

will be embodied in the report of the Committee on Resolutions. We trust that they will meet with the hearty approval of the Conference.

Respectfully submitted,
 SAMUEL S. FLEISHER, Chairman;
 JACOB BILLIKOFF,
 MARTIN A. MARKS.

On motion, the report was unanimously adopted.

PRESIDENT HOLLANDER: The meeting stands adjourned.

Wednesday, May 18, 1910.

EVENING SESSION.

VICE-PRESIDENT MARTIN A. MARKS: The Conference will come to order.

I take pleasure in introducing to you Miss Minnie F. Low, of Chicago, who will read a paper on "Legal Aid."

The following paper on "Legal Aid" was read by Miss Low:

LEGAL AID

BY MINNIE F. LOW,
 Superintendent of the Bureau of Personal Service,
 CHICAGO, ILL.

The idea of Legal Aid, as a factor in the curriculum of Social Service, has received neither thought nor attention commensurate with its importance at the hands of social workers, nor has the charitably inclined public any clear conception of the nature and need of this, more or less complicated branch of the newer philanthropy. In the course of charitable evolution, the introduction of preventive and protective methods, has not progressed consistently with the general advance in the many other important affairs of our modern civilization. Whether it be timidity, a shirking of responsibility, or the fear of overburdening a community, cannot be definitely stated; but, it must be conceded that there is, and has been, retarded growth and expansion, along the lines of up-to-date, logical methods, ways and means of intelli-

gently meeting the issues of the day. It is the irresistible pressure of legitimate demands, that forces such issues, and generates the motor impulse stirring the responsive few to action.

When the Bureau of Personal Service first opened its doors, its objects were those employed by the Charity Organization Societies of our larger cities. However, from the very inception of the work, in the congested Jewish quarters, there came daily to our doors a large number of both men and women, asking for aid in legal matters, of every conceivable classification. There was manifestly evident, so far as our Jewish Charities were concerned, a well defined gap, with not the slightest provision for affording relief to a class of people, clearly deserving. Their mental anguish, and financial distress, owing to litigation in its various phases, were palpably evident. Hundreds upon hundreds of our co-religionists were suffering the disastrous effects, physically, mentally and financially of legal entanglement, without redress. Many of these were ignorant, ill-advised, or unadvised, and most of them were penniless. They were wholly at the mercy of a merciless, grinding legal machinery, slow, cumbersome, unjust. For, sad to say, it takes the poor, unsophisticated foreigners but a short time to appreciate, that legal justice is an attribute wholly incomprehensible, and inconsistent to their moral conception of fair adjudication.

After a careful investigation of the question of Legal Aid, in its various aspects, and a cautious analysis of the justice of the demands made upon us, we concluded that this, hitherto unexplored field of charitable endeavor, was not only practicable, but that it was necessary, and that the possibilities for good were without limit. The few Jewish workers, facing these problems in their daily routine, could no longer temporize with conscience, by refusing and rejecting the many piteous appeals; and thus unequipped and practically unprepared, our entire working plans were changed, to meet the demands made upon us. The appeals of our applicants presented not only the bitter cry of the harassed, occasioned through fear of arrest, imprisonment, or extended litigation and injustice, but in such appeals, as well, were expressed the hopelessness of poverty and defeat. Struggling

against a combination of conditions torturing in the extreme, it was little wonder that some of them turned to friendly neighbors for help. And thus, it was the demand made by the people themselves, that put into motion, this newer branch of Social Work, so indispensable to the development of a well-rounded system of personal service in a large city.

Were there swift and incontrovertible justice by bar and bench; were technical law consistent with humane, moral, equitable, adjustment of affairs, and were the practices of those representing the bar based uniformly on high-grade ethics, charitable interference in legal matters, would play a minor part. Unfortunately, however, the law, in many instances is hard, cruel, and not calculated to protect the best interests of society, or of the individual. Unfortunately, too, the ethics of members of the bar do not always insure honorable dealing and particularly is this so among a class of lawyers available for small fees in technically inconsequential matters. It is because of latent qualities of justice in both the system and the individual, that charitable interference is not only kind, but is necessary. The helplessness of the ignorant, indigent foreigner, coming inadvertently under the ban of the law, must necessarily appeal to anyone familiar with legal procedure and the many distressing, harrassing features incident thereto. Reconstruction of the Judicial branch of our government, simplification of procedure, the application of system and business-like methods, would minimize the dire effect of litigation in preventing the present day, needless sacrifice of time, money and vitality. Through unsophisticated ignorance, unexpectedly, without the slightest premonition, by sheer accident, as it were, it is possible to become an offender against the law. To make such an offender pay the penalty demanded by technical law, is a travesty on justice, a wrong against society, and a crime against the individual.

Careful inquiry into the administration of justice in our courts today shows neither satisfactory nor logical conclusions. There can be no logical excuse to the commonsense, reasonable being, imbued with a love of humanity, and gifted with the proper attitude towards a better society, for the expensive, dilatory, irksome methods of court procedure, universally in vogue. Delays alone,

barring other injustices and hardships, are the root of glaring inconsistencies, resulting in untold anguish to the poor man, or the wage-worker, who, at best, has not the means to pay the price of justice. Instead of carrying a purchase price, making it accessible to every good citizen, in conformity with its basic principle, justice is the most costly commodity of a modern society.

Another remarkable inconsistency, and one not satisfactorily explained, is why such undue weight should be given to technicalities. Technical delays, are for the most part, not brought in good faith; are inimical to the best interests of society, and are the means of completely disregarding, and obliterating the moral issues of a case, being thus flagrantly at variance with the first elements of justice. The overthrow of the reign of technicalities, especially where no substantial consideration of justice is involved, and where such overthrow would conserve the moral issues, would also mean a great victory to indigent litigants. The grounds for delays are strained in most instances, truth is perverted and the adherence to strict legal rule is used as a subterfuge to pervert honorable, moral adjudication. For, looking the conditions squarely in the face, must it not be conceded that, only too often, he who plays the game most skilfully, backed by artifice and means, is the one who ultimately wins?

