

IN THE SENATE OF THE UNITED STATES.

JULY 25 (calendar day, JULY 26), 1916.

Ordered to lie on the table and to be printed.

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## **AMENDMENT**

Intended to be proposed by Mr. BORAH to the bill (H. R. 8234) to prevent interstate commerce in the products of child labor, and for other purposes, viz: On page 10, after line 2, insert as new sections the following:

1        SEC. 8. That the word "alien" wherever used in this  
2 Act shall include any person not a native-born or naturalized  
3 citizen of the United States; but this definition shall not be  
4 held to include Indians of the United States not taxed or citi-  
5 zens of the islands under the jurisdiction of the United States.  
6 That the term "United States" as used in the title as well  
7 as in the various sections of this Act shall be construed to  
8 mean the United States, and any waters, territory, or other  
9 place subject to the jurisdiction thereof, except the Isthmian  
10 Canal Zone; but if any alien shall leave the Canal Zone or  
11 any insular possession of the United States and attempt to

1 enter any other place under the jurisdiction of the United  
2 States, nothing contained in this Act shall be construed as  
3 permitting him to enter under any other conditions than  
4 those applicable to all aliens. That the term "seaman" as  
5 used in this Act shall include every person signed on the  
6 ship's articles and employed in any capacity on board any  
7 vessel arriving in the United States from any foreign port  
8 or place.

9 That this Act shall be enforced in the Philippine  
10 Islands by officers of the General Government thereof  
11 designated by appropriate legislation of said Government.

12 SEC. 9. That there shall be levied, collected, and paid  
13 a tax of \$8 for every alien, including alien seamen regularly  
14 admitted as provided in this Act, entering the United States:  
15 *Provided*, That children under sixteen years of age who  
16 accompany their father or their mother shall not be subject  
17 to said tax. The said tax shall be paid to the collector of  
18 customs of the port or customs district to which said alien  
19 shall come, or, if there be no collector at such port or district,  
20 then to the collector nearest thereto, by the master, agent,  
21 owner, or consignee of the vessel, transportation line, or other  
22 conveyance or vehicle bringing such alien to the United  
23 States, or by the alien himself if he does not come by a vessel,  
24 transportation line, or other conveyance or vehicle or when  
25 collection from the master, agent, owner, or consignee of the

1 vessel, transportation line, or other conveyance, or vehicle  
2 bringing such alien to the United States is impracticable.  
3 The tax imposed by this section shall be a lien upon the vessel  
4 or other vehicle of carriage or transportation bringing such  
5 aliens to the United States, and shall be a debt in favor of the  
6 United States against the owner or owners of such vessel or  
7 other vehicle, and the payment of such tax may be enforced  
8 by any legal or equitable remedy. That the said tax shall not  
9 be levied on account of aliens who enter the United States after  
10 an uninterrupted residence of at least one year immediately  
11 preceding such entrance in the Dominion of Canada, New-  
12 foundland, the Republic of Cuba, or the Republic of Mexico,  
13 for a temporary stay, nor on account of otherwise admis-  
14 sible residents or citizens of any possession of the United  
15 States, nor on account of aliens in transit through the  
16 United States, nor upon aliens who have been lawfully  
17 admitted to the United States and who later shall go in  
18 transit from one part of the United States to another  
19 through foreign contiguous territory, and the Commissioner  
20 General of Immigration with the approval of the Secretary  
21 of Labor shall issue rules and regulations and prescribe  
22 the conditions necessary to prevent abuse of these excep-  
23 tions: *Provided*, That the Commissioner General of  
24 Immigration, under the direction or with the approval  
25 of the Secretary of Labor, by agreement with transpor-

1 tation lines, as provided in section twenty-three of this  
2 Act, may arrange in some other manner for the payment  
3 of the tax imposed by this section upon any or all aliens  
4 seeking admission from foreign contiguous territory: *Pro-*  
5 *vided further,* That said tax, when levied upon aliens enter-  
6 ing the Philippine Islands, shall be paid into the treasury of  
7 said islands, to be expended for the benefit of such islands:  
8 *Provided further,* That in the cases of aliens applying for  
9 admission from foreign contiguous territory and rejected, the  
10 head tax collected shall upon application, upon a blank which  
11 shall be furnished and explained to him, be refunded to the  
12 alien.

13       SEC. 10. That the following classes of aliens shall be  
14 excluded from admission into the United States: All idiots,  
15 imbeciles, feeble-minded persons, epileptics, insane persons;  
16 persons who have had one or more attacks of insanity at any  
17 time previously; persons of constitutional psychopathic in-  
18 feriority; persons with chronic alcoholism; paupers; pro-  
19 fessional beggars; vagrants; persons afflicted with  
20 tuberculosis in any form or with a loathsome or  
21 dangerous contagious disease; persons not compre-  
22 hended within any of the foregoing excluded classes  
23 who are found to be and are certified by the examining  
24 surgeon as being mentally or physically defective, such  
25 physical defect being of a nature which may affect the ability

1 of such alien to earn a living; persons who have been con-  
2 victed of or admit having committed a felony or other crime  
3 or misdemeanor involving moral turpitude; polygamists, or  
4 persons who practice polygamy or believe in or advocate the  
5 practice of polygamy; anarchists, or persons who believe in  
6 or advocate the overthrow by force or violence of the Gov-  
7 ernment of the United States, or of all forms of law, or who  
8 disbelieve in or are opposed to organized government, or who  
9 advocate the assassination of public officials, or who advocate  
10 or teach the unlawful destruction of property; persons who  
11 are members of or affiliated with any organization entertain-  
12 ing and teaching disbelief in or opposition to organized gov-  
13 ernment, or who advocate or teach the duty, necessity, or  
14 propriety of the unlawful assaulting or killing of any officer  
15 or officers, either of specific individuals or of officers generally,  
16 of the Government of the United States or of any other or-  
17 ganized government, because of his or their official character,  
18 or who advocate or teach the unlawful destruction of prop-  
19 erty; prostitutes, or persons coming into the United States  
20 for the purpose of prostitution or for any other immoral  
21 purpose; persons who directly or indirectly procure or attempt  
22 to procure or import prostitutes or persons for the purpose of  
23 prostitution or for any other immoral purpose; persons who  
24 are supported by or receive in whole or in part the proceeds  
25 of prostitution; persons hereinafter called contract laborers,

1 who have been induced, assisted, encouraged, or solicited to  
2 migrate to this country by offers or promises of employment,  
3 whether such offers or promises are true or false, or in conse-  
4 quence of agreements, oral, written or printed, express or  
5 implied, to perform labor in this country of any kind, skilled  
6 or unskilled; persons who have come in consequence of ad-  
7 vertisements for laborers printed, published, or distributed  
8 in a foreign country; persons likely to become a public  
9 charge; persons who have been deported under any of  
10 the provisions of this Act, and who may again seek admis-  
11 sion within one year from the date of such deportation,  
12 unless prior to their reembarkation at a foreign port or their  
13 attempt to be admitted from foreign contiguous territory the  
14 Secretary of Labor shall have consented to their reapplying  
15 for admission; persons whose tickets or passage is paid for with  
16 the money of another, or who are assisted by others to come,  
17 unless it is affirmatively and satisfactorily shown that such  
18 persons do not belong to one of the foregoing excluded  
19 classes; persons whose ticket or passage is paid for by any  
20 corporation, association, society, municipality, or foreign  
21 Government, either directly or indirectly; stowaways, except  
22 that any such stowaway, if otherwise admissible, may be  
23 admitted in the discretion of the Secretary of Labor; all  
24 children under sixteen years of age, unaccompanied by or  
25 not coming to one or both of their parents, except that any

1 such children may, in the discretion of the Secretary of Labor,  
2 be admitted if in his opinion they are not likely to become  
3 a public charge and are otherwise eligible; unless other-  
4 wise provided for by existing treaties, persons who are  
5 natives of islands not possessed by the United States adja-  
6 cent to the Continent of Asia, situate south of the twentieth  
7 parallel of latitude north, west of the one hundred and six-  
8 tieth meridian of longitude east from Greenwich, and north  
9 of the tenth parallel of latitude south, or who are natives of  
10 any country, province, or dependency situate on the Con-  
11 tinent of Asia west of the one hundred and tenth meridian  
12 of longitude east from Greenwich and east of the fiftieth  
13 meridian of longitude east from Greenwich, except that  
14 portion of said territory situate between the fiftieth and  
15 the sixty-fourth meridians of longitude each from Green-  
16 wich and the twenty-fourth and thirty-eighth parallels of  
17 latitude north. The provision next foregoing, however,  
18 shall not apply to persons of the following status or occu-  
19 pations: Government officers, ministers or religious teach-  
20 ers, missionaries, lawyers, physicians, chemists, civil engi-  
21 neers, teachers, students, authors, artists, merchants, and  
22 travelers for curiosity or pleasure, nor to their legal wives or  
23 their children under sixteen years of age who shall accom-  
24 pany them or who subsequently may apply for admission to  
25 the United States, but such persons or their legal wives or

1 foreign-born children who fail to maintain in the United  
2 States a status or occupation placing them within the ex-  
3 cepted classes shall be deemed to be in the United States  
4 contrary to law, and shall be subject to deportation as pro-  
5 vided in section nineteen of this Act.

