the United States; name of country if outside of the United States.

"Country of last permanent residence;"

RULE XIII. (a) Money brought by the head of a family should not be divided among the several members thereof.

"Amount of money brought;"

(b) On Form 602 under the head of "Aliens bringing less than \$50" should be recorded only aliens with money, but less than \$50.

Alien inward passenger movement:

Meaning of terms employed, etc.—

“Admitted and debarred;”

Debarred residents of foreign contiguous territory;

Monthly statistical reports on, and method of preparation—

Instructions for larger ports;

Use of tally and transfer sheets of;

Disposition and method of recording on manifests;

RULE XIV. (a) Aliens should be reported as admitted or debarred in the month in which final action is taken, regardless of the date of arrival of the ship bringing them. Aliens debarred should not be reported as debarred until placed on shipboard for deportation, and then should be recorded in the monthly statistics only on Forms 602-A and 619. The number of immigrant and nonimmigrant aliens actually admitted and the number of aliens debarred, as reported in the monthly statistical reports, should correspond with the numbers entered on lines 1, 2, and 3 of the monthly agreement statement (Form 519). The total of quarter-monthly reports of aliens debarred should correspond with the number so recorded on Forms 602-A, 619, and 519.

(b) Aliens applying for admission from foreign contiguous territory who have resided therein less than one year, and those who have resided therein for one year or more who apply for admission with the intention of permanent residence in the United States, if debarred, shall be reported on Forms 602-A, 619, and 519. Aliens from foreign contiguous territory who have resided therein more than one year and who apply for admission only for temporary sojourn in the United States if debarred should be reported only on Form 580.

RULE XV. (a) The work of compiling statistical information at each port should be kept closely up to date, and the statistical reports on Forms 601-606, 619, 620, and 651-656, should be forwarded to the Bureau at the earliest possible moment after the close of each month, accompanied by the statement of agreement on Form 519, and reports of appeals. To assist in accomplishing this end the following instructions should be observed by the larger ports:

(b) Blank tally and transfer sheets, to which statistical information is transferred from the original manifests, are furnished for use at the larger ports. The various items of statistical information for a convenient number of aliens should be transferred to the tally sheets (Forms 611 and 612), which should be added and balanced to prove their accuracy and then entered on transfer sheets (Forms 613-618). The transfer sheets should carry the record for an entire month, and when added and balanced at the close thereof the data should be recorded in the monthly statistical reports.

(c) Manifests should form a permanent record of the disposition of all arriving aliens. On primary inspection all aliens admitted and all aliens detained should be so designated on manifests. Day by day, as final disposition is made of those detained on primary inspection, record thereof should be made opposite the names on the manifests, and also on the cards mentioned in the following paragraph in cases where statistical data regarding

the aliens have been entered on such cards. Debarred aliens should be considered as detained (pending) until actually placed on shipboard for deportation.

Alien inward passenger movement:

Monthly statistical reports, etc.—

(d) Thus, at the time the statistical information is tallied from the manifests such manifests will show which aliens, up to date the tally is made, have been actually admitted, which finally debarred, and which are still detain (pending). The statistical data with regard to those shown on manifests as actually admitted, and debarred, at the time the tally is made should be regularly transferred to tally sheets; for aliens still detained (pending), however, the data should not then be transferred to tally sheets, but to cards (Form 600) entitled "Statistical data for detained alien."

Debarred aliens to be regarded as "pending" until deported; Use of "Statistical data for detained alien" cards, in preparing;

(e) When the admissibility of the aliens recorded on these cards is finally determined, the disposition and date of disposition should be entered on the card (and also on the manifest), and the statistical data regarding such aliens should then be transferred direct from the cards to the tally sheets, avoiding the necessity of going through the manifests a second time for statistical data regarding aliens whose admissibility was undetermined when the first tally was made.

Disposition entered thereon;

Data to be transferred from cards to tally sheets;

(f) The tallying for the month should be completed on the day following the close thereof. Statistical information with regard to aliens still detained at the close of the month (and therefore not included in the month's statistics) should by this plan be entered on cards, which will offer a convenient means of separating aliens pending at close of month.