The American Bar Association, last year, in a code of professional ethics, hinted at the abuses practiced and sustained in Court procedure "by nullification of law through technicality, and the defeat of substantial justice through delays, quibblings and the setting up of questionable plans and defenses for evading and thwarting legislation, contrary to the best public policy." Another sentiment expressed was that "no client, whether corporate or individual, however powerful, nor any cause, civil, or political, however important, is entitled to service or advice involving disloyalty to the law." The legal profession at large concedes these weaknesses and inconsistencies; the Social Worker knows them to be a fact. In the face of the many digressions from real justice in our system, is there any reason why the poor man, unable to break down the barriers or to remove the obstacles, should not seek some means of extricating himself? We cannot expect members of the

bar to interest themselves to any great extent in the needs of the poor. Their professional talents are to them, what wares are to the merchant, and cannot be dispensed free of cost without injury to their legitimate business. Where then is the medium through which the poor man shall secure justice, for without means, he cannot secure it, under the present day social mal-adjustment. He comes under the ban of customary, oppressive practices alike with the rich. The man of means can afford to wait; can afford to pay handsomely while biding his time, with the hope of ultimate favorable outcome. Money can purchase prolonged protection to the offender of means, and prevent the infliction of injustice to the innocent; but the poor man has no protection against injustice, for if he be charged with crime, unless he has the wherewithal to get proper legal advice, and perchance to pay for a bond, he is compelled to languish behind the bars, until the slow process of the Courts allows him an opportunity to prove his innocence. Our legal machinery instead of lending speedy justice, grinds into the hearts and souls of hundreds upon hundreds of its citizens each year, the shame of bar and cell and prison life, before they have an opportunity to extricate themselves.

While there is a certain class of clients, who can pay for inferior legal talent, many do so at the expense of their families, depriving their children of the necessities of life, and incurring endless hardships. Such litigants are not only not assured of intelligent service, but are only too often at the mercy of a class of lawyers, whose ethics are unsound, whose methods are questionable, and whose interest in their clients is subservient to the many influences, which are a menace and a temptation to the profession. When the man of limited means has given his last available dollar for a defense, without redress or result; when justice has been delayed, or denied, because of mediocre presentation, or indifference on the part of counsel, or perchance because the Court has not been properly informed of all the facts, legal and moral, there is every reasonable excuse for charitable interference to end the nerve-racking suspense, the fear, and mental anguish of the oppressed.

Convinced beyond a doubt that much of the distress we witnessed was entirely avoidable, the Social Workers interested in the Jewish philanthropies of Chicago introduced a number of preventive measures with gratifying, positive results. One line of work yielding tangible returns has been that in connection with our Police Stations. Among the busiest of these centers is the one located in the congested Jewish district of the West Side. This building also houses a branch of our Municipal Court. In this Station, so convenient to residents, neighborhood people went daily in large numbers to air their troubles,—real, imaginary, serious, and inconsequential. Here, through unscrupulous pettifoggers and others preying on the pockets of the unsuspecting, unnecessary, malicious litigation was incited, and hundreds of needless, preventable arrests were made during the course of a year, resulting in untold distress to our already overburdened poor.

Because so many trifling differences were magnified and distorted; because many through lack of proper guiding and friendly advice, joined the vast army of litigants, we felt that to invade this field, for the purposes of prevention and protection, would be to emphasize the principle of personal service in its most ideal sense.

Our immigrant population, for the most part, come to this country to flee the cruelties of a despotic monarchy, where they are robbed of every vestige of inherent rights; where victims of monstrous injustices and atrocities, they are held in vilest subjection. They naturally look to America as the Land of the Free and the Haven of Peace. Their optimistic views are soon shattered, however, when the real situation, with the attending hardships and congestion confronts them. In the overcrowding of our densely populated districts, living in too close proximity for the necessary breathing space, where two or three families are compelled to occupy the area of one; without an available foot of ground where the children can engage in play. or give vent to their inborn activities, it is little wonder that an endless amount of differences should arise. Trivial grievances are nursed, and magnified by those seeing their insults in the heat of passion. Believing, therefore, that the local stations and closely adjoining

courts, were breeding among the poorer classes useless, degrading strife; and realizing that here were fields abounding with material for preventive and constructive humanitarianism, we inaugurated some three years ago, a system that has since been adopted by social workers throughout the city. The plan to station one of our agents at the local Police Station, particularly to interview applicants for warrants and intercept litigation, met with quick response upon the part of the commanding officer, who immediately provided desk room. At the Stations last year about Five Hundred original complaints were intercepted and satisfactorily arbitrated. In almost every case, it was necessary to visit the person complained against, as well as the one making the complaint, and to bring the contending parties together, before it was possible to straighten out their difficulties. This means not only that Five Hundred persons making complaints were dissuaded from litigating, but it also means that Five Hundred prospective defendants were spared the worry and humiliation incident to arrest. In the office of the Bureau of Personal Service, Four Hundred additional cases were arbitrated, making in all Eighteen Hundred persons kept out of the Court room on original complaints. Adding only one witness to a side, the minimum number of persons turned homeward, instead of Courtward, averaged not less than Thirty-six Hundred souls. This is a very conservative estimate, as in one case alone which was arbitrated at the office, eighteen witnesses were in evidence. The next step from the Police Station, was naturally the Police Court, where an endless panorama of human misery greeted the eye day by day. Here during the course of a week, coming before the same bar of justice could be seen men and women, boys and girls of all ages and descriptions. On the one hand, there was the youth in the infancy of his criminal career, on the other hand, stood the man bowed and gray. Now the shifting scenes pictured the sturdy laborer in temporary disgrace, while beside him was the vagrant, shiftless, ambitionless—idle. The inadvertent or accidental offender, the periodically recurring violator of the law, and the habitual criminal, all formed a part of this trouble-laden, sorrowful procession. Victim and victimized met face to face, and besides all these

came a class, making one of the most pitiable pictures of human beings dehumanized—the intemperate, the debauched and the morally depraved.

Before the inauguration of the system of intercepting complaints and heading off warrants, the local Police Court had its full quota of Jewish litigants. There were days when Jews were most prominently in evidence, composing the majority of all litigants and witnesses. Today such scenes are exceptional. Judges, who formerly were incumbents of the local bench, have commented upon the very noticeable change of conditions. In the Stations, as well as in all branches of our work, arbitration is the watchword. In juvenile, family and neighborhood matters, in differences between employers and employes; in disputes on account of wages, and in almost every shade and description of domestic trouble, arbitration is effective.