6 That after three months from the passage of this Act,  
7 in addition to the aliens who are by law now excluded from  
8 admission into the United States, the following persons shall  
9 also be excluded from admission thereto, to wit:

10 All aliens over sixteen years of age, physically capable  
11 of reading, who can not read the English language, or some  
12 other language or dialect, including Hebrew or Yiddish:  
13 *Provided*, That any admissible alien, or any alien heretofore  
14 or hereafter legally admitted, or any citizen of the United  
15 States, may bring in or send for his father or grandfather  
16 over fifty-five years of age, his wife, his mother, his grand-  
17 mother, or his unmarried or widowed daughter, if otherwise  
18 admissible, whether such relative can read or not; and such  
19 relative shall be permitted to enter. That for the purpose of  
20 ascertaining whether aliens can read the immigrant in-  
21 spectors shall be furnished with slips of uniform size, prepared  
22 under the direction of the Secretary of Labor, each containing  
23 not less than thirty nor more than forty words in ordinary  
24 use, printed in plainly legible type in some one of the  
25 various languages or dialects of immigrants. Each alien may

1 designate the particular language or dialect in which he  
2 desires the examination to be made, and shall be required to  
3 read the words printed on the slip in such language or dialect.  
4 That the following classes of persons shall be exempt from  
5 the operation of the illiteracy test, to wit: All aliens who  
6 shall prove to the satisfaction of the proper immigration  
7 officer or to the Secretary of Labor that they are seeking  
8 admission to the United States to avoid religious persecution  
9 in the country of their last permanent residence, whether  
10 such persecution be evidenced by overt acts or by laws or  
11 governmental regulations that discriminate against the alien  
12 or the race to which he belongs because of his religious faith;  
13 all aliens who have been lawfully admitted to the United  
14 States and who have resided therein continuously for five  
15 years, and who return to the United States within six months  
16 from the date of their departure therefrom; all aliens in transit  
17 through the United States; all aliens who have been lawfully  
18 admitted to the United States and who later shall go in transit  
19 from one part of the United States to another through  
20 foreign contiguous territory: *Provided*, That nothing in  
21 this Act shall exclude, if otherwise admissible, persons  
22 convicted, or who admit the commission, or who teach  
23 or advocate the commission, of an offense purely political  
24 unless such offense is a felony: *Provided further*, That

1 the provisions of this Act relating to the payments for  
2 tickets or passage by any corporation, association, society,  
3 municipality, or foreign Government shall not apply to  
4 the tickets or passage of aliens in immediate and con-  
5 tinuous transit through the United States to foreign con-  
6 tiguous territory: *Provided further*, That skilled labor, if  
7 otherwise admissible, may be imported if labor of like  
8 kind unemployed can not be found in this country, and the  
9 question of the necessity of importing such skilled labor in  
10 any particular instance may be determined by the Secretary  
11 of Labor upon the application of any person interested, such  
12 application to be made before such importation, and such  
13 determination by the Secretary of Labor to be reached after a  
14 full hearing and an investigation into the facts of the case:  
15 *Provided further*, That the provisions of this law applicable  
16 to contract labor shall not be held to exclude professional  
17 actors, artists, lecturers, singers, nurses, ministers of any  
18 religious denomination, professors for colleges or seminaries,  
19 persons belonging to any recognized learned profession,  
20 or persons employed as domestic servants: *Provided fur-*  
21 *ther*, That whenever the President shall be satisfied that  
22 passports issued by any foreign Government to its citizens or  
23 subjects to go to any country other than the United States, or  
24 to any insular possession of the United States or to the Canal  
25 Zone, are being used for the purpose of enabling the holder to

1 come to the continental territory of the United States to the  
2 detriment of labor conditions therein, the President shall  
3 refuse to permit such citizens or subjects of the country  
4 issuing such passports to enter the continental territory  
5 of the United States from such other country or from such  
6 insular possession or from the Canal Zone: *Provided further,*  
7 That aliens returning after a temporary absence to an un-  
8 relinquished United States domicile of seven consecutive  
9 years, may be admitted in the discretion of the Secretary of  
10 Labor, and under such conditions as he may prescribe: *Pro-*  
11 *vided further,* That nothing in the contract-labor or reading-  
12 test provisions of this Act shall be construed to prevent,  
13 hinder, or restrict any alien exhibitor, or holder of concession  
14 or privilege for any fair or exposition authorized by Act of  
15 Congress, from bringing into the United States, under con-  
16 tract, such otherwise admissible alien mechanics, artisans,  
17 agents, or other employees, natives of his country as may be  
18 necessary for installing or conducting his exhibit or for pre-  
19 paring for installing or conducting any business authorized  
20 or permitted under any concession or privilege which may  
21 have been or may be granted by any such fair or exposition in  
22 connection therewith, under such rules and regulations as the  
23 Commissioner General of Immigration, with the approval of  
24 the Secretary of Labor, may prescribe both as to the admis-  
25 sion and return of such persons: *Provided further,* That the

1 Commissioner General of Immigration with the approval of  
2 the Secretary of Labor shall issue rules and prescribe condi-  
3 tions, including exaction of such bonds as may be necessary,  
4 to control and regulate the admission and return of otherwise  
5 inadmissible aliens applying for temporary admission: *Pro-*  
6 *vided further*, That nothing in this Act shall be construed to  
7 apply to accredited officials of foreign Governments, nor to  
8 their suites, families, or guests.

9       SEC. 11. That the importation into the United States of  
10 any alien for the purpose of prostitution, or for any other  
11 immoral purpose, is hereby forbidden; and whoever shall,  
12 directly or indirectly, import, or attempt to import, into the  
13 United States any alien for the purpose of prostitution or  
14 for any other immoral purpose, or shall hold or attempt to  
15 hold any alien for any such purpose in pursuance of such  
16 illegal importation, or shall keep, maintain, control, support,  
17 employ, or harbor in any house or other place, for the purpose  
18 of prostitution or for any other immoral purpose, any alien,  
19 in pursuance of such illegal importation, shall in every such  
20 case be deemed guilty of a felony, and on conviction thereof  
21 shall be punished by imprisonment for a term of not more  
22 than ten years and by a fine of not more than \$5,000. Juris-  
23 diction for the trial and punishment of the felonies hereinbe-  
24 fore set forth shall be in any district to or into which said  
25 alien is brought in pursuance of said importation by the person

1 or persons accused, or in any district in which a violation of  
2 any of the foregoing provisions of this section occurs. That  
3 any alien who shall, after he has been excluded and deported  
4 or arrested and deported in pursuance of the provisions of  
5 this Act which relate to prostitutes, procurers, or other like  
6 immoral persons, attempt thereafter to return to or to enter  
7 the United States shall be deemed guilty of a misdemeanor,  
8 and on conviction thereof shall be punished by imprisonment  
9 for a term of not more than two years. In all prosecutions  
10 under this section the testimony of a husband or wife shall be  
11 admissible and competent evidence against each other.

12       SEC. 12. That it shall be unlawful for any person, com-  
13 pany, partnership, or corporation, in any manner whatsoever,  
14 to prepay the transportation or in any way to induce, assist,  
15 encourage, or solicit, or attempt to induce, assist, encourage,  
16 or solicit the importation or migration of any contract laborer  
17 or contract laborers into the United States, unless such con-  
18 tract laborer or contract laborers are exempted under the  
19 fifth proviso of section three of this Act, or have  
20 been imported with the permission of the Secretary of  
21 Labor in accordance with the fourth proviso of said  
22 section, and for every violation of any of the provisions  
23 of this section the person, partnership, company, or corpo-  
24 ration violating the same shall forfeit and pay for every  
25 such offense the sum of \$1,000, which may be sued for and

1 recovered by the United States, as debts of like amount are  
2 now recovered in the courts of the United States. For every  
3 violation of the provisions hereof the person violating the  
4 same may be prosecuted in a criminal action for a misde-  
5 meanor, and on conviction thereof shall be punished by a fine  
6 of \$1,000, or by imprisonment for a term of not less than six  
7 months nor more than two years; and under either the civil or  
8 the criminal procedure mentioned separate suits or prosecu-  
9 tions may be brought for each alien thus offered or promised  
10 employment as aforesaid. The Department of Justice,  
11 with the approval of the Department of Labor, may from  
12 any fines or penalties received pay rewards to persons other  
13 than Government employees who may furnish information  
14 leading to the recovery of any such penalties, or to the arrest  
15 and punishment of any person, as in this section provided.

16 SEC. 13. That it shall be unlawful and be deemed a  
17 violation of section five of this Act to induce, assist, encour-  
18 age, or solicit or attempt to induce, assist, encourage, or  
19 solicit any alien to come into the United States by promise of  
20 employment through advertisements printed, published, or  
21 distributed in any foreign country, whether such promise is  
22 true or false, and either the civil or criminal penalty or both  
23 imposed by said section shall be applicable to such a case.

24 SEC. 14. That it shall be unlawful for any person,  
25 association, society, company, partnership, corporation, or

1 others engaged in the business of transporting aliens to or  
2 within the United States, including owners, masters, officers,  
3 and agents of vessels, directly or indirectly, by writing, print-  
4 ing, oral representation, payment of any commissions to an  
5 alien coming into the United States, allowance of any rebates  
6 to an alien coming into the United States, or otherwise to  
7 solicit, invite, or encourage or attempt to solicit, invite, or  
8 encourage any alien to come into the United States, and any-  
9 one violating any provision hereof shall be subject to either  
10 the civil or the criminal prosecution, or both, prescribed by  
11 section five of this Act; or if it shall appear to the satisfaction  
12 of the Secretary of Labor that any owner, master, officer, or  
13 agent of a vessel has brought or caused to be brought to a  
14 port of the United States any alien so solicited, invited, or  
15 encouraged to come by such owner, master, officer, or agent,  
16 such owner, master, officer, or agent shall pay to the collector  
17 of customs of the customs district in which the port of arrival  
18 is located, or in which any vessel of the line may be found,  
19 the sum of \$400 for each and every such violation; and  
20 no vessel shall be granted clearance pending the determina-  
21 tion of the question of the liability to the payment of  
22 such fine, or while the fine imposed remains unpaid, nor  
23 shall such fine be remitted or refunded: *Provided*, That  
24 clearance may be granted prior to the determination of  
25 such questions upon the deposit with the collector of cus-

1 tons of a sum sufficient to cover such fine: *Provided*  
2 *further*, That whenever it shall be shown to the satisfac-  
3 tion of the Secretary of Labor that the provisions of this  
4 section are persistently violated by or on behalf of any  
5 transportation company, it shall be the duty of said Sec-  
6 retary to deny to such company the privilege of land-  
7 ing alien immigrant passengers of any or all classes at United  
8 States ports for such a period as in his judgment may  
9 be necessary to insure an observance of such provisions:  
10 *Provided further*, That this section shall not be held to  
11 prevent transportation companies from issuing letters, cir-  
12 culars, or advertisement confined strictly to stating the  
13 sailing of their vessels and terms and facilities of transporta-  
14 tion therein: *Provided further*, That under sections five,  
15 six, and seven hereof it shall be presumed from the fact that  
16 any person, company, partnership, corporation, association,  
17 or society induces, assists, encourages, solicits or invites, or  
18 attempts to induce, assist, encourage, solicit, or invite the  
19 importation, migration, or coming of an alien from a country  
20 foreign to the United State, that the offender had knowl-  
21 edge of such person's alienage.