Closing of month's business;

RULE XVI. (a) Daily reports of alien arrivals, quarter-monthly reports of aliens debarred and returned, and weekly reports of aliens detained should be regularly forwarded to the Bureau of Immigration and Naturalization after the close of the periods to which they relate. Aliens who refuse to pay head tax and stowaways are not considered to be applicants for admission and are not recorded in said reports. Aliens who have resided continuously in Canada, Newfoundland, or Mexico for one year or more next preceding application for admission to the United States (unless coming for permanent residence in the United States), and arrivals in continental United States from insular possessions, are not accounted for in immigration statistics. They should not, therefore, be included in these reports. All other arriving aliens, including those who have resided in Canada, Newfoundland, or Mexico for one year or more who are coming for permanent residence, all aliens who have resided in Canada, Newfoundland, or Mexico less than one year, citizens of Cuba, alien Chinese, and deserting alien seamen, whether or not apprehended, should be included in these reports.

Reports concerning, and method of preparation—

Daily of arriving, quarter-monthly of debarred and returned, and weekly of detained aliens;

What aliens not included in;

Included in;

Alien inward passenger movement:

Reports concerning, and method of preparation—Particulars regarding daily reports;

Particulars regarding quarter-monthly reports;

Statutory reasons for debarment to be given;

Monthly reports of appeals and bond cases;

Statement of agreement.

Special instructions regarding exceptional cases—Residents of British North America and Mexico.

(b) In daily reports, entries on each line under the head of "Total alien arrivals" should represent the total of entries under the heads of first and second cabins, steerage, and deserting alien seamen. Each column should also be totaled at the bottom. The total number reported in the daily reports during the month should be shown on line 18 of the monthly agreement statement.

(c) In preparing quarter-monthly reports of debarred aliens, while it is expected that all required information will be carefully recorded therein, especial care should be exercised to accurately record the foreign port of embarkation, steamship line, and cause of deportation. Under the latter heading names of diseases should be shown in cases of aliens deported because of disease. The total recorded on these reports each month should agree with the number reported in Forms 602-A and 619, and the number recorded on line 3 of the monthly agreement statement.

(d) As no alien can be debarred from the United States except for a statutory reason, no other reason for exclusion should be given in statistical reports. A list of causes of exclusion is given on Form 602-A.

RULE XVII. The monthly reports of appeals and applications for admission under bond to the Department should show the number of persons whose admission or rejection depends upon the decision of the Department. Appeals and applications under the immigration laws should be reported on Form 547; appeals under the laws governing the admission of Chinese on Form 428. Appeals for all classes of aliens, including all residents of Canada, Newfoundland, or Mexico, should be included in these reports.

RULE XVIII. The statement on Form 519 should show an agreement between aliens accounted for in the monthly statistics, arrivals reported in daily reports, and the amount of head tax collected, and should be forwarded to the Bureau accompanied by the monthly statistical reports and reports of appeals. The entries on lines 1, 2, and 3 of the agreement statement should correspond, respectively, with the totals shown in the statistical reports of "Immigrant aliens admitted," "Nonimmigrant aliens admitted," and "Aliens debarred." The total number reported in the daily reports during the month should agree with the entry on line 18, and the total number on account of whom head tax is collected should correspond with the entry on line 38. Instructions accompanying the statement of agreement give detailed information with regard to its preparation.

RULE XIX. Aliens who have resided in Canada, Newfoundland, or Mexico continuously for one year or more next preceding application for admission to the United States are exempt from head tax. If such aliens come to the United States for permanent residence, they should

be manifested and included in statistics as immigrant aliens and should be included in other immigration reports. If they come only for temporary sojourn, they should not be manifested and should not be recorded as nonimmigrant aliens, and should not be included in statistics nor in other immigration reports, unless debarred, in which case they should be reported only on Form 580, report of aliens refused admission from foreign contiguous territory. Aliens who have resided in Canada, Newfoundland, or Mexico less than one year and all residents and citizens of Canada, Newfoundland, or Mexico coming from countries other than Canada, Newfoundland, or Mexico, are subjects for head tax, are manifested, and are included in statistics the same as other aliens who come from countries other than Canada, Newfoundland, Mexico, or Cuba.