It is a rule, held inviolate, except in extraordinarily extreme cases, that no complaint be acted upon, without first getting an expression from the party or parties complained against. Both sides of a case must be submitted, and only after hearing all of the evidence, is any definite action taken, or advised. In this manner, justice to all is maintained, and the judicial qualities of every worker are developed through a gradual process of experience and contact with judicial problems.

The cases handled in the Legal Aid Department of our Jewish Charities come most prominently under the following classifications:

DOMESTIC DIFFICULTY:

- Cruelty in its many phases.
- Immorality.
- Non-Support.
- Abandonment.
- Separate Maintenance.
- Divorce.
- Bigamy.

NEGLECT OF AND CRIMES AGAINST CHILDREN:

Cruelty.
 Contributing to Dependency.
 Contributing to Delinquency.
 Indecent Liberties.
 Crimes against nature.
 Seduction.
 Rape.

PETTY CRIMES:

Disorderly conduct.
 Assault (and many others).

FELONIES:

Larceny.
 Confidence Game.
 Receiving stolen property.
 Embezzlement.

CIVIL MATTERS:

Violations of City ordinances (peddling without license and other ordinances regulating vendors, and all violations of health and sanitary laws).
 Damage suits.
 Personal injury suits.
 Forcible detainer suits.
 Money claims.
 Wage claims.
 Contracts.
 Disputes involving property.
 Foreclosure suits (involving principally dealings with chattel mortgage companies).
 Insurance claims (life, fire and accident).

These enumerations include the class of cases coming repeatedly before us, in the course of our daily work, but by no means include all the classifications with which we deal.

Time will not permit of any attempt at comprehensive explanation, showing why and under what conditions charitable legal interference is permissible, ethically speaking, in the various mat-

ters here tabulated. Reference to a very few of the classifications mentioned may, however, give a slight idea of the value of legal aid. Would it be consistent with moral adjudication for instance, to permit a peddler, otherwise law-abiding and of good character, to serve time in the House of Correction because, perchance he in the face of dire poverty, felt it his duty to buy bread for his children rather than to enrich the city treasury to the extent of an exorbitant fee? Our peddlers in Chicago pay Fifty Dollars per year for a license, and now Five Dollars additional for a wheel tax. The average man cannot support his family engaged in this trade, and some time or another during the year, must have recourse to some charitable or loan organization for a temporary lift, especially during the winter season; and yet our city government insists upon collecting more than a dollar a week from his meagre earnings. That some, in a state of despair, try to take advantage of this unjust demand, cannot be wondered at. It is neither humane, nor is it consistent with public policy to allow such an offender to be forcibly placed behind bars, there to languish for weeks on account of this pardonable infraction of the law, growing out of pressing need.

It is a strange fact, however, that these comparatively innocent foreigners, guilty of minor violations, are especially pursued by the police, are harrassed and prosecuted, while those guilty of more serious offenses, are unmolested. When a man comes before the Court charged with a specific offense, the Judge, elected to enforce the law, naturally finds it more or less embarrassing to show unusual clemency, unless an appeal is made by some person in behalf of the defendant. The Social Worker finds many such opportune moments, pleading for leniency on the grounds of poverty, family distress, and obligations, and pointing out the fallacy of depriving the ordinarily law-abiding citizen of his liberty, at the expense of the administration.

Among the most pitiable appeals of complete human misery are those of the aged and infirm parents, pleading humbly for maintenance at the hands of unnatural children who have lost all trace of filial duty and affection. The display of heartlessness against those tottering close to the grave by those nearest of kin,

is so utterly un-Jewish that we would fain hide the truth from ourselves. Sad, yet true, is the fact that sons and daughters, who have reached a state of comparative comfort and affluence, are in some instances also derelict in their filial duty. For the past eight years, or more, the incumbents of the County Court of Cook County, have instructed their assistants not to start suit in Jewish cases without first referring complaints to the Bureau of Personal Service. It depends entirely upon our investigation and recommendation, whether suit is started or not. If arbitration fails then, and then only, are old parents subjected to the humiliation of facing their children in Court, in supplication for that which should voluntarily be given them. Bringing cases into the County Court is merely a matter of form, so far as most of our charitable organizations are concerned, as the order entered in any given case by the Court depends entirely upon the amount recommended by the worker making the complaint.

This same condition of affairs prevails in the Municipal and Criminal Courts, in Abandonment and Contributing Cases. The amount defendants are taxed per week, or the punishment meted out, depends almost entirely upon the facts presented by the Social Workers.

Perhaps no more helpful law, in the adjustment of neglect and non-support of children, was ever enacted in the State of Illinois, than the "Contributing Act," holding persons liable, who in any way aid, abet, connive at or assist in the conditions, which render a child dependent, neglected or delinquent. While long before this Act became a law, we were successful in collecting money from delinquent husbands and fathers, the law makes it possible to successfully reach the obdurate, who do not respond to moral suasion. At the Bureau of Personal Service, we collected last year, in small weekly payments, for the greater part, Fourteen Thousand Dollars from men who had become neglectful and indifferent to the welfare of their families. Our law now reaches a man, whether he be living at home, or apart from his family, and is, therefore, doubly effective. These cases are, as a rule, the outgrowth of utter lack of harmony in the home. Frankly speaking, back of many troubles, along the domestic difficulty line, is

vice, in one form or another, indulged in by the head of the family, such as gambling, with the incident late hours, and infidelity. Nothing is left undone to effect reconciliations. If temporary separation of husbands and wives is advised, or condoned, the ultimate aim is ever to unite the family, unless there are extreme and justifiable grounds for reversal of this rule.