22       SEC. 15. That any person, including the master, agent,  
23 owner, or consignee of any vessel, who shall bring into or  
24 land in the United States, by vessel or otherwise, or shall  
25 attempt, by himself or through another, to bring into or land

1 in the United States, by vessel or otherwise, or shall conceal  
2 or harbor, or attempt to conceal or harbor, or assist or abet  
3 another to conceal or harbor in any place, including any  
4 building, vessel, railway car, conveyance, or vehicle, any  
5 alien not duly admitted by an immigrant inspector or not  
6 lawfully entitled to enter or to reside within the United  
7 States under the terms of this Act, shall be deemed guilty of  
8 a misdemeanor, and upon conviction thereof shall be pun-  
9 ished by a fine not exceeding \$2,000 and by imprisonment  
10 for a term not exceeding five years, for each and every alien  
11 so landed or brought in or attempted to be landed or  
12 brought in.

13       SEC. 16. That it shall be unlawful for any person, in-  
14 cluding any transportation company other than railway  
15 lines entering the United States from foreign contiguous  
16 territory, or the owner, master, agent, or consignee of any  
17 vessel to bring to the United States either from a foreign  
18 country or any insular possession of the United States any  
19 alien afflicted with idiocy, insanity, imbecility, feeble-  
20 mindedness, epilepsy, constitutional psychopathic inferiority,  
21 chronic alcoholism, tuberculosis in any form, or a loathsome  
22 or dangerous contagious disease, and if it shall appear to the  
23 satisfaction of the Secretary of Labor that any alien so  
24 brought to the United States was afflicted with any of the

1 said diseases or disabilities at the time of foreign embarka-  
2 tion, and that the existence of such disease or disability  
3 might have been detected by means of a competent medical  
4 examination at such time, such person or transportation com-  
5 pany, or the master, agent, owner, or consignee of any such  
6 vessel shall pay to the collector of customs of the customs dis-  
7 trict in which the port of arrival is located the sum of \$200,  
8 and in addition a sum equal to that paid by such alien for his  
9 transportation from the initial point of departure, indicated  
10 in his ticket, to the port of arrival, for each and every  
11 violation of the provisions of this section, such latter sum  
12 to be delivered by the collector of customs to the alien on  
13 whose account assessed. It shall also be unlawful for  
14 any such person to bring to any port of the United  
15 States any alien afflicted with any mental defect other  
16 than those above specifically named, or physical defect of  
17 a nature which may affect his ability to earn a living, as  
18 contemplated in section three of this Act, and if it shall  
19 appear to the satisfaction of the Secretary of Labor that any  
20 alien so brought to the United States was so afflicted at the  
21 time of foreign embarkation, and that the existence of such  
22 mental or physical defect might have been detected by  
23 means of a competent medical examination at such time,  
24 such person shall pay to the collector of customs of the cus-  
25 toms district in which the port of arrival is located the sum

1 of \$25, and in addition a sum equal to that paid by such  
2 alien for his transportation from the initial point of depar-  
3 ture, indicated in his ticket, to the port of arrival, for each  
4 and every violation of this provision, such latter sum to be  
5 delivered by the collector of customs to the alien for whose  
6 account assessed. It shall also be unlawful for any such  
7 person to bring to any port of the United States any alien  
8 who is excluded by the provisions of section three of this  
9 Act because unable to read, or who is excluded by the terms  
10 of section three of this Act as a native of that portion of the  
11 Continent of Asia and the islands adjacent thereto described  
12 in said section, and if it shall appear to the satisfaction of  
13 the Secretary of Labor that these disabilities might have  
14 been detected by the exercise of reasonable precaution prior  
15 to the departure of such aliens from a foreign port, such  
16 person shall pay to the collector of customs of the customs  
17 district in which the port of arrival is located the sum of  
18 \$200, and in addition a sum equal to that paid by such alien  
19 for his transportation from the initial point of departure,  
20 indicated in his ticket, to the port of arrival, for each and  
21 every violation of this provision, such latter sum to be deliv-  
22 ered by the collector of customs to the alien on whose account  
23 assessed. And no vessel shall be granted clearance papers  
24 pending the determination of the question of the liability  
25 to the payment of such fines, or while the fines remain

1 unpaid, nor shall such fines be remitted or refunded: *Pro-*  
2 *vided*, That clearance may be granted prior to the determi-  
3 nation of such questions upon the deposit of a sum sufficient  
4 to cover such fines: *Provided further*, That nothing con-  
5 tained in this section shall be construed to subject transpor-  
6 tation companies to a fine for bringing to ports of the United  
7 States aliens who are by any of the provisos or exceptions  
8 to section three hereof exempted from the excluding provi-  
9 sions of said section.

10       SEC. 17. That it shall be the duty of every person, in-  
11 cluding owners, officers, and agents of vessels or transporta-  
12 tion lines, or international bridges or toll roads, other than  
13 railway lines which may enter into a contract as provided  
14 in section twenty-three of this Act, bringing an alien to, or  
15 providing a means for an alien to come to, any seaport or land  
16 border port of the United States, to prevent the landing of  
17 such alien in the United States at any time or place other  
18 than as designated by the immigration officers, and the failure  
19 of any such person, owner, officer, or agent to comply with  
20 the foregoing requirements shall be deemed a misdemeanor  
21 and on conviction thereof shall be punished by a fine in each  
22 case of not less than \$200 nor more than \$1,000, or by im-  
23 prisonment for a term not exceeding one year, or by both  
24 such fine and imprisonment; or, if in the opinion of the  
25 Secretary of Labor it is impracticable or inconvenient to

1 prosecute the person, owner, master, officer, or agent of any  
2 such vessel, a penalty of \$1,000 shall be a lien upon the vessel  
3 whose owner, master, officer, or agent violates the provisions  
4 of this section, and such vessel shall be libeled therefor in  
5 the appropriate United States court.

6       SEC. 18. That for the purpose of determining whether  
7 aliens arriving at ports of the United States belong to any  
8 of the classes excluded by this Act, either by reason of being  
9 afflicted with any of the diseases or mental or physical de-  
10 fects or disabilities mentioned in section three hereof, or  
11 otherwise, or whenever the Secretary of Labor has received  
12 information showing that any aliens are coming from a  
13 country or have embarked at a place where any of said dis-  
14 eases are prevalent or epidemic, the Commissioner General  
15 of Immigration, with the approval of the Secretary of Labor,  
16 may direct that such aliens shall be detained on board the  
17 vessel bringing them, or in a United States immigration  
18 station at the expense of such vessel, as circumstances may  
19 require or justify, a sufficient time to enable the immigration  
20 officers and medical officers stationed at such ports to subject  
21 such aliens to an observation and examination sufficient to  
22 determine whether or not they belong to the said excluded  
23 classes by reason of being afflicted in the manner indicated:  
24 *Provided*, That, with a view to avoid undue delay in landing  
25 passengers or interference with commerce, the Commissioner

1 General of Immigration may, with the approval of the Secre-  
2 tary of Labor, issue such regulations, not inconsistent with  
3 law, as may be deemed necessary to effect the purposes of  
4 this section: *Provided further*, That it shall be the duty of  
5 immigrant inspectors to report to the Commissioner General  
6 of Immigration the condition of all vessels bringing aliens  
7 to United States ports.

8       SEC. 19. That upon the arrival of any alien by water at  
9 any port within the United States on the North American  
10 Continent from a foreign port or a port of the Philippine  
11 Islands, Guam, Porto Rico, or Hawaii, or at any port of the  
12 said insular possessions from any foreign port, from a port in  
13 the United States on the North American Continent, or from a  
14 port of another insular possession of the United States, it shall  
15 be the duty of the master or commanding officer, owners,  
16 or consignees of the steamer, sailing, or other vessel  
17 having said alien on board to deliver to the im-  
18 migration officers at the port of arrival typewritten or  
19 printed lists or manifests made at the time and place of  
20 embarkation of such alien on board such steamer or vessel,  
21 which shall, in answer to questions at the top of said list,  
22 contain full and accurate information as to each alien as fol-  
23 lows: Full name, age, and sex; whether married or single;  
24 calling or occupation; personal description (including height,  
25 complexion, color of hair and eyes, and marks of identifica-

1 tion) ; whether able to read or write ; nationality : country of  
2 birth ; race ; country of last permanent residence ; name and  
3 address of the nearest relative in the country from which the  
4 alien came ; seaport for landing in the United States ; final  
5 destination, if any, beyond the port of landing ; whether  
6 having a ticket through to such final destination ; by whom  
7 passage was paid ; whether in possession of \$50, and if less,  
8 how much ; whether going to join a relative or friend, and, if  
9 so, what relative or friend, and his or her name and complete  
10 address ; whether ever before in the United States, and if so,  
11 when and where ; whether ever in prison or almshouse or an  
12 institution or hospital for the care and treatment of the insane ;  
13 whether ever supported by charity ; whether a polygamist ;  
14 whether an anarchist ; whether a person who believes in or ad-  
15 vocates the overthrow by force or violence of the Government  
16 of the United States or of all forms of law, or who disbelieves  
17 in or is opposed to organized government, or who advocates  
18 the assassination of public officials, or who advocates or teaches  
19 the unlawful destruction of property, or is a member of or  
20 affiliated with any organization entertaining and teaching dis-  
21 belief in or opposition to organized government, or which  
22 teaches the unlawful destruction of property, or who advocates  
23 or teaches the duty, necessity, or propriety of the unlawful  
24 assaulting or killing of any officer or officers, either of specific  
25 individuals or of officers generally, of the Government of the

1 United States or of any other organized government because of  
2 his or their official character; whether coming by reason of any  
3 offer, solicitation, promise, or agreement, express or implied,  
4 to perform labor in the United States; the alien's condition of  
5 health, mental and physical; whether deformed or crippled,  
6 and if so, for how long and from what cause; and such master  
7 or commanding officer, owners, or consignees shall also furnish  
8 information in relation to the sex, age, class of travel, and the  
9 foreign port of embarkation of arriving passengers who are  
10 United States citizens. That it shall further be the duty of the  
11 master or commanding officer of every vessel taking passengers  
12 from any port of the United States on the North American  
13 Continent to a foreign port or a port of the Philippine Islands,  
14 Guam, Porto Rico, or Hawaii, or from any port of the said  
15 insular possessions to any foreign port, to a port of the United  
16 States on the North American Continent, or to a port of  
17 another insular possession of the United States to file with the  
18 immigration officials before departure a list which shall con-  
19 tain full and accurate information in relation to the following  
20 matters regarding all alien passengers, and all citizens of the  
21 United States or insular possessions of the United States de-  
22 parting with the stated intent to reside permanently in a  
23 foreign country, taken on board: Name, age, and sex;  
24 whether married or single; calling or occupation; whether  
25 able to read or write; nationality; country of birth; country