Alien inward passenger movement:
Exceptional cases—

RULE XX. Aliens who have resided in Cuba for one year or more next preceding departure for the United States are exempt from head tax, but all aliens from Cuba should be regularly manifested, examined as to their admissibility, and included in statistics and other immigration reports.

Residents of Cuba;

RULE XXI. Citizens of Porto Rico, the Philippine Islands, Guam, and the Hawaiian Islands are exempt from the provisions of the immigration laws, and should not be examined thereunder or reported in immigration statistics or other immigration reports. Alien Chinese from island possessions, however, are subject to the laws governing the admission of Chinese. (See sec. 1, act of April 29, 1902, 32 Stat., part 1, p. 176.) All aliens from such possessions should be manifested on Form 629.

Citizens of and aliens from insular possessions;

RULE XXII. Aliens arriving in this country en route to any of the island possessions of the United States are to be examined under the immigration laws as to their right of entry, are subjects for head tax if belonging to the taxable class, and are to be included in immigration statistics and other immigration reports in the same manner as if their destination were within continental United States.

Arriving aliens en route to insular possessions;

RULE XXIII. Whether or not apprehended, deserting alien seamen should be reported in daily reports of arrivals. Head tax should be collected, if they belong to the taxable class, and held as special deposit. Upon proof being presented, however, by masters of vessels within three months after date of desertion that alien has departed from the United States, said head tax may be refunded. If at the expiration of three months proof of departure has not been received, deposit will be regularly paid into head tax account. Deserting alien seamen should not be reported in the immigration statistics unless apprehended, and then only in the absence of an intention to reship. The total number of deserting alien seamen included in each month's daily reports should

Deserting alien seamen;

Alien inward passenger movement: correspond with the entry on line 6 of the monthly agreement statement. The number apprehended and included in the statistics should correspond with the entry on line 15 of the said agreement statement.

Exceptional cases—

Stowaways;

RULE XXIV. Stowaways are not regarded as aliens applying for admission to the United States and they should not be included in immigration statistics. The number of such cases each month should, however, be reported on line 40 of agreement statement (Form 519).

Aliens who refuse to pay head tax;

RULE XXV. Aliens applying for admission who refuse to pay head tax should not be considered as applicants for admission, and should not be reported in any immigration report. The number of such cases should, however, be reported on line 41 of agreement statement (Form 519).

Aliens who die or escape;

RULE XXVI. If aliens who have been included in daily reports of arrivals die or escape before admission or deportation, they should not be included in statistical reports, but should be accounted for on lines 9 and 10 of agreement statement. If such escaped aliens are afterwards apprehended, they should be regularly entered in the monthly statistical reports and again accounted for on line 16 of agreement statement.

Chinese subject to immigration laws and regulations;

RULE XXVII. Chinese should be listed in the regular inward alien manifests (Forms 500, 500-A, and 500-B) and examined under the immigration laws, in addition to being listed in Chinese manifests (Form 418), examined, and reported in the quarter-monthly reports, under the Chinese regulations. Alien Chinese are subjects for head tax, and should be reported in regular immigration statistics and other immigration reports. Chinese admitted as aliens under the laws governing the admission of Chinese shall be classed under the immigration laws as aliens, and those admitted as United States citizens shall be so considered under the immigration laws.

General outward passenger movement.

RULE XXVIII. At the close of each quarter year the collector of customs at each port will forward to the Bureau of Immigration and Naturalization a statement on Form 1171 of all passengers departed for foreign countries from his port.

Alien outward passenger movement:

RULE XXIX. Manifests of outward-bound aliens (on Forms 628, 628-A, and 628-B) shall be delivered to collectors of customs within sixty days after the departure of a vessel from a United States port. The collector of customs shall deliver the said manifests to the officer in charge of immigration matters at his port; and the said immigration officer shall cause to be prepared from said manifests monthly statistical reports of departing aliens, using Forms 621-627 and 631-636, inclusive.