In the Criminal Courts, the presence of the Charity Worker is also acceptable to the Judges, as well as to the public officials. The moral effect of the presence of such a worker is manifestly evident, a case assuming an entirely different aspect, when shorn of harsh legal interpretation. Among the hundreds of gross miscarriages of justice, which can be witnessed daily, one case stands out forcibly, and is typical of many others. This case portrayed conclusively the monstrous injustice of the State, in its august majesty, prosecuting an offending citizen, turning all its force and energy to punishment for crime, while providing nothing in its entire machinery with the slightest suggestion at rudimentary defense. A poor man may be accused of a crime of which he is wholly innocent. He may be apprehended and placed behind bars. The prosecuting forces, dramatic, emotional, vigorously upholding, as they deem it, the rights and the protection of all the people, array themselves against a forlorn, forsaken, penniless creature, with no attempt to present the other side of the question, or the expense of a single dollar in behalf of justice to the individual. The case referred to was that of a young man, without means, and without friends, who was charged with having stolen an overcoat, valued at Twenty Dollars, one cold winter's day. He had no police record. There was nothing in the evidence to show that he had ever committed a crime; nor that he would be dangerous to society, if at large. He was the personification of dejection and complete human misery. There was not a fellow creature anywhere about to say one word in his behalf. He was practically without defense. The prosecutor insisted upon enforcement of the law, and thus another poor creature, like the hundreds upon hundreds that came before, and have followed since, was deprived of liberty, was ruthlessly shorn of his manhood, and sent to our State Prison on an Indeter-

minate sentence. Such procedure should be condemned, and it is just here, in similar instances, and under similar conditions, that the voice of the Social Worker must be, and is heard. To send a man to the penitentiary, charged with a lesser crime, without giving him the slightest chance at reformation, is not only illogical and brutal, but it is a rude set-back to the advancement of a better society. Had a representative of any uplift organization been identified with the case, the young man would have been saved from a felon's fate, and would have been given an opportunity at rehabilitation and reform. His manhood would have been conserved and courage and ambition kept alive. For it must be conceded, if there is hope of redemption, such redemption must come before, not after, the prison doors have sounded the death knell to manhood; not after the prison influence has left its degrading, hardening imprint.

The Criminal Court work is so interwoven with the work in Correctional and Penal Institutions, that the Social Worker, in order to manipulate thoroughly and successfully, must follow the individual from the Court to the Prison; from Prison to freedom, and start the campaign of helpfulness all over again.

Particularly significant in the matter of protecting the rights and the liberty of individuals against injustice and intrigue, are the cases requiring legal interference on the part of Social Workers in the Insane Courts.

The beginning of this year, a plan for systematic protection of all poor, helpless insane persons, was established, with the cooperation of the alienist in charge of the Detention Hospital, where patients are held pending the hearing of their cases. We now are informed of every Jewish patient, admitted to the Hospital, or whose matter is to be heard in Court. An investigation is then made, and our representative is in Court once a week, when all insane cases are disposed of, to make recommendations in the interest of those needing protection. Startling revelations came to light of attempts by scheming husbands and other relatives, to send poor, defenceless women to Insane Asylums. Conditions here not only warranted charitable legal interference, but we felt that to withhold it, would be brutal. The following case

is typical of many others that come to the notice of charitable organizations from time to time:

Mrs. B., a delicate little woman of about fifty years, was sent to the Detention Hospital on a petition sworn to by her husband. He charged her with throwing dishes at him, giving way to uncontrollable bursts of temper, and of accusing him falsely with consorting with women of questionable character. As a victim of such delusional insanity, the man claimed that his wife was unsafe as a member of his family, and that his life was in jeopardy. There were five children in this family, between the ages of twelve and twenty-two years. Each and every child firmly and unflinchingly championed the cause of the mother, denouncing the father as brutal and inhuman. The nurse in charge of this patient at the Detention Hospital, said the latter was so completely covered with bruises when brought into the receiving ward, that she took an inventory of such bruises as a matter of record.

Our investigation of this case, showed the woman to be perfectly sane, and that the so-called hallucinations were absolute facts. The man was an almost daily frequenter of a resort in the red-light district. He remained away from home for two days at a time, and forced the support of the children virtually upon the shoulder of the wife, who was compelled to run their business. Upon recommendation of our office, the woman was released in our care; the man was forced to leave the house, and in place of separate maintenance, which could never have been collected, the business and all household effects were turned over to the wife. A few days after the hearing, the Judge expressed his opinion freely, stating what a relief and help it was to have Social Workers in his court, and how materially it helped the Court in giving maligned persons the benefit of the doubt. He also stated that there were many cases, where commitment to an institution might be averted, if kindly disposed persons were ready to assume the responsibility of adjusting domestic and family difficulties, where drastic action was not warranted by the Court, or where the Court had reason to doubt statements made by witnesses.

In the name of justice and humanity, and in order to suppress the evil features mentioned, we deemed it vital to establish the system as outlined.

Personal Injury claims are successfully handled, especially for persons receiving aid from the Relief Department, or for those who are prospective applicants, where the need for relief is forestalled by timely legal aid. With the deplorable team work of conscienceless physicians and unscrupulous lawyers, known as ambulance chasers, at the bedside of the injured patients, when the first agony pain is still upon them, there is great need for reputable advice and quick manipulation. The following case will give a slight idea of the value of friendly legal aid in straightening out the difficulties common to the poor in this class of complaints: A man of very slender means, met with a street car accident, was laid off for months, and became involved in debts of all sorts incident to running a little home. The landlord and tradespeople were pushing him for settlement. After waiting in vain for months, hoping against hope that his professional advisers would come to some definite understanding with the Car Company, he grew impatient, settling his case direct with the Company. Thereupon he was immediately sued, judgment being rendered against him, amounting to Three Hundred and Seventy-five Dollars, which amount was Seventy-five Dollars in excess of the amount of damages collected. In despair, the man came to the office. He wanted to settle his debts and reimburse the kind neighbors who had come to his assistance, and through whom he was practically maintained while ill. We succeeded in having the judgment in this matter satisfied for Fifty Dollars, allowing one-half of this amount for medical and the other half for legal services. The party sustaining the injury was not forced upon the community for care and he was in a position to square himself with his tradespeople. The judgment rendered by our legal machinery, was excessive and entirely out of proportion to the services given.

In the matter of wages, the majority of the claims are so small that suing is out of the question, the costs and lawyers' fees being ordinarily greatly in excess of the amounts due. The honest work-

man, doing his duty by his employer and his family, is entitled to his wages. Differences between a workman and his foreman, or another fellow worker, occupying a superior position, often result in the withholding of wages without the direct knowledge of the member or members of a firm. While these claims entail considerable work, they are entirely reasonable and legitimate. To aid a fellow creature in getting what is justly his, is not charity. It is an act of friendly service to which any stranger within our reach is entitled.

The ramifications of legal aid which, properly speaking, is personal service legalized, are more far reaching and complex than can possibly be evident to the casual observer. The distant lines of usefulness to the needy, and those of small means, cover the many problems involved in the mal-adjustment of human affairs of the mental rather than the physical type.