1 of which citizen or subject; race; last permanent residence in  
2 the United States or insular possessions thereof; if a citizen  
3 of the United States or of the insular possessions thereof,  
4 whether native born or naturalized; if native born, the  
5 place and date of birth, or if naturalized the city or town  
6 in which naturalization has been had; intended future per-  
7 manent residence; and time and port of last arrival in the  
8 United States or insular possessions thereof; and such master  
9 or commanding officer shall also furnish information in rela-  
10 tion to the sex, age, class of travel, and port of debarkation of  
11 the United States citizens departing who do not intend to  
12 reside permanently in a foreign country, and no master of  
13 any such vessel shall be granted clearance papers for his vessel  
14 until he has deposited such list or lists with the immigration  
15 officials at the port of departure and made oath that they are  
16 full and complete as to the name and other information herein  
17 required concerning each person of the classes specified taken  
18 on board his vessel; and any neglect or omission to comply  
19 with the requirements of this section shall be punishable as  
20 provided in section fourteen of this Act: *Provided*, That in  
21 the case of vessels making regular trips to ports of the United  
22 States the Commissioner General of Immigration, with the  
23 approval of the Secretary of Labor, may, when expedient,  
24 arrange for the delivery of such lists of outgoing aliens at a

1 later date: *Provided further*, That it shall be the duty of  
2 immigration officials to record the following information  
3 regarding every resident alien and citizen leaving the United  
4 States by way of the Canadian or Mexican borders for per-  
5 manent residence in a foreign country: Name, age, and sex;  
6 whether married or single; calling or occupation; whether  
7 able to read or write; nationality; country of birth; country of  
8 which citizen or subject; race; last permanent residence in  
9 the United States; intended future permanent residence; and  
10 time and port of last arrival in the United State; and if a  
11 United States citizen, whether native born or naturalized.

12       SEC. 20. That all aliens arriving by water at the ports of  
13 the United States shall be listed in convenient groups, the  
14 names of those coming from the same locality to be assembled  
15 so far as practicable, and no one list or manifest shall contain  
16 more than thirty names. To each alien or head of a family  
17 shall be given a ticket on which shall be written his name,  
18 a number or letter designating the list in which his name,  
19 and other items of information required by this Act,  
20 are contained, and his number on said list, for con-  
21 venience of identification on arrival. Each list or mani-  
22 fest shall be verified by the signature and the oath or affirma-  
23 tion of the master or commanding officer, or the first or second  
24 below him in command, taken before an immigration officer  
25 at the port of arrival, to the effect that he has caused the

1 surgeon of said vessel sailing therewith to make a physical  
2 and mental examination of each of said aliens, and that from  
3 the report of said surgeon and from his own investigation he  
4 believes that no one of said aliens is of any of the classes ex-  
5 cluded from admission into the United States by section three  
6 of this Act, and that also according to the best of his knowl-  
7 edge and belief the information in said lists or manifests  
8 concerning each of said aliens named therein is correct and  
9 true in every respect. That the surgeon of said vessel sailing  
10 therewith shall also sign each of said lists or manifests and  
11 make oath or affirmation in like manner before an immigra-  
12 tion officer at the port of arrival, stating his professional ex-  
13 perience and qualifications as a physician and surgeon, and  
14 that he has made a personal examination of each of the said  
15 aliens named therein, and that the said list or manifest,  
16 according to the best of his knowledge and belief, is full,  
17 correct, and true in all particulars relative to the mental and  
18 physical condition of said aliens. If no surgeon sails with  
19 any vessel bringing aliens, the mental and physical examina-  
20 tions and the verifications of the lists or manifests shall be  
21 made by some competent surgeon employed by the owners  
22 of the said vessels, and the manifests shall be verified by such  
23 surgeon before a United States consular officer or other officer  
24 authorized to administer oaths: *Provided*, That if any  
25 changes in the condition of such aliens occur or develop dur-

1 ing the voyage of the vessel on which they are traveling, such  
2 changes shall be noted on the manifest before the verification  
3 thereof.

4       SEC. 21. That it shall be unlawful for the master or  
5 commanding officer of any vessel bringing aliens into or car-  
6 rying aliens out of the United States to refuse or fail to deliver  
7 to the immigration officials the accurate and full manifests or  
8 statements or information regarding all aliens on board or  
9 taken on board such vessel required by this Act, and if it  
10 shall appear to the satisfaction of the Secretary of Labor  
11 that there has been such a refusal or failure, or that the lists  
12 delivered are not accurate and full, such master or command-  
13 ing officer shall pay to the collector of customs at the port  
14 of arrival or departure the sum of \$10 for each alien con-  
15 cerning whom such accurate and full manifest or statement  
16 or information is not furnished, or concerning whom the  
17 manifest or statement or information is not prepared and  
18 sworn to as prescribed by this Act. No vessel shall be  
19 granted clearance pending the determination of the question  
20 of the liability to the payment of such fine, or while it re-  
21 mains unpaid, nor shall such fine be remitted or refunded:  
22 *Provided*, That clearance may be granted prior to the deter-  
23 mination of such question upon the deposit with the collector  
24 of customs of a sum sufficient to cover such fine.

1           SEC. 22. That upon the arrival at a port of the United  
2 States of any vessel bringing aliens it shall be the duty of the  
3 proper immigration officials to go or to send competent  
4 assistants to the vessel and there inspect all such aliens, or  
5 said immigration officials may order a temporary removal of  
6 such aliens for examination at a designated time and place,  
7 but such temporary removal shall not be considered a land-  
8 ing, nor shall it relieve vessels, the transportation lines, mas-  
9 ters, agents, owners, or consignees of the vessel upon which  
10 said aliens are brought to any port of the United States from  
11 any of the obligations which, in case such aliens remain on  
12 board, would under the provisions of this Act bind the said  
13 vessels, transportation lines, masters, agents, owners, or con-  
14 signees: *Provided*, That where removal is made to premises  
15 owned or controlled by the United States, said vessel, trans-  
16 portation lines, masters, agents, owners, or consignees, and  
17 each of them, shall, so long as detention there lasts, be re-  
18 lieved of responsibility for the safekeeping of such aliens.  
19 Whenever a temporary removal of aliens is made, the vessels  
20 or transportation lines which brought them and the masters,  
21 owners, agents, and consignees of the vessel upon which they  
22 arrive shall pay all expenses of such removal and all expenses  
23 arising during subsequent detention, pending decision on the  
24 aliens' eligibility to enter the United States and until they are  
25 either allowed to land or returned to the care of the line or to

1 the vessel which brought them, such expenses to include  
2 those of maintenance, medical treatment in hospital or else-  
3 where, burial in the event of death, and transfer to the vessel  
4 in the event of deportation, excepting only where they arise  
5 under the terms of any of the provisos of section eighteen  
6 hereof. Any refusal or failure to comply with the provisions  
7 hereof shall be punished in the manner specified in section  
8 eighteen of this Act.

9       SEC. 23. That the physical and mental examination of  
10 all arriving aliens shall be made by medical officers of the  
11 United States Public Health Service who shall have had at  
12 least two years' experience in the practice of their profession  
13 since receiving the degree of doctor of medicine, and who  
14 shall conduct all medical examinations and shall certify  
15 for the information of the immigration officers and the  
16 boards of special inquiry hereinafter provided for, any  
17 and all physical and mental defects or diseases observed  
18 by said medical officers in any such alien; or, should medical  
19 officers of the United States Public Health Service be not  
20 available, civil surgeons of not less than four years' pro-  
21 fessional experience may be employed in such emergency  
22 for such service upon such terms as may be prescribed by  
23 the Commissioner General of Immigration, under the direc-  
24 tion or with the approval of the Secretary of Labor. All  
25 aliens arriving at ports of the United States shall be examined

1 by not less than two such medical officers at the discretion  
2 of the Secretary of Labor, and under such administrative  
3 regulations as he may prescribe and under medical regu-  
4 lations prepared by the Surgeon General of the United  
5 States Public Health Service. Medical officers of the United  
6 States Public Health Service who have had especial training  
7 in the diagnosis of insanity and mental defects shall be  
8 detailed for duty or employed at all ports of entry designated  
9 by the Secretary of Labor, and such medical officers shall  
10 be provided with suitable facilities for the detention and  
11 examination of all arriving aliens in whom insanity or mental  
12 defect is suspected, and the services of interpreters shall  
13 be provided for such examination. Any alien certified for  
14 insanity or mental defect may appeal to the board of  
15 medical officers of the United States Public Health Service,  
16 which shall be convened by the Surgeon General of the  
17 United States Public Health Service, and said alien may  
18 introduce before such board one expert medical witness  
19 at his own cost and expense. That the inspection, other  
20 than the physical and mental examination, of aliens, includ-  
21 ing those seeking admission or readmission to or the privi-  
22 lege of passing through or residing in the United States,  
23 and the examination of aliens arrested within the United  
24 States under this Act, shall be conducted by immigrant  
25 inspectors, except as hereinafter provided in regard to

1 boards of special inquiry. All aliens arriving at ports of  
2 the United States shall be examined by at least two immi-  
3 grant inspectors at the discretion of the Secretary of Labor  
4 and under such regulations as he may prescribe. Immigrant  
5 inspectors are hereby authorized and empowered to board  
6 and search for aliens any vessel, railway car, or any other  
7 conveyance, or vehicle in which they believe aliens are being  
8 brought into the United States. Said inspectors shall have  
9 power to administer oaths and to take and consider evidence  
10 touching the right of any alien to enter, reenter, pass through,  
11 or reside in the United States, and, where such action may  
12 be necessary, to make a written record of such evidence; and  
13 any person to whom such an oath has been administered,  
14 under the provisions of this Act, who shall knowingly or  
15 willfully give false evidence or swear to any false statement  
16 in any way affecting or in relation to the right of any alien to  
17 admission, or readmission to, or to pass through, or to reside  
18 in the United States shall be deemed guilty of perjury and  
19 be punished as provided by section one hundred and twenty-  
20 five of the Act approved March fourth, nineteen hundred  
21 and nine, entitled "An Act to codify, revise, and amend the  
22 penal laws of the United States." Any commissioner of  
23 immigration or inspector in charge shall also have power  
24 to require by subpoena the attendance and testimony of  
25 witnesses before said inspectors and the production of