Delivery of manifests covering;

Classifying emigrant and nonemigrant aliens;

RULE XXX. Departing aliens shall be divided into the two classes—emigrant and nonemigrant aliens. Those whose permanent residence has been in the United States, who intend to reside permanently outside, shall be classed

as "emigrant aliens." Alien residents leaving the United States with the intention of remaining abroad but temporarily and alien nonresidents leaving after a temporary sojourn in the United States shall be classed as "non-emigrant aliens."

Alien outward passenger movement:

RULE XXXI. Emigrant aliens departing shall be recorded in monthly statistical reports on Forms 621-626, inclusive, and nonemigrant aliens departing in monthly statistical reports on Forms 631-636, inclusive, to show sex, age, place of last residence, length of residence in the United States, country of intended future residence, race or people, and occupation.

Items to be recorded in statistics concerning.

RULE XXXII. (a) Section 1 of the act of Congress approved June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States" (34 Stat., pt. 1, p. 596), provides that there shall be maintained at the various immigration stations "books of record" containing certain specified information as to every alien admitted.

Record books and card indexes required by naturalization law:

(b) It is hereby ordered that the manifests of aliens (Forms 500, 500-A, and 500-B) shall constitute the "book of record" required by the statute referred to, and that all completed manifests shall be arranged chronologically, bound permanently in books of 150 manifests, and carefully preserved for reference. Due precautions must be taken to guard against the possible loss or destruction of manifests, whether bound or not.

What shall constitute:

(c) Inspection officers are directed to give particular attention to procuring the supplemental information called for in columns 25 to 29 of the manifest, supplying any deficiencies which may be found to exist and carefully verifying the information set forth under the respective headings.

Officers to supply deficiencies in:

(d) All aliens from Canada and Mexico applying for admission to the United States, except those who have resided in Canada or Mexico for one year or more who are coming for temporary sojourn in the United States, shall be regularly manifested both for statistical and naturalization purposes.

What aliens from Canada and Mexico to be manifested:

(e) To facilitate reference to the permanent record herein constituted, the names of all aliens shall be card indexed (Form 502 being used for that purpose), a card to be made out for each and every alien admitted to the United States, except those who have resided in Canada or Mexico for one year or more who are coming for temporary sojourn in the United States. The index cards shall be carefully and accurately prepared and placed in card-index cabinets provided for that purpose, alphabetical guide cards being used, to whatever extent may be necessary, to insure proper subdivision of the record cards. Commissioners of immigration and inspectors in charge shall apply to the Bureau for any special in-

Preparation of card indexes.

Record books
and card in-
dexes required
by naturaliza-
tion law:

structions or information desired in regard to indexing, card cabinets, preparation and binding of manifests, etc. Whenever practicable, index cards shall be typewritten to insure legibility, black record typewriter ribbons to be used. In the event of possible confusion of the surname and given name, one card to be made for each combination, thus insuring an accurate cross-reference index.

F. P. SARGENT,

Commissioner-General of Immigration.

Approved October 5, 1908.

OSCAR S. STRAUS,
Secretary.

APPENDIX.

LAWS NOT REPEALED OR REENACTED BY THE IMMIGRATION ACT OF FEBRUARY 20, 1907.

ACT OF AUGUST 3, 1882.

AN ACT to regulate immigration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be levied, collected, and paid a duty of fifty cents for each and every passenger not a citizen of the United States who shall come by steam or sail vessel from a foreign port to any port within the United States. The said duty shall be paid to the collector of customs of the port to which such passenger shall come, or if there be no collector at such port, then to the collector of customs nearest thereto, by the master, owner, agent, or consignee of every such vessel, within twenty-four hours after the entry thereof into such port. The money thus collected shall be paid into the United States Treasury and shall constitute a fund to be called the immigrant fund and shall be used, under the direction of the Secretary of Commerce and Labor, to defray the expense of regulating immigration under this act and for the care of immigrants arriving in the United States, for the relief of such as are in distress, and for the general purposes and expenses of carrying this act into effect. The duty imposed by this section shall be a lien upon the vessels which shall bring such passengers into the United States, and shall be a debt in favor of the United States against the owner or owners of such vessels, and the payment of such duty may be enforced by any legal or equitable remedy: *Provided*, That no greater sum shall be expended for the purposes hereinbefore mentioned, at any port, than shall have been collected at such port.^a

Head tax:
Amount;

By whom
and to whom
paid, within 24
hours after ar-
rival;

To constitute
Immigrant
fund;

How collec-
tion enforced.