There is in this great land of ours, a law that binds together in common sympathy the people of all nations, in every condition and walk of life; a law that knows no distinction of race, creed or color; that emphasizes the bond of universal brotherhood, and that is the law of common humanity, where heart and head work together for the good of all men. In the Police Courts particularly, where those of means and culture seldom enter, for this Court is as a rule, the poor man's Court, charitable legal aid is vital.

To the Social Worker every legal proposition, coming within her scope, presents a dual outlook. Prompted by humane impulse, with her social vision pre-eminently developed, it is natural that the moral outlook should appeal to her, and that the legal aspect of a case, should be a secondary consideration only. She is deeply interested in that side of a case, which conserves the moral issue, for the moral side is positive—it is vital; while the legal side is more or less negative and traditional.

Judges cannot, without embarrassment of their own initiative, evade enforcement of the law, and pose as exponents of humanitarianism; yet they are human. They have hearts, and most of them welcome an opportunity to compromise, on the side of humanity, by making the law fit the case, instead of the case the

law. "What is meat for one is poison for another," is true in law, just as it is in the matter of physical or medical relief. Imprisonment or punishment for all offenses, is by no means a panacea against lawlessness. The Court has endless opportunities, by liberal construction of the law, to send erring men and women from the Court room to better citizenship. Rigid, arrogant adherence to the letter and not the spirit of the law, dooms many a wrongdoer to everlasting degradation—especially if he be new in the art of transgression. Nice discrimination on the side of common-sense justice, is the prerogative of every Judge dealing with the wayward classes.

I am happy to say that Social Workers in Chicago are responsible for injecting social ideas, and a humane spirit, into the Police and Court system, in place of the old-time, rigid professionalism.

It is surely significant, and a tremendous step forward towards counteracting and offsetting the glaring inconsistencies and injustices of our Court system, when Police official and Judges confer and co-operate with Social Workers for the good of the individual. It is, furthermore, significant when these officials refuse to issue complaints upon advice of the social experts, when special investigations are solicited; and when responsibility of deciding many a given matter, is placed squarely on their shoulders. A lawyer, whether criminal or civil, naturally construes the law to the advantage of his client, appearing either negatively or affirmatively, as the case may be, for purely business reasons. Interpretations of the law are astonishingly elastic, stretching readily in the interest of a client. This is, naturally, a matter of business, and is no reflection on the legal profession. The Social Worker, on the other hand, is bound to conscience and the cause. The temptations of monetary consideration do not enter into any given case. It is quite possible, therefore, for honorable, humane adjudication, involving the merits only. One of the incumbents of our Municipal bench gave utterance to the prevailing sentiment when he said, recently, "Charitable organizations, such as we have represented in our Courts today, are not only forerunners of the Courts, but they are the left arms of the Courts as well, and their

investigations and recommendations are important in helping the Courts arrive at conscientious, impartial decisions."

The Courts appreciate the fact that the Social Workers represent the community; that they serve the community; that they do not enter a case with anything to gain or to lose; that they are disinterested; that they make thorough investigations, and after due consideration, represent the meritorious side of a controversy, from humanitarian and moral points of view, even though technically they may be weak in their conclusions.

Social service has done much to emphasize and symbolize the blessedness of Peace between families, between friends and between neighbors. Legal Social Service has brought light into the darkness of rigid, unbending, technical procedure, with its arbitrary inconsistencies and flagrant injustices. Legal Social Service has emphasized the all powerful, all vital human question, which is only too often lost in exercise of arrogant, judicial dignity. If the law be cruel and unjust towards the lowliest fellow creature, who must bend to its majesty, then it behooves us, who see and who know, to so reorganize and readjust conditions that the human equation shall come first, and the hard and fast law last. The man lives and breathes; he has a heart and a soul. The law is dead and soulless. The whole prosecuting machinery often grows hard and relentless. It is the Social Worker, whose mission it is, and shall be, to make the law serve man—not make man a slave of the law. And when I say man, it is the poor man—for him must we work and for him must we plead. The rich man laughs at the law—it may annoy him at times, but his money keeps him from being held in its painful clutches. Whether it be an evolutionary method, or a revolutionary one, the duty of the Social Worker is plain. To bring relief to the anxious mind and heart, is a necessary integral part of consistent philanthropy as a whole.

We can no longer be content to provide material relief alone. The body of the poor applicant at our doors, must be housed and fed and clothed, but cruel is the charity that sees not beyond the physical man into his heart, into his soul—and administers there to the harrowing needs. Legal Aid is personal service from

start to finish. With its far-reaching ramifications, it encompasses bar and bench, humanizing and adjusting technical legal vision; it spreads its mellowing influences into the departments of Police and Prosecutor, where brutality vitiates and stings; it enters into the barricaded walls of officialdom, and leaves its imprint there; it brings tolerance into every avenue where social duty calls; it remembers first, last and always, that there is but one all-powerful consideration, and that is the living, breathing creature of the great human family—the man—the woman—the child.

DISCUSSION.

By BERNARD GREENSFELDER,
ST. LOUIS, MO.

The necessity of legal aid for the poor in large communities is well considered by Miss Low in her splendid paper. She has explained conditions that necessitated the Bureau of Personal Service of Chicago interesting itself in this work. The officers of the Bureau are to be congratulated upon the success attained in their community, and their efforts are worthy of emulation in all other congested districts.

The fact that co-operation has been established between the municipal authorities and the workers of the Bureau is the best indication of their success, and speaks wonders for the tact and wisdom of its officers.

The Bureau has evidently proceeded upon the theory that "an ounce of prevention is worth a pound of cure." In that it has busied itself in the affairs of the disputants before they become enmeshed in the toils of the law and the technicalities considered by the courts.

This was only possible on account of the great number of cases, and the large population in the congested district, warranting the expenditure of the necessary funds with which to secure the workers to conduct its affairs.

By this allusion I do not mean to detract from the importance or necessity of the work as carried on in Chicago, but I do want to convey the idea that such good and efficient work cannot be

carried on by volunteers alone, the reason being that the time of those engaged in this work is entirely consumed in attending to the wants of those who are being benefited by the efforts of the Bureau, and there are but few men in the profession who do not have to work for personal maintenance.

I therefore maintain, in the first place, that a paid worker, or one who can give up his entire time without compensation, is necessary in order to follow in the successful footsteps of Chicago.

In the second place, the large population of both New York and Chicago justify the establishment and maintenance of a legal aid bureau on the scale as carried out in these communities, which expenditure would not be warranted by the needs of smaller cities.