1 books, papers, and documents touching the right of any  
2 alien to enter, reenter, reside in, or pass through the  
3 United States, and to that end may invoke the aid  
4 of any court of the United States; and any district court  
5 within the jurisdiction of which investigations are being  
6 conducted by an immigrant inspector may, in the event of  
7 neglect or refusal to respond to a subpoena issued by any com-  
8 missioner of immigration or inspector in charge or refusal to  
9 testify before said immigrant inspector, issue an order requir-  
10 ing such person to appear before said immigrant inspector,  
11 produce books, papers, and documents if demanded, and tes-  
12 tify; and any failure to obey such order of the court may be  
13 punished by the court as a contempt thereof. That any per-  
14 son, including employees, officials, or agents of transportation  
15 companies, who shall assault, resist, prevent, impede, or  
16 interfere with any immigration official or employee in the  
17 performance of his duty under this Act shall be deemed  
18 guilty of a misdemeanor, and on conviction thereof shall be  
19 punished by imprisonment for a term of not more than one  
20 year, or by a fine of not more than \$2,000, or both; and any  
21 person who shall use any deadly or dangerous weapon in  
22 resisting any immigration official or employee in the perform-  
23 ance of his duty shall be deemed guilty of a felony and shall,  
24 on conviction thereof, be punished by imprisonment for not

1 more than ten years. Every alien who may not appear to the  
2 examining immigrant inspector at the port of arrival to be  
3 clearly and beyond a doubt entitled to land shall be detained  
4 for examination in relation thereto by a board of special  
5 inquiry. In the event of rejection by the board of special  
6 inquiry, in all cases where an appeal to the Secretary of  
7 Labor is permitted by this Act, the alien shall be so informed  
8 and shall have the right to be represented by counsel or  
9 other adviser on such appeal. The decision of an immigrant  
10 inspector, if favorable to the admission of any alien, shall be  
11 subject to challenge by any other immigrant inspector, and  
12 such challenge shall operate to take the alien whose right  
13 to land is so challenged before a board of special inquiry for  
14 its investigation.

15       SEC. 24. That boards of special inquiry shall be ap-  
16 pointed by the commissioner of immigration or inspector in  
17 charge at the various ports of arrival as may be necessary for  
18 the prompt determination of all cases of immigrants detained  
19 at such ports under the provisions of the law. Each board  
20 shall consist of three members, who shall be selected from  
21 such of the immigrant officials in the service as the Commis-  
22 sioner General of Immigration, with the approval of the Sec-  
23 retary of Labor, shall from time to time designate as quali-  
24 fied to serve on such boards. When in the opinion of the  
25 Secretary of Labor the maintenance of a permanent board

1 of special inquiry for service at any sea or land border port is  
2 not warranted, regularly constituted boards may be detailed  
3 from other stations for temporary service at such port, or, if  
4 that be impracticable, the Secretary of Labor shall authorize  
5 the creation of boards of special inquiry by the immigration  
6 officials in charge at such ports, and shall determine what  
7 Government officials or other persons shall be eligible for  
8 service on such boards. Such boards shall have authority to  
9 determine whether an alien who has been duly held shall be  
10 allowed to land or shall be deported. All hearings before  
11 such boards shall be separate and apart from the public,  
12 but the immigrant may have one friend or relative present  
13 under such regulations as may be prescribed by the Secretary  
14 of Labor. Such boards shall keep a complete permanent  
15 record of their proceedings and of all such testi-  
16 mony as may be produced before them; and the deci-  
17 sions of any two members of the board shall prevail, but  
18 either the alien or any dissenting member of the said  
19 board may appeal through the commissioner of immigra-  
20 tion at the port of arrival and the Commissioner General of  
21 Immigration to the Secretary of Labor, and the taking of  
22 such appeal shall operate to stay any action in regard to the  
23 final disposal of any alien whose case is so appealed until the  
24 receipt by the commissioner of immigration at the port of  
25 arrival of such decision which shall be rendered solely upon

1 the evidence adduced before the board of special inquiry.  
2 In every case where an alien is excluded from admission into  
3 the United States, under any law or treaty now existing or  
4 hereafter made, the decision of a board of special inquiry  
5 adverse to the admission of such alien shall be final, unless  
6 reversed on appeal to the Secretary of Labor: *Provided,*  
7 That the decision of a board of special inquiry shall be based  
8 upon the certificate of the examining medical officer and, ex-  
9 cept as provided in section twenty-one hereof, shall be final  
10 as to the rejection of aliens affected with tuberculosis in any  
11 form or with a loathsome or dangerous contagious disease, or  
12 with any mental or physical disability which would bring  
13 such aliens within any of the classes excluded from admission  
14 to the United States under section three of this Act.

15       SEC. 25. That all aliens brought to this country in  
16 violation of law shall be immediately sent back, in accommo-  
17 dations of the same class in which they arrived, to the  
18 country whence they respectively came, on the vessels bring-  
19 ing them, unless in the opinion of the Secretary of Labor  
20 immediate deportation is not practicable or proper. The cost  
21 of their maintenance while on land, as well as the expense of  
22 the return of such aliens, shall be borne by the owner or  
23 owners of the vessels on which they respectively came. That  
24 it shall be unlawful for any master, purser, person in charge,  
25 agent, owner, or consignee of any such vessel to refuse to

1 receive back on board thereof, or on board of any other  
2 vessel owned or operated by the same interests, such aliens;  
3 or to fail to detain them thereon; or to refuse or fail to return  
4 them in the manner aforesaid to the foreign port from which  
5 they came; or to fail to pay the cost of their maintenance  
6 while on land; or to make any charge for the return of any  
7 such alien, or to take any security for the payment of such  
8 charge; or to take any consideration to be returned in case  
9 the alien is landed; or knowingly to bring to the United  
10 States at any time within one year from the date of deporta-  
11 tion any alien rejected or arrested and deported under any  
12 provision of this Act, unless prior to reembarkation the  
13 Secretary of Labor has consented that such alien shall reapply  
14 for admission, as required by section three hereof; and if it  
15 shall appear to the satisfaction of the Secretary of Labor  
16 that such master, purser, person in charge, agent, owner,  
17 or consignee has violated any of the foregoing provisions,  
18 or any of the provisions of section fifteen hereof, such  
19 master, purser, person in charge, agent, owner, or con-  
20 signee shall pay to the collector of customs of the district  
21 in which the port of arrival is located, or in which any  
22 vessel of the line may be found, the sum of \$300 for each  
23 and every violation of any provision of said sections; and no  
24 vessel shall have clearance from any port of the United States  
25 while any such fine is unpaid, nor shall such fine be remitted

1 or refunded: *Provided*, That clearance may be granted prior  
2 to the determination of such question upon the deposit with  
3 the collector of customs of a sum sufficient to cover such fine.  
4 If the vessel by which any alien ordered deported came has  
5 left the United States and it is impracticable for any reason to  
6 deport the alien within a reasonable time by another vessel  
7 owned by the same interests, the cost of deportation may be  
8 paid by the Government and recovered by civil suit from any  
9 agent, owner, or consignee of the vessel: *Provided further*,  
10 That the Commissioner General of Immigration, with the  
11 approval of the Secretary of Labor, may suspend, upon con-  
12 ditions to be prescribed by the Commissioner General of  
13 Immigration, the deportation of any aliens found to have  
14 come in violation of any provision of this Act if, in his judg-  
15 ment, the testimony of such alien is necessary on behalf  
16 of the United States Government in the prosecution of  
17 offenders against any provision of this Act or other laws  
18 of the United States; and the cost of maintenance of any  
19 person so detained resulting from such suspension of de-  
20 portation, and a witness fee in the sum of \$1 per day  
21 for each day such person is so detained, may be paid  
22 from the appropriation for the enforcement of this Act, or  
23 such alien may be released under bond, in the penalty of not  
24 less than \$500, with security approved by the Secretary of  
25 Labor, conditioned that such alien shall be produced when

1 required as a witness and for deportation. No alien certified,  
2 as provided in section sixteen of this Act, to be suffering from  
3 tuberculosis in any form, or from a loathsome or dangerous  
4 contagious disease other than one of quarantinable nature,  
5 shall be permitted to land for medical treatment thereof in  
6 any hospital in the United States, unless the Secretary of  
7 Labor is satisfied that to refuse treatment would be inhumane  
8 or cause unusual hardship or suffering, in which case the alien  
9 shall be treated in the hospital under the supervision of the  
10 immigration officials at the expense of the vessel transporting  
11 him: *Provided further*, That upon the certificate of an exam-  
12 ining medical officer to the effect that the health or safety of  
13 an insane alien would be unduly imperiled by immediate  
14 deportation, such alien may, at the expense of the appro-  
15 priation for the enforcement of this Act, be held for treat-  
16 ment until such time as such alien may, in the opinion of  
17 such medical officer, be safely deported: *Provided further*,  
18 That upon the certificate of an examining medical officer  
19 to the effect that a rejected alien is helpless from sickness,  
20 mental or physical disability, or infancy, if such alien is  
21 accompanied by another alien whose protection or guardian-  
22 ship is required by such rejected alien, such accompanying  
23 alien may also be excluded, and the master, agent, owner,  
24 or consignee of the vessel in which such alien and accom-  
25 panying alien are brought shall be required to return said

1 alien and accompanying alien in the same manner as vessels  
2 are required to return other rejected aliens.