* * * * *

Approved August 3, 1882 (22 Stat., 214).

^a See section 1, act February 20, 1907, and Rules 1, 2, and 3.

ACT OF FEBRUARY 26, 1885.

AN ACT to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Contract labor:
Contracts for alien labor declared void.

SEC. 2. That all contracts or agreements, express or implied, parol or special, which may hereafter be made by and between any person, company, partnership, or corporation, and any foreigner or foreigners, alien or aliens, to perform labor or service or having reference to the performance of labor or service by any person in the United States, its Territories, or the District of Columbia, previous to the migration or importation of the person or persons whose labor or service is contracted for into the United States, shall be utterly void and of no effect.^a

* * * * *

Approved February 26, 1885 (23 Stat., 332).

ACT OF MARCH 3, 1891.

AN ACT in amendment to the various acts relative to immigration and the importation of aliens under contract or agreement to perform labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Superintendent of Immigration:
Office created:
Salary fixed.

SEC. 7. That the office of superintendent of immigration is hereby created and established, and the President, by and with the advice and consent of the Senate, is authorized and directed to appoint such officer, whose salary shall be four thousand dollars per annum, payable monthly. The superintendent of immigration shall be an officer in the Treasury Department, under the control and supervision of the Secretary of Commerce and Labor, to whom he shall make annual reports in writing of the transactions of his office, together with such special reports, in writing, as the Secretary of Commerce and Labor shall require. The Secretary shall provide the superintendent with a suitably furnished office in the city of Washington, and with such books of record and facilities for the discharge of the duties of his office as may be necessary. He shall have a chief clerk at a salary of two thousand dollars per annum, and two first-class clerks.^b

* * * * *

Approved March 3, 1891 (26 Stat., 1084).

^a See sections 2, 4, 5, and 6, act February 20, 1907.

^b See section 1, act March 2, 1895, and section 22, act February 20, 1907.

ACT OF FEBRUARY 15, 1893.

AN ACT granting additional quarantine powers and imposing additional duties upon the Marine-Hospital Service.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

SEC. 7. That whenever it shall be shown to the satisfaction of the President that by reason of the existence of cholera, or other infectious or contagious diseases, in a foreign country there is serious danger of the introduction of the same into the United States, and that notwithstanding the quarantine defense this danger is so increased by the introduction of persons or property from such country that a suspension of the right to introduce the same is demanded, in the interest of the public health, the President shall have power to prohibit, in whole or in part, the introduction of persons and property from such countries or places as he shall designate and for such period of time as he may deem necessary.

Quarantine: President given extraordinary power to suspend immigration.

* * * * *

Approved February 15, 1893 (27 Stat., 449).

ACT OF MARCH 3, 1893.

AN ACT to facilitate the enforcement of the immigration and contract-labor laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

SEC. 8. That all steamship or transportation companies, and other owners of vessels, regularly engaged in transporting alien immigrants to the United States, shall twice a year file a certificate with the Secretary of Commerce and Labor that they have furnished to be kept conspicuously exposed to view in the office of each of their agents in foreign countries authorized to sell emigrant tickets, a copy of the law of March third, eighteen hundred and ninety-one, and of all subsequent laws of this country relative to immigration, printed in large letters, in the language of the country where the copy of the law is to be exposed to view, and that they have instructed their agents to call the attention thereto of persons contemplating emigration before selling tickets to them; and in case of the failure for sixty days of any such company or any such owners to file such a certificate, or in case they file a false certificate, they shall pay a fine of not exceeding five hundred dollars, to be recovered in the proper United States court, and said fine shall also be a lien upon any vessel of said company or owners found within the United States.^a

Certificates: Required of steamship companies re posting laws in foreign offices;

Penalty for failure.

* * * * *

Approved March 3, 1893 (27 Stat., 569).

^a See Rule 44 for time of filing.

ACT OF AUGUST 18, 1894.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

Commissioners
of Immigration:
Appointed by
President.