The legal aid bureau is a necessity in every community, the same as any other relief agency, but we must all realize the fact that the most effective work can only be done where it is systematized and paid for. Another cause for the success of the Bureau is the fact that Illinois is one of the first States of the Union to legislate for the improvement of the conditions of the poor and unfortunate, and for the elevation of the standards of all its citizens. Only recently, I believe, has its highest tribunal sustained the constitutionality of the law limiting the hours of labor among women.

The "Contributing Act," referred to by Miss Low, is certainly an advanced step in the matter of adopting legislation whereby the husband and father is compelled to perform the duties originally his by choice, but too often neglected after becoming the head of a family.

It is with great interest that we follow the success of the Chicago Bureau of Personal Service. I wish we could all pattern our work and efforts after this institution. It is a fact, however, that conditions in Chicago—the large population in congested districts, the systematic efforts of the paid worker, the necessary legislation and the splendid machinery of the Courts, including the new Municipal Court—all furnish the fertile soil from which the harvest is garnered.

The several large charitable associations of St. Louis have Legal Aid Bureaus, but the work is all done by volunteers, and without any attempt at organization. It seems, too, that there is not as much strife in our midst among the poor as there is in the larger towns, principally, as I believe, for the reason that our housing conditions are better, and that our people do not live in such congested quarters.

It cannot be disputed that when a great many people are compelled to live in close quarters there is bound to be trouble between the occupants thereof.

The general character of our work, with, however, the above-mentioned exception, does not differ from that of any other community.

The Legal Aid Society of the Jewish Charities of St. Louis was organized October 15, 1906. Since then it has been running systematically for nine months each year, having eight attorneys in charge, two for each of the first four evenings of the week. Since then we have handled over 2,000 cases. The nature of the cases handled were as follows:

Domestic troubles, requests for collection of wages, ejectment suits, petty quarrels among neighbors and desertion cases.

The object of the Bureau is primarily to help those persons who are being imposed upon without really knowing the extent of their rights. Instead of petty affairs being carried into court, the Bureau makes an effort to settle them in the office. It has also for its object a desire to decrease litigation and strife, trickery and crime, infidelity and divorce, and encourage among the clients a mutual recognition of and regard for each other's rights, and a desire for peaceful adjustment of matters which are often pecuniary in character.

Approximately of the 2,000 cases that were handled 35% were collection of wages, 30% domestic quarrels and desertions, 15% landlord and tenant troubles and 10% petty and neighborhood quarrels and 10% other reasons.

My sole purpose in bringing out the above reference to Miss Low's report is to establish the necessity of securing the necessary legislation in every State, to bring about the creation of law

bureaus or legal aid dispensaries to be maintained and operated by the proper State or municipal authorities, to which shall be referred all the complaints of those who cannot afford to pay for legal advice.

The fact that the Juvenile Courts have been so successful in the handling of minors is my warrant and reason for believing that the law bureaus or legal aid dispensaries under State or municipal control can do as much for the elders in settling their controversies.

I believe that conditions will shape themselves along this line.

The Legislature of Colorado, at its last session, passed an act authorizing the students of law schools maintaining legal aid dispensaries to appear in court and represent litigants.

Of course, the policy of this class of legislation has been questioned, but it is believed that under a proper supervision and with the right parties in charge that great good would come therefrom.

The city of Nuremberg has established a municipal bureau for the purpose of giving free information and advice to citizens of small means who may feel that their rights and privileges are encroached upon. The bureau consists of the mayor and assistant mayor, ten legal councilors and twenty civil councilors, who appoint a committee of administration, a referee, and a bureau chief. The information to be furnished will be upon questions relating to insurance; the rights of employer and employe; police, military, school and pauper regulations; taxation, citizenship and the jurisdiction of courts dealing with punishable offenses. The chief of the bureau is required to give his good offices to bring about an agreement out of court if possible, but is enjoined from acting as attorney or bringing pressure of any sort upon either party. All officials of the bureau are forbidden to receive any fee, gratuity or gift, or to give any information or advice in cases where an attorney has already been engaged.

The New York Legislature, some months ago, appointed what is known as the Page Commission, to investigate courts of inferior jurisdiction in cities of the first class. The members of this commission have gone into the subject quite thoroughly, and if their recommendations are approved of the inferior courts in the city

of New York will be conducted on a much better basis than under the present system.

In order to protect the poor and ignorant from the lawyers who have infested these courts, the assignment is recommended to each court of a deputy assistant attorney to examine complaints, advise the prisoner whether a lawyer is necessary, or, if desirable, move the dismissal of a case. The commission also recommends the establishment of a court of domestic relation for the trial of cases of non-support by husband, parent or child.

From the cases cited, one can readily see the trend toward adopting other methods in the matter of assisting the poor in their legal difficulties. It is only a question of what is the best method to be pursued, and as the subject of legal aid is comparatively new, and social reforms are effected slowly, it will take some time until the correct system is found and adopted.

To my mind, this subject of legal aid is simply another subdivision of philanthropy, which will eventually come under the control of the State or municipality. The social worker is like a chemist in the laboratory, discovering new diseases in the body politic and finding the remedy therefor, all of which, or the majority thereof, should properly come under State control.

The few who give their time, energy and means toward alleviating the suffering and distress of the poor should not be taxed to their utmost, so the public, through taxation, should be made to assume its share of the responsibility. Of course, a great deal is to be said on both sides of this proposition, yet, when you consider the fact that cities have taken over the subject of public playgrounds, baths, legislated in reference to tenement-house conditions, as to the hours of labor for women and children, adopted manual training and established kindergartens in connection with the public school system, all of which reforms or ideas were originally suggested by the social worker, it is only a step further to take up the idea of public legal aid dispensaries, and any other new line of philanthropic work which can be carried on through public channels as well as through private sources. Some of the States now contribute toward the support of the orphan, aged and sick in private institutions. The whole matter is but a question

of education, and, as the public at large comes to realize its duties, and the different features and branches of philanthropy are brought properly to its attention, we need not fear but what the American people will do their share toward making the lot of the unfortunate as easy as possible.

I, therefore, believe it to be our purpose and duty to conduct legal aid societies in such a way, whether through public or private channels, as to give the poor man in all his difficulties, and especially when he comes into court, a "square deal."

DISCUSSION—(Continued).