3       SEC. 26. That at any time within five years after entry,  
4 any alien who at the time of entry was a member of one or  
5 more of the classes excluded by law; any alien who shall  
6 have entered or who shall be found in the United States in  
7 violation of this Act, or in violation of any other law of the  
8 United States; any alien who at any time after entry shall  
9 be found advocating or teaching the unlawful destruction of  
10 property, or advocating or teaching anarchy, or the over-  
11 throw by force or violence of the Government of the United  
12 States or of all forms of law or the assassination of public  
13 officials; any alien who within five years after entry becomes  
14 a public charge from causes not affirmatively shown to  
15 have arisen subsequent to landing; except as hereinafter  
16 provided, any alien who is hereafter sentenced to imprison-  
17 ment for a term of one year or more because of conviction  
18 in this country of a crime involving moral turpitude, com-  
19 mitted within five years after the entry of the alien to the  
20 United States, or who is hereafter sentenced more than once  
21 to such a term of imprisonment because of conviction in this  
22 country of any crime involving moral turpitude, committed  
23 at any time after entry; any alien who shall be found an  
24 inmate of or connected with the management of a house of  
25 prostitution or practicing prostitution after such alien shall

1 have entered the United States, or who shall receive, share  
2 in, or derive benefit from any part of the earnings of any  
3 prostitute; any alien who manages or is employed by, in, or  
4 in connection with any house of prostitution or music or dance  
5 hall or other place of amusement or resort habitually fre-  
6 quented by prostitutes, or where prostitutes gather, or who  
7 in any way assists any prostitute or protects or promises  
8 to protect from arrest any prostitute: any alien who shall  
9 import or attempt to import any person for the purpose of  
10 prostitution or for any other immoral purpose; any alien  
11 who, after being excluded and deported or arrested and de-  
12 ported as a prostitute, or as a procurer, or as having been  
13 connected with the business of prostitution or importation  
14 for prostitution or other immoral purposes in any of the  
15 ways hereinbefore specified, shall return to and enter the  
16 United States; any alien convicted and imprisoned for a  
17 violation of any of the provisions of section four hereof; any  
18 alien who was convicted, or who admits the commission,  
19 prior to entry, of a felony or other crime or misdemeanor  
20 involving moral turpitude; at any time within three years  
21 after entry, any alien who shall have entered the United  
22 States by water at any time or place other than as designated  
23 by immigration officials, or by land at any place other than  
24 one designated as a port of entry for aliens by the Com-

1   missioner General of Immigration, or at any time not  
2   designated by immigration officials, or who enters without  
3   inspection, shall, upon the warrant of the Secretary of  
4   Labor, be taken into custody and deported: *Provided*, That  
5   the marriage to an American citizen of a female of the  
6   sexually immoral classes the exclusion or deportation of  
7   which is prescribed by this Act shall not invest such  
8   female with United States citizenship if the marriage of  
9   such alien female shall be solemnized after her arrest or  
10  after the commission of acts which make her liable to  
11  deportation under this Act: *Provided further*, That the pro-  
12  vision of this section respecting the deportation of aliens  
13  convicted of a crime involving moral turpitude shall not  
14  apply to one who has been pardoned, nor shall such depor-  
15  tation be made or directed if the court, or judge thereof,  
16  sentencing such alien for such crime shall, at the time of  
17  imposing judgment or passing sentence or within thirty  
18  days thereafter, due notice having first been given to repre-  
19  sentatives of the State, make a recommendation to the  
20  Secretary of Labor that such alien shall not be deported  
21  in pursuance of this Act; nor shall any alien convicted as  
22  aforesaid be deported until after the termination of his  
23  imprisonment: *Provided further*, That the provisions of  
24  this section, with the exceptions hereinbefore noted, shall  
25  be applicable to the classes of aliens therein mentioned

1 irrespective of the time of their entry into the United States:  
2 *Provided further*, That the provisions of this section shall  
3 also apply to the cases of aliens who come to the mainland  
4 of the United States from the insular possessions thereof:  
5 *Provided further*, That any person who shall be arrested  
6 under the provisions of this section, on the ground that  
7 he has entered or been found in the United States in viola-  
8 tion of any other law thereof which imposes on such person  
9 the burden of proving his right to enter or remain, and who  
10 shall fail to establish the existence of the right claimed, shall  
11 be deported to the place specified in such other law. In  
12 every case where any person is ordered deported from the  
13 United States under the provisions of this Act, or of any  
14 law or treaty, the decision of the Secretary of Labor shall  
15 be final.

16       SEC. 27. That the deportation of aliens provided for in  
17 this Act shall, at the option of the Secretary of Labor, be to  
18 the country whence they came or to the foreign port at which  
19 such aliens embarked for the United States; or, if such  
20 embarkation was for foreign contiguous territory, to the for-  
21 eign port at which they embarked for such territory; or,  
22 if such aliens entered foreign contiguous territory from the  
23 United States and later entered the United States, or if such  
24 aliens are held by the country from which they entered the  
25 United States not to be subjects or citizens of such country,

1 and such country refuses to permit their reentry, or imposes  
2 any condition upon permitting reentry, then to the country  
3 of which such aliens are subjects or citizens, or to the country  
4 in which they resided prior to entering the country from  
5 which they entered the United States. If deportation pro-  
6 ceedings are instituted at any time within five years after  
7 the entry of the alien, such deportation, including one-half  
8 of the entire cost of removal to the port of deportation, shall  
9 be at the expense of the contractor, procurer, or other person  
10 by whom the alien was unlawfully induced to enter the United  
11 States, or, if that can not be done, then the cost of removal  
12 to the port of deportation shall be at the expense of the appro-  
13 priation for the enforcement of this Act, and the deportation  
14 from such port shall be at the expense of the owner or owners  
15 of such vessels or transportation line by which such aliens  
16 respectively came, or, if that is not practicable, at the expense  
17 of the appropriation for the enforcement of this Act. If  
18 deportation proceedings are instituted later than five years  
19 after the entry of the alien, or, if the deportation is made by  
20 reason of causes arising subsequent to entry, the cost thereof  
21 shall be payable from the appropriation for the enforcement  
22 of this Act. A failure or refusal on the part of the masters,  
23 agents, owners, or consignees of vessels to comply with the  
24 order of the Secretary of Labor to take on board, guard safely,  
25 and transport to the destination specified any alien ordered

1 to be deported under the provisions of this Act shall be  
2 punished by the imposition of the penalties prescribed in  
3 section eighteen of this Act: *Provided*, That when in the  
4 opinion of the Secretary of Labor the mental or physical con-  
5 dition of such alien is such as to require personal care and  
6 attendance, the said Secretary shall when necessary employ a  
7 suitable person for that purpose, who shall accompany such  
8 alien to his or her final destination, and the expense incident  
9 to such service shall be defrayed in the same manner as the  
10 expense of deporting the accompanied alien is defrayed.  
11 Pending the final disposal of the case of any alien so taken  
12 into custody, he may be released under a bond in the penalty  
13 of not less than \$500 with security approved by the Secre-  
14 tary of Labor, conditioned that such alien shall be produced  
15 when required for a hearing or hearings in regard to the  
16 charge upon which he has been taken into custody, and for  
17 deportation if he shall be found to be unlawfully within the  
18 United States.

19       SEC. 28. That any alien liable to be excluded because  
20 likely to become a public charge or because of physical dis-  
21 ability other than tuberculosis in any form or a loathsome or  
22 dangerous contagious disease may, if otherwise admissible,  
23 nevertheless be admitted in the discretion of the Secretary  
24 of Labor upon the giving of a suitable and proper bond or  
25 undertaking, approved by said Secretary, in such amount and

1 containing such conditions as he may prescribe, to the United  
2 States and to all States, Territories, counties, towns, municipi-  
3 palities, and districts thereof; holding the United States and  
4 all States, Territories, counties, towns, municipalities, and  
5 districts thereof harmless against such alien becoming a  
6 public charge. In lieu of such bond such alien may deposit  
7 in cash with the Secretary of Labor such amount as the  
8 Secretary of Labor may require, which amount shall be  
9 deposited by said Secretary in the United States Postal  
10 Savings Bank, a receipt therefor to be given the person  
11 furnishing said sum, showing the fact and object of its receipt  
12 and such other information as said Secretary may deem ad-  
13 visable. All accruing interest on said deposit during the time  
14 same shall be held in the United States Postal Savings Bank  
15 shall be paid to the person furnishing the sum for deposit.  
16 In the event of such alien becoming a public charge, the  
17 Secretary of Labor shall dispose of said deposit in the same  
18 manner as if same had been collected under a bond as pro-  
19 vided in this section. In the event of the permanent  
20 departure from the United States, the naturalization, or the  
21 death of such alien, the said sum shall be returned to the  
22 person by whom furnished, or to his legal representatives.  
23 The admission of such alien shall be a consideration for the  
24 giving of such bond, undertaking, or cash deposit. Suit  
25 may be brought thereon in the name and by the proper law

1 officers either of the United States Government or of any State,  
2 Territory, District, county, town, or municipality in which  
3 such alien becomes a public charge.

4       SEC. 29. That whenever an alien shall have been nat-  
5 uralized or shall have resided in the United States for seven  
6 consecutive years, and thereafter shall send for his wife or  
7 minor children to join him, and said wife or any of said minor  
8 children shall be found to be affected with any contagious  
9 disorder, such wife or minor children shall be held, under  
10 such regulations as the Secretary of Labor shall prescribe,  
11 until it shall be determined whether the disorder will be  
12 easily curable or whether they can be permitted to land  
13 without danger to other persons; and they shall not be either  
14 admitted or deported until such facts have been ascertained;  
15 and if it shall be determined that the disorder is easily curable  
16 and the husband or father or other responsible person is  
17 willing to bear the expense of the treatment, they may be  
18 accorded treatment in hospital until cured and then be ad-  
19 mitted, or if it shall be determined that they can be per-  
20 mitted to land without danger to other persons, they may,  
21 if otherwise admissible, thereupon be admittèd: *Provided,*  
22 That if the person sending for wife or minor children is  
23 naturalized, a wife to whom married or a minor child born  
24 subsequent to such husband or father's naturalization shall  
25 be admitted without detention for treatment in hospital,

1 and with respect to a wife to whom married or a minor child  
2 born prior to such husband or father's naturalization the  
3 provisions of this section shall be observed, even though such  
4 person is unable to pay the expense of treatment, in which  
5 case the expense shall be paid from the appropriation for the  
6 enforcement of this Act.