The commissioners of immigration at the several ports shall be appointed by the President, by and with the advice and consent of the Senate, to hold their offices for the term of four years, unless sooner removed, and until their successors are appointed; and nominations for such offices shall be made to the Senate by the President as soon as practicable after the passage of this act.^a

Approved August 18, 1894 (28 Stat., 372).

ACT OF MARCH 2, 1895.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-six, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

BUREAU OF IMMIGRATION.

Commissioner-
General:
Title cre-
ated;
Administra-
tion contract-
labor laws
placed under;

That the Superintendent of Immigration shall hereafter be designated as Commissioner-General of Immigration, and, in addition to his other duties, shall have charge, under the Secretary of Commerce and Labor, of the administration of the alien contract-labor laws, etc.^a

Approved March 2, 1895 (28 Stat., 764).

ACT OF JUNE 6, 1900.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and one, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * ** and hereafter the Commissioner-General of Immigration, in addition to his other duties, shall have charge of the administration of the Chinese-exclusion law and of the various acts regulating immigration into the United States, its Territories, and the District of Columbia, under the supervision and direction of the Secretary of Commerce and Labor.

Chinese-ex-
clusion laws
placed under.

Approved June 6, 1900 (31 Stat., 611).

^a See section 7, act March 3, 1891, and section 22, act February 20, 1907.

ACT OF APRIL 29, 1902.

AN ACT to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Chinese and persons of Chinese descent.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

SEC. 3. That nothing in the provisions of this Act or any other Act shall be construed to prevent, hinder, or restrict any foreign exhibitor, representative, or citizen of any foreign nation, or the holder, who is a citizen of any foreign nation, of any concession or privilege from any fair or exposition authorized by Act of Congress from bringing into the United States, under contract, such mechanics, artisans, agents, or other employees, natives of their respective foreign countries, as they or any of them may deem necessary for the purpose of making preparation for installing or conducting their exhibits or of preparing for installing or conducting any business authorized or permitted under or by virtue of or pertaining to any concession or privilege which may have been or may be granted by any said fair or exposition in connection with such exposition, under such rules and regulations as the Secretary of Commerce and Labor may prescribe, both as to the admission and return of such person or persons.

Fairs and expositions:
Exceptions in favor of exhibitors at.

* * * * *
Approved April 29, 1902 (32 Stat., part 1, p. 176).

ACT OF FEBRUARY 3, 1905.

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

BUREAU OF IMMIGRATION.

* * * * *
Provided, That the Commissioner-General of Immigration, with the approval of the Secretary of Commerce and Labor, shall have power to refund head tax heretofore and hereafter collected under section one of the immigration Act approved March third, nineteen hundred and three, upon presentation of evidence showing conclusively that such collection was erroneously made.^a

Head tax:
Refund of, when erroneously collected.

Approved February 3, 1905 (33 Stat., part 1, p. 631).

^a See Rules 1 and 41.

ACT OF FEBRUARY 6, 1905.

AN ACT to amend an Act approved July first, nineteen hundred and two, entitled "An Act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes, and to amend an Act approved March eighth, nineteen hundred and two, entitled "An Act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an Act approved March second, nineteen hundred and three, entitled "An Act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Philippine Islands:

Enforcement immigration laws therein;

Collection head tax therein.

SEC. 6. That the immigration laws of the United States in force in the Philippine Islands shall be administered by the officers of the general government thereof designated by appropriate legislation of said government, and all moneys collected under said laws as duty or head tax on alien immigrants coming into said islands shall not be covered into the general fund of the Treasury of the United States, but shall be paid into the treasury of said islands to be used and expended for the government and benefit of said islands.

* * * * *

Approved February 6, 1905 (33 Stat., 689).

ACT OF MARCH 3, 1905.

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

Subscriptions:
To be paid in advance.

Provided, That the annual subscriptions for publications for use in the immigration service at large may be paid in advance.

Approved March 3, 1905 (33 Stat., part 1, p. 1156).

ACT OF JUNE 29, 1906.