By MAX B. MAY,
CINCINNATI, OHIO.

Everyone interested in the subject of legal aid must be very grateful for the clear and comprehensive exposition that Miss Low has given us of this important factor in social work. Nowhere has this subject received more careful treatment, and all persons interested in this phase of charity work will be greatly helped by a careful study of the methods suggested by Miss Low. Of course, Miss Low would not expect a member of the bar to agree with her in every particular, and it might be grounds for disbarment, though I am not quite sure about this, if a lawyer were to approve and applaud her criticism of the bench and of legal administration. There is no question at all but that too much technicality has grown up in the system of administration of justice in our courts, but the remedy for this evil is with the bar itself, and it is doubtful whether criticisms on the part of lay bodies will have any influence for good in this direction.

The greatest difficulty that the worker in the department of legal aid encounters is due not so much to the ignorance of the unfortunate litigant, as to his prejudice of the legal profession, and more especially the suspicion that he has of anyone who gives him advice directly contrary to that given him by his neighbors and avaricious relatives. This is especially evident in cases of personal injury. A young boy has his hand or arm injured either through his own negligence or on account of the negligence of some fellow-servant; unfortunately, there is in force no employer's liability law, and the Supreme Court of the State in which the

injury has occurred has laid down the doctrine of contributory negligence and the fellow-servant rule. The employer carries liability insurance, and the attorneys for the insurance company collect all the evidence in the case and submit it to the attorney for the unfortunate injured party. Upon careful examination, the attorney necessarily must come to the conclusion that if an action is begun, and drags its course over a period of a few years, the Supreme Court of the State will probably ultimately hold against the injured party, and would set aside any verdict that a sympathetic jury might give him. The insurance company is willing, in order to avoid unnecessary litigation, to pay a small amount not in any way compensatory for the damage done. What should be the duty of the lawyer in charge of this case? Surely there is but one course to pursue, and that is to advise accepting the present payment of a small amount, rather than proceed with litigation, that in the end must result disastrously to the injured party. When this advice is given, in nine cases out of ten, the attorney in charge of this case is accused of selling out his client's rights. The client thinks this because his neighbors, none of whom have had any experience in matters of this kind, tell the injured party that A, B and C, who at different times were injured, recovered large sums of money, but they do not tell the injured party the circumstances of the cases that enabled A, B and C to recover. Within the past year three cases in which I advised settlements and refused to begin actions when the settlements were declined have been thrown out of court, the actions being brought by other lawyers, who were willing to risk litigating for the chance of large recoveries. Just how this evil is to be overcome it is difficult to say, and it seems quite probable that as long as human nature remains as it is the day probably will never dawn when the lawyer will not be viewed with suspicion by those who come to him for free advice, if ever by those who pay for his advice.

The Legislature of Ohio, at its session that has just adjourned, has enacted an Employer's Liability Law, by the provisions of which many injured persons will hereafter be enabled to recover damages. The principal features of the bill consist in the abolition of the strict rule of negligence of fellow-servant and assumption

of risk. Hereafter any person in the employ of such employer in any way having charge or control of any employes in any separate branch or department, shall be held to be the superior, not the fellow-servant of all employes in any other branch or department in which they are employed; any person in the employ of such employer, whose duty it is to repair, or inspect machinery, appliances or tools in any way connected with, or in any way used in the business of the employer, or to receive, give or transmit any instructions or warning to or for such employes, shall be held to be the superior and not the fellow-servant, and wherever an accident has occurred by reason of a defect or unsafe condition of any machinery or appliances, the employer shall be deemed to have had knowledge of such defect. When the fact of such defect shall be made to appear upon the trial of an action, the same shall be *prima facie* evidence of negligence on the part of such employer; but the employer may show by way of defense that such defect was not discoverable in the exercise of ordinary care. In actions for injuries the negligence of a fellow-servant of an employe shall not be a defense where the injury was in any way caused or contributed to by the defective or unsafe condition of the machinery or appliances, or the negligence of any superintendent, manager, foreman, or of any persons in any way having charge or control of the machinery or tools, or the negligence of any persons to whose order the employe was bound to conform.

In actions of this kind, whenever it shall appear that the injury was caused by the neglect of the employer to properly furnish, guard, report, inspect or protect the machinery and appliances used in the business, in the manner required by statute, and any defective or unsafe condition of such machinery or appliances, the fact that such employe continued in the employment with the knowledge of such negligent omission, or want of care, or defective or unsafe condition of the machinery, shall not be a defense, unless by the terms of his employment it was expressly provided and made the duty of such employe to report such neglect or defective or unsafe condition.

The strict rule of contributory negligence was also abolished, and hereafter, in actions for injury, the fact that the employe

may have been guilty of contributory negligence shall not bar the recovery where his contributory negligence is slight and the negligence of the employer is gross in comparison; but the damages shall be diminished by the jury in proportion to the amount of negligence attributed to such employe. This law leaves the question of contributory negligence and assumption of risk to the jury under proper instructions of the court.

In Cincinnati it has not been very difficult to conduct the legal aid department of the United Jewish Charities. The method pursued has been very simple. The superintendent of the United Jewish Charities immediately refers every case involving any kind of legal question to the legal aid department, and that department immediately begins an investigation and gives the necessary advice. In Cincinnati, of course, there are not as many cases (or as complex cases) as in a city like New York and Chicago, but the legal aid department of the United Jewish Charities has had many kinds of cases under consideration, and since the department was organized it has benefited the general administration of the Charities. This department, in addition to attending to all active litigation, advises the Charities in all legal matters—prepares the necessary affidavits for the free entry of baggage brought by the immigrants; prepares the necessary papers for the tracing of baggage that is lost in transit, and all affidavits for the necessary admission of immigrants who are detained at Ellis Island and other points of entry, until their relatives produce the necessary guarantee that they will support such immigrants.

In many cities the legal aid departments have certain office hours, especially at night, when persons can come with their grievances. In Cincinnati, however, it has not been necessary to follow such a plan, and in fact I believe that it is unwise in many respects to do so, because it merely fosters unnecessary litigation. It is needless to dwell at length upon this phase of the subject, for everyone can readily see that if persons are informed that they have the law with them in certain matters they will be most anxious to invoke the familiar phrase "I will have the law on you." There have been many cases where there have been technical violations of the rights of people, but to go to law in every such case would not only

involve useless expense and be a waste of time of the department and of the client, but the result of the litigation, even if favorable, would be of very little practical value, and I am quite sure that unless the legal aid department has at the head of it a very strong personality, which exercises influence, which a person like Miss Low can and does exercise, it is much more harmful to have the department within easy access of prospective litigants. Whenever persons needing legal advice find it impossible to come to the office of the legal aid department during the day arrangements have been made to meet such persons at the settlement building at night.