7       SEC. 30. That the Commissioner General of Immigration  
8 shall perform all his duties under the direction of the Sec-  
9 retary of Labor. Under such direction he shall have charge  
10 of the administration of all laws relating to the immigration  
11 of aliens into the United States, and shall have the control,  
12 direction, and supervision of all officers, clerks, and em-  
13 ployees appointed thereunder; he shall establish such rules  
14 and regulations, prescribe such forms of bond, reports, entries  
15 and other papers, and shall issue from time to time such  
16 instructions not inconsistent with law, as he shall deem  
17 best calculated for carrying out the provisions of this Act  
18 and for protecting the United States and aliens migrating  
19 thereto from fraud and loss, and shall have authority to enter  
20 into contract for the support and relief of such aliens as may  
21 fall into distress or need public aid, and to remove to their  
22 native country, at any time within three years after entry,  
23 at the expense of the appropriations for the enforcement of  
24 this Act, such as fall into distress or need public aid from  
25 causes arising subsequent to their entry and are desirous of

1 being so removed; he shall prescribe rules for the entry and  
2 inspection of aliens coming to the United States from or  
3 through Canada and Mexico, so as not unnecessarily to delay,  
4 impede, or annoy persons in ordinary travel between the  
5 United States and said countries, and shall have power  
6 to enter into contracts with transportation lines for the said  
7 purpose. It shall be the duty of the Commissioner General  
8 of Immigration to detail officers of the Immigration Service  
9 from time to time as may be necessary, in his judgment,  
10 to secure information as to the number of aliens detained  
11 in the penal, reformatory, and charitable institutions (public  
12 and private) of the several States and Territories, the  
13 District of Columbia, and other territory of the United  
14 States, and to inform the officers of such institutions of the  
15 provisions of law in relation to the deportation of aliens  
16 who have become public charges. He may, with the  
17 approval of the Secretary of Labor, whenever in his judg-  
18 ment such action may be necessary to accomplish the pur-  
19 poses of this Act, detail immigration officers for service in  
20 foreign countries; and, upon his request, approved by the  
21 Secretary of Labor, the Secretary of the Treasury may  
22 detail medical officers of the United States Public Health  
23 Service for the performance of duties in foreign countries in  
24 connection with the enforcement of this Act. The duties of

1 commissioners of immigration and other immigration officials  
2 in charge of districts, ports, or stations shall be of an adminis-  
3 trative character, to be prescribed in detail by regulations  
4 prepared under the direction or with the approval of the  
5 Secretary of Labor: *Provided*, That no person, company,  
6 or transportation line engaged in carrying alien passengers  
7 for hire from Canada or Mexico to the United States,  
8 whether by land or water, shall be allowed to land any  
9 such passengers in the United States without providing  
10 suitable and approved landing stations, conveniently located,  
11 at the point or points of entry. The Commis-  
12 sioner General of Immigration is hereby authorized and  
13 empowered to prescribe the conditions, not inconsistent  
14 with law, under which the above-mentioned landing sta-  
15 tions shall be deemed suitable within the meaning of this  
16 section. Any person, company, or transportation line land-  
17 ing an alien passenger in the United States without compli-  
18 ance with the requirement herein set forth shall be deemed  
19 to have violated section eight of this Act, and upon convic-  
20 tion shall be subject to the penalty therein prescribed:  
21 *Provided further*, That for the purpose of making effective  
22 the provisions of this section relating to the protection of  
23 aliens from fraud and loss, and also the provisions of section  
24 thirty of this Act, relating to the distribution of aliens, the  
25 Secretary of Labor shall establish and maintain immigrant

1 stations at such interior places as may be necessary, and, in  
2 the discretion of the said Secretary, aliens in transit from  
3 ports of landing to such interior stations shall be accom-  
4 panied by immigrant inspectors: *Provided further*, That  
5 in prescribing rules and making contracts for the entry  
6 and inspection of aliens applying for admission from or  
7 through foreign contiguous territory, due care shall be exer-  
8 cised to avoid any discriminatory action in favor of for-  
9 eign transportation companies transporting to such territory  
10 aliens destined to the United States, and all such trans-  
11 portation companies shall be required, as a condition  
12 precedent to the inspection or examination under such rules  
13 and contracts at the ports of such contiguous territory of  
14 aliens brought thereto by them, to submit to and comply  
15 with all the requirements of this Act which would apply  
16 were they bringing such aliens directly to seaports of the  
17 United States, and, from and after the taking effect of this  
18 Act, no alien applying for admission from foreign contigu-  
19 ous territory shall be permitted to enter the United States  
20 unless upon proving that he was brought to such territory  
21 by a transportation company which had submitted to and  
22 complied with all the requirements of this Act, or that he  
23 entered, or has resided in, such territory more than two  
24 years prior to the date of his application for admission to  
25 the United States.

1        SEC. 31. That immigrant inspectors and other immi-  
2 gration officers, clerks, and employees shall hereafter be ap-  
3 pointed and their compensation fixed and raised or decreased  
4 from time to time by the Secretary of Labor, upon the recom-  
5 mendation of the Commissioner General of Immigration and  
6 in accordance with the provisions of the civil-service Act of  
7 January sixteenth, eighteen hundred and eighty-three: *Pro-*  
8 *vided.* That said Secretary, in the enforcement of that portion  
9 of this Act which excludes contract laboreis and induced and  
10 assisted immigrants, may employ, for such purposes and for  
11 detail upon additional service under this Act when not so  
12 engaged, without reference to the provisions of the said civil-  
13 service Act, or to the various Acts relative to the compilation  
14 of the Official Register, such persons as he may deem advisable  
15 and from time to time fix, raise, or decrease their compensa-  
16 tion. He may draw annually from the appropriation for the  
17 enforcement of this Act \$100,000, or as much thereof as may  
18 be necessary, to be expended for the salaries and expenses of  
19 persons so employed and for expenses incident to such em-  
20 ployment; and the accounting officers of the Treasury shall  
21 pass to the credit of the proper disbursing officer expenditures  
22 from said sum without itemized account whenever the Secre-  
23 tary of Labor certifies that an itemized account would not be  
24 for the best interests of the Government: *Provided further,*  
25 That nothing herein contained shall be construed to alter the

1 mode of appointing commissioners of immigration at the  
2 several ports of the United States as provided by the sundry  
3 civil appropriation Act approved August eighteenth, eighteen  
4 hundred and ninety-four, or the official status of such com-  
5 missioners heretofore appointed.

6       SEC. 32. That the district courts of the United States  
7 are hereby invested with full jurisdiction of all causes, civil  
8 and criminal, arising under any of the provisions of this Act.  
9 That it shall be the duty of the United States district attorney  
10 of the proper district to prosecute every such suit when  
11 brought by the United States under this Act. Such prose-  
12 cutions or suits may be instituted at any place in the United  
13 States at which the violation may occur or at which the person  
14 charged with such violation may be found. That no suit or  
15 proceeding for a violation of the provisions of this Act shall  
16 be settled, compromised, or discontinued without the consent  
17 of the court in which it is pending, entered of record, with  
18 the reasons therefor.

19       SEC. 33. That all exclusive privileges of exchanging  
20 money, transporting passengers or baggage, or keeping eat-  
21 ing houses, and all other like privileges in connection with  
22 any United States immigrant station, shall be disposed of  
23 to the lowest responsible and capable bidder, after public  
24 competition, notice of such competitive bidding having been  
25 made in two newspapers of general circulation for a period of

1 two weeks, subject to such conditions and limitations as  
2 the Commissioner General of Immigration, under the direc-  
3 tion or with the approval of the Secretary of Labor, may  
4 prescribe, and all receipts accruing from the disposal of  
5 privileges shall be paid into the Treasury of the United  
6 States. No such contract shall be awarded to an alien.  
7 No intoxicating liquors shall be sold at any such immigra-  
8 tion station.

9       SEC. 34. That for the preservation of the peace and in  
10 order that arrests may be made for crimes under the laws of  
11 the States and Territories of the United States where the  
12 various immigrant stations are located, the officers in charge  
13 of such stations, as occasion may require, shall admit therein  
14 the proper State and municipal officers charged with the  
15 enforcement of such laws, and for the purpose of this section  
16 the jurisdiction of such officers and of the local courts shall  
17 extend over such stations.

18       SEC. 35. That any person who knowingly aids or assists  
19 any anarchist or any person who believes in or advocates  
20 the overthrow by force or violence of the Government of the  
21 United States, or who disbelieves in or is opposed to organ-  
22 ized government, or all forms of law, or who advocates the  
23 assassination of public officials, or who is a member of or  
24 affiliated with any organization entertaining or teaching  
25 disbelief in or opposition to organized government, or who

1 advocates or teaches the duty, necessity, or propriety of the  
2 unlawful assaulting or killing of any officer or officers, either  
3 of specific individuals or of officers generally, of the Govern-  
4 ment of the United States or of any other organized govern-  
5 ment, because of his or their official character, to enter the  
6 United States, or who connives or conspires with any person  
7 or persons to allow, procure, or permit any such anarchist  
8 or person aforesaid to enter therein, shall be deemed guilty  
9 of a felony, and on conviction thereof shall be punished by  
10 a fine of not more than \$5,000 or by imprisonment for not  
11 more than five years, or both.

12 Any person who knowingly aids or assists any alien  
13 who advocates or teaches the unlawful destruction of prop-  
14 erty to enter the United States shall be deemed guilty of a  
15 misdemeanor and on conviction thereof shall be punished by  
16 a fine of not more than \$1,000, or by imprisonment for not  
17 more than six months, or by both such fine and imprisonment.

18 SEC. 36. That the President of the United States is  
19 authorized, in the name of the Government of the United  
20 States, to call, in his discretion, an international conference,  
21 to assemble at such point as may be agreed upon, or to send  
22 special commissioners to any foreign country, for the purpose  
23 of regulating by international agreement, subject to the  
24 advice and consent of the Senate of the United States, the  
25 immigration of aliens to the United States; of providing for

1 the mental, moral, and physical examination of such aliens  
2 by American consuls or other officers of the United States  
3 Government at the ports of embarkation, or elsewhere; of  
4 securing the assistance of foreign Governments in their own  
5 territories to prevent the evasion of the laws of the United  
6 States governing immigration to the United States; of enter-  
7 ing into such international agreements as may be proper to  
8 prevent the immigration of aliens who, under the laws of the  
9 United States, are or may be excluded from entering the  
10 United States, and of regulating any matters pertaining  
11 to such immigration.

12       SEC. 37. That there shall be maintained a division of  
13 information in the Bureau of Immigration; and the Secretary  
14 of Labor shall provide such clerical and other assistance as  
15 may be necessary. It shall be the duty of said division to  
16 promote a beneficial distribution of aliens admitted into the  
17 United States among the several States and Territories desir-  
18 ing immigration. Correspondence shall be had with the  
19 proper officials of the States and Territories, and said division  
20 shall gather from all available sources useful information  
21 regarding the resources, products, and physical characteristics  
22 of each State and Territory, and shall publish such information  
23 in different languages and distribute the publications among  
24 all admitted aliens at the immigrant stations of the United  
25 States and to such other persons as may desire the same.