AN ACT to establish a Bureau of Immigration and Naturalization, and to provide for a uniform rule for the naturalization of aliens throughout the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the designation of the Bureau of Immigration in the Department of Commerce and Labor is hereby

Bureau of Immigration:

Title changed to Bureau of Immigration and Naturalization.

changed to the "Bureau of Immigration and Naturalization," which said Bureau, under the direction and control of the Secretary of Commerce and Labor, in addition to

the duties now provided by law, shall have charge of all matters concerning the naturalization of aliens. That it shall be the duty of the said Bureau to provide, for use at the various immigration stations throughout the United States, books of record, wherein the commissioners of immigration shall cause a registry to be made in the case of each alien arriving in the United States from and after the passage of this Act of the name, age, occupation, personal description (including height, complexion, color of hair and eyes), the place of birth, the last residence, the intended place of residence in the United States, and the date of arrival of said alien, and, if entered through a port, the name of the vessel in which he comes. And it shall be the duty of said commissioners of immigration to cause to be granted to such alien a certificate of such registry, with the particulars thereof.^a

* * * * *

Approved June 29, 1906 (34 Stat., part 1, p. 596).

ACT OF MARCH 2, 1907.

AN ACT in reference to the expatriation of citizens and their protection abroad.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of State shall be authorized, in his discretion, to issue passports to persons not citizens of the United States as follows: Where any person has made a declaration of intention to become such a citizen as provided by law and has resided in the United States for three years a passport may be issued to him entitling him to the protection of the Government in any foreign country: *Provided,* That such passport shall not be valid for more than six months and shall not be renewed, and that such passport shall not entitle the holder to the protection of this Government in the country of which he was a citizen prior to making such declaration of intention.

Passports:

When issued to persons not citizens;

Not valid in country of alien's former domicile.

SEC. 2. That any American citizen shall be deemed to have expatriated himself when he has been naturalized in any foreign state in conformity with its laws, or when he has taken an oath of allegiance to any foreign state.

Expatriation:
How effected;

When any naturalized citizen shall have resided for two years in the foreign state from which he came, or for five years in any other foreign state it shall be presumed that he has ceased to be an American citizen, and the place of his general abode shall be deemed his place of residence during said years: *Provided, however,* That such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the

How presumption overcome.

^a For naturalization laws and regulations drawn thereunder, see pamphlet entitled "Naturalization Laws and Regulations."

United States, under such rules and regulations as the Department of State may prescribe: *And provided also*, That no American citizen shall be allowed to expatriate himself when this country is at war.

Marriage:

How affects status of woman marrying foreigner;

SEC. 3. That any American woman who marries a foreigner shall take the nationality of her husband. At the termination of the marital relation she may resume her American citizenship, if abroad, by registering as an American citizen within one year with a consul of the United States, or by returning to reside in the United States, or, if residing in the United States at the termination of the marital relation, by continuing to reside therein.

Of foreign woman marrying American.

SEC. 4. That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continue to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.

Minor children:

Born outside United States, how citizenship resumed, and when takes effect.

SEC. 5. That a child born without the United States of alien parents shall be deemed a citizen of the United States by virtue of the naturalization of or resumption of American citizenship by the parent: *Provided*, That such naturalization or resumption takes place during the minority of such child: *And provided further*, That the citizenship of such minor child shall begin at the time such minor child begins to reside permanently in the United States.

Foreign born, citizens under sec. 1993, R. S.: Assumption of citizenship by.

SEC. 6. That all children born outside the limits of the United States who are citizens thereof in accordance with the provisions of section nineteen hundred and ninety-three of the Revised Statutes of the United States^a and who continue to reside outside the United States shall, in order to receive the protection of this Government, be required upon reaching the age of eighteen years to record at an American consulate their intention to become residents and remain citizens of the United States and shall be further required to take the oath of allegiance to the United States upon attaining their majority.

Evidence:

To be filed with State Department.

SEC. 7. That duplicates of any evidence, registration, or other acts required by this Act shall be filed with the Department of State for record.

Approved March 2, 1907.

^a Sec. 1993, Revised Statutes, reads as follows: "All children heretofore born or hereafter born out of the limits and jurisdiction of the United States, whose fathers were or may be at the time of their birth citizens thereof, are declared to be citizens of the United States; but the rights of citizenship shall not descend to children whose fathers never resided in the United States."