1 When any State or Territory appoints and maintains an agent  
2 or agents to represent it at any of the immigrant stations of  
3 the United States, such agents shall, under regulations  
4 prescribed by the Commissioner General of Immigration,  
5 subject to the approval of the Secretary of Labor, have access  
6 to aliens who have been admitted to the United States for the  
7 purpose of presenting, either orally or in writing, the special  
8 inducements offered by such State or Territory to aliens to  
9 settle therein. While on duty at any immigrant station  
10 such agents shall be subject to all the regulations prescribed  
11 by the Commissioner General of Immigration, who, with the  
12 approval of the Secretary of Labor, may, for violation of any  
13 such regulations, deny to the agent guilty of such violation  
14 any of the privileges herein granted.

15 SEC. 38. That any person, including the owner, agent,  
16 consignee, or master of any vessel arriving in the United  
17 States from any foreign port or place, who shall knowingly  
18 sign on the ship's articles, or bring to the United States as  
19 one of the crew of such vessel, any alien, with intent to  
20 permit such alien to land in the United States in violation of  
21 the laws and treaties of the United States regulating the im-  
22 migration of aliens, or who shall falsely and knowingly  
23 represent to the immigration authorities at the port of arrival  
24 that any such alien is a bona fide member of the crew, shall

1 be liable to a penalty not exceeding \$5,000, for which sum  
2 the said vessel shall be liable and may be seized and pro-  
3 ceeded against by way of libel in any district court of the  
4 United States having jurisdiction of the offense.

5       SEC. 39. That no alien excluded from admission into  
6 the United States by any law, convention, or treaty of  
7 the United States regulating the immigration of aliens, and  
8 employed on board any vessel arriving in the United States  
9 from any foreign port or place, shall be permitted to land in  
10 the United States, except temporarily for medical treatment,  
11 or pursuant to regulations prescribed by the Secretary of Labor  
12 providing for the ultimate removal or deportation of such  
13 aliens from the United States, and the negligent failure of the  
14 owner, agent, consignee, or master of such vessel to detain on  
15 board any such alien after notice in writing by the immigra-  
16 tion officer in charge at the port of arrival, and to deport such  
17 alien, if required by such immigration officer or by the Secre-  
18 tary of Labor, shall render such owner, agent, consignee, or  
19 master liable to a penalty not exceeding \$1,000, for which  
20 sum the said vessel shall be liable, and may be seized and  
21 proceeded against by way of libel in any district court of the  
22 United States having jurisdiction of the offense.

23       SEC. 40. That it shall be unlawful and be deemed a  
24 violation of the preceding section to pay off or discharge any  
25 alien employed on board any vessel arriving in the United

1 States from any foreign port or place, unless duly admitted  
2 pursuant to the laws and treaties of the United States regu-  
3 lating the immigration of aliens: *Provided*, That in case any  
4 such alien intends to reship on board any other vessel bound  
5 to any foreign port or place, he shall be allowed to land for  
6 the purpose of so reshipping, under such regulations as the  
7 Secretary of Labor may prescribe to prevent aliens not  
8 admissible under any law, convention, or treaty from re-  
9 maining permanently in the United States, and may be  
10 paid off, discharged, and permitted to remove his effects,  
11 anything in such laws or treaties or in this Act to the con-  
12 trary notwithstanding, provided due notice of such proposed  
13 action be given by the master or the seaman himself to  
14 the principal immigration officer in charge at the port of  
15 arrival.

16 SEC. 41. That any alien seaman who shall land in a  
17 port of the United States contrary to the provisions of this  
18 Act shall be deemed to be unlawfully in the United States,  
19 and shall, at any time within three years thereafter, upon the  
20 warrant of the Secretary of Labor, be taken into custody and  
21 brought before a board of special inquiry for examination as  
22 to his qualifications for admission to the United States, and  
23 if not admitted said alien seaman shall be deported at the  
24 expense of the appropriation for this Act as provided in  
25 section twenty of this Act.

1        SEC. 42. That it shall be unlawful for any vessel car-  
2 rying passengers between a port of the United States and a  
3 port of a foreign country, upon arrival in the United States,  
4 to have on board employed thereon any alien afflicted with  
5 idiocy, imbecility, insanity, epilepsy, tuberculosis in any  
6 form, or a loathsome or dangerous contagious disease, if it  
7 appears to the satisfaction of the Secretary of Labor, from an  
8 examination made by a medical officer of the United States  
9 Public Health Service, and is so certified by such officer, that  
10 any such alien was so afflicted at the time he was shipped or  
11 engaged and taken on board such vessel and that the exist-  
12 ence of such affliction might have been detected by means of  
13 a competent medical examination at such time; and for  
14 every such alien so afflicted on board any such vessel at the  
15 time of arrival the owner, agent, consignee, or master thereof  
16 shall pay to the collector of customs of the customs district in  
17 which the port of arrival is located the sum of \$50, and  
18 pending departure of the vessel the alien shall be detained  
19 and treated in hospital under supervision of immigration  
20 officials at the expense of the vessel; and no vessel shall be  
21 granted clearance pending the determination of the question  
22 of the liability to the payment of such fine and while it  
23 remains unpaid: *Provided*, That clearance may be granted  
24 prior to the determination of such question upon the deposit  
25 of a sum sufficient to cover such fine: *Provided further*,

1 That such fine may, in the discretion of the Secretary of  
2 Labor, be mitigated or remitted.

3       SEC. 43. That upon arrival of any vessel in the United  
4 States from any foreign port or place it shall be the duty of  
5 the owner, agent, consignee, or master thereof to deliver to  
6 the principal immigration officer in charge of the port of  
7 arrival lists containing the names of all aliens employed  
8 on such vessel, stating the positions they respectively hold in  
9 the ship's company, when and where they were respectively  
10 shipped or engaged, and specifying those to be paid off and  
11 discharged in the port of arrival; or lists containing so much  
12 of such information as the Secretary of Labor shall by regula-  
13 tion prescribe; and after the arrival of any such vessel it  
14 shall be the duty of such owner, agent, consignee, or master  
15 to report to such immigration officer, in writing, as soon as  
16 discovered, all cases in which any such alien has illegally  
17 landed from the vessel, giving a description of such alien,  
18 together with any information likely to lead to his appre-  
19 hension; and before the departure of any such vessel it shall  
20 be the duty of such owner, agent, consignee, or master to  
21 deliver to such immigration officer a further list containing  
22 the names of all alien employees who were not employed  
23 thereon at the time of the arrival but who will leave port  
24 thereon at the time of her departure, and also the names of  
25 those, if any, who have been paid off and discharged,

1 and of those, if any, who have deserted or landed; and  
2 in case of the failure of such owner, agent, consignee,  
3 or master so to deliver either of the said lists of such  
4 aliens arriving and departing, respectively, or so to  
5 report such cases of desertion or landing, such owner, agent,  
6 consignee, or master shall, if required by the Secretary of  
7 Labor, pay to the collector of customs of the customs district  
8 in which the port of arrival is located the sum of \$10 for each  
9 alien concerning whom correct lists are not delivered or a  
10 true report is not made as above required and no such vessel  
11 shall be granted clearance pending the determination of the  
12 question of the liability to the payment of such fine, and, in  
13 the event such fine is imposed, while it remains unpaid;  
14 nor shall such fine be remitted or refunded: *Provided*, That  
15 clearance may be granted prior to the determination of such  
16 question upon deposit of a sum sufficient to cover such fine.

17       SEC. 44. That the word " person " as used in this Act  
18 shall be construed to import both plural and the singular, as  
19 the case may be, and shall include corporations, companies,  
20 and associations. When construing and enforcing the provi-  
21 sions of this Act, the act, omission, or failure of any director,  
22 officer, agent, or employee of any corporation, company, or  
23 association acting within the scope of his employment or  
24 office shall in every case be deemed to be the act, omission,  
25 or failure of such corporation, company, or association, as

1 well as that of the person acting for or in behalf of such  
2 corporation, company, or association.

3       SEC. 45. That this Act, except as otherwise provided  
4 in section three, shall take effect and be enforced on and after  
5 July first, nineteen hundred and sixteen. The Act of March  
6 twenty-sixth, nineteen hundred and ten, amending the Act  
7 of February twentieth, nineteen hundred and seven, to regu-  
8 late the immigration of aliens into the United States; the  
9 Act of February twentieth, nineteen hundred and seven, to  
10 regulate the immigration of aliens into the United States,  
11 except section thirty-four thereof; the Act of March third,  
12 nineteen hundred and three, to regulate the immigration of  
13 aliens into the United States, except section thirty-four  
14 thereof; and all other Acts and parts of Acts inconsistent  
15 with this Act are hereby repealed on and after the taking  
16 effect of this Act: *Provided*, That this Act shall not be con-  
17 strued to repeal, alter, or amend existing laws relating to the  
18 immigration or exclusion of Chinese persons or persons of  
19 Chinese descent, except as provided in section nineteen  
20 hereof, nor to repeal, alter, or amend section six, chapter  
21 four hundred and fifty-three, third session Fifty-eighth Con-  
22 gress, approved February sixth, nineteen hundred and five,  
23 nor to repeal, alter, or amend the Act approved August sec-  
24 ond, eighteen hundred and eighty-two, entitled "An Act  
25 to regulate the carriage of passengers by sea," and amend-

1 ments thereto, except as provided in section eleven hereof:  
2 *Provided further*, That nothing contained in this Act shall  
3 be construed to affect any prosecution, suit, action, or pro-  
4 ceedings brought, or any act, thing, or matter, civil or crimi-  
5 nal, done or existing at the time of the taking effect of this  
6 Act, except as mentioned in the third proviso of section  
7 nineteen hereof; but as to all such prosecutions, suits, actions,  
8 proceedings, acts, things, or matters, the laws or parts of laws  
9 repealed or amended by this Act are hereby continued in  
10 force and effect.



64<sup>TH</sup> CONGRESS, }  
1<sup>ST</sup> SESSION. } **H. R. 8234.**

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## **AMENDMENT**

Intended to be proposed by Mr. BORAH to the bill (H. R. 8234) to prevent interstate commerce in the products of child labor, and for other purposes.

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JULY 25 (calendar day, JULY 26), 1916.—Ordered to lie on the table and to be printed.