Nor has it been necessary in Cincinnati to pay particular attention to the legal work in connection with the Juvenile Court. The superintendent of the Charities, together with the probation officers under him, have been able to look after the work in this court, and whenever, in their opinion, advice of counsel was needed, of course, the legal aid department gave such advice, and attended the hearing in person.

In Cincinnati the office of the police clerk, where warrants are issued for arrests, has rendered every assistance possible to the Charities and has made it a rule not to issue warrants for frivolous causes, and in the police court the legal aid department has always received courteous treatment, and there is a harmonious working between the Charities and the police department. Under our law the Ohio Humane Society is able to render great assistance in cases of abandonment and non-support, and the legal aid department has been able to co-operate with this society in its excellent work. I believe that it is much better that the police department should pass upon the necessity of the issuance of warrants, rather than refer complaints to the legal aid department or bureau of personal service. If the latter practice is followed it will result in turning the department or bureau into a court, and necessitate that department at once taking active sides in a controversy. Thus, if by some chance a meritorious case is turned down it would tend to lessen the influence that the department or bureau would have. Of course, I am giving the result of experience in a city like Cincinnati, and it is quite possible that a different condition of affairs might necessitate the course as outlined in the paper of Miss Low.

I cannot, however, agree with Miss Low in her conclusion regarding the duty of the legal aid department where unfortunate persons have violated ordinances regarding peddlers, etc. If such ordinance works a hardship it should be the duty of the charitable organizations to have it modified, and if it cannot be modified it should be the duty of the society to advance the money to pay such license, but I cannot conceive of any conditions of affairs that would justify the violation of any ordinance, no matter how severe its provisions.

The legal aid department of the charities has also paid no attention to the question of naturalization of citizens. This excellent work is under the immediate charge of the Jewish settlement, which is a part of the United Jewish Charities of Cincinnati, and is conducted by some young lawyers who prepare the necessary papers and conduct classes in which the constitutions of the country and of the State are studied, and I would suggest that the legal aid department in other cities, if they have not already done so, should suggest to the settlement in their respective cities to do similar work.

During the past year the legal aid department of the United Jewish Charities has had before it cases of divorce, bigamy, ejection, forcible entry and detainer, innumerable personal injury cases, cases of disorderly conduct in the police court, false pretenses, recovery of money advanced to parties, who, it was afterwards learned, were well able to pay; securing alimony for persons who had been divorced; where service was had by publication, and bastardy cases.

Quite recently the legal aid department has appeared to uphold the validity of the new tenement-house ordinance, which was adopted within the past year.

Legal aid is undoubtedly a necessary part of modern charity work, and there can be no doubt that in all large cities effort should be made to organize in connection with the charities such department. If in every city there could be found as efficient people as Miss Low to head these departments much good would be accomplished and much evil averted.

DISCUSSION—(Continued).

By MAX HERZBERG.

President United Hebrew Charities,
PHILADELPHIA, PA.

I think the paper of Miss Low has amply justified the necessity for the erection and existence of a Legal Aid Bureau in every large community. Such a Bureau is of as much importance in the work of social service as a medical dispensary. Like the medical dispensary, however, its operations ought to be limited and restricted to such persons as actually stand in need of its ministrations. A dispensary is overburdened with malingersers, and a Legal Aid Bureau is apt to be bothered with persons having imaginary or trivial complaints, and who only apply because advice is free. In a large community there must be many people who need competent legal advice and are unable to pay for the same, but the operations of a bureau should be restricted to cases of domestic relations and certain classes of contracts, mostly those involving wage claims. I think it would be a mistake for a bureau to interfere in criminal actions or in negligence cases. One of the best results that the bureau in Chicago has accomplished is purely negative—that is, discouraging litigation. Those of us who practice law in large communities know how persistently the recently arrived immigrants will haunt our police courts. It may be that they have so long been denied justice in the courts of Russia and Eastern Europe that they overestimate its value when they come here and eagerly seek it in our courts. The Jew is tenacious, he insists upon his rights, he usually wants everything that belongs to him, and, unfortunately, he unduly manifests that characteristic in the criminal courts. In the large cities these courts are crowded with innumerable petty cases, principally assault and battery, cases that should have been settled in the minor police courts by the infliction of fines. In communities where officials are paid by fees we very frequently find that they encourage and foster litigation amongst the immigrants. Those living in crowded tenements in the congested sections of the cities are very likely to have trivial quarrels with their neighbors, and redress is sought immediately from the magistrate. Charges of assault

and battery are made, counter charges entered, and from these will grow conspiracy, perjury and various other charges. All the machinery of justice is invoked in cases which ought never to get past a magistrate's office. It is in the work of discouraging such litigation that a Legal Aid Bureau could render effective assistance. It is more important to keep people out of court than to encourage or assist them in the prosecution or defense of what are mostly trivial cases. It is very frequently the best advice and the best assistance to induce an applicant to abandon what may be a just claim involving a small amount.

MRS. HENRY SOLOMON, Chicago: I just wish to say a word about the experiences in our Legal Aid work—experiences which would bear out Miss Low's statements. The men in the district of the Bureau are far more afraid of the representatives of our Society than they are the magistrate, for they know positively that their offenses will not be condoned, and that our influence and work are not to be easily overcome. We certainly take sides, though we act as a court, and we can point to our records to show that we never lost a case. We can do work which lawyers could not in the ordinary channels of litigation.

One fact must not be overlooked—that matters for adjustment are often brought, which, by arranging directly with the judge, can be kept out of court altogether. For the judges listen carefully to representatives of the poor, who have nothing at stake of personal interest, and many times cases that come up in court are referred to us for settlement. A great deal of litigation is avoided. The amount of money which can be saved the charities, by collecting for families who would otherwise be upon the relief books, is triple the amount such a Bureau costs.

VICE-PRESIDENT MARKS: We shall now hear from Miss Low in rebuttal.

MISS LOW: I have nothing further of importance to say on the subject of "Legal Aid," but want to refer for a moment to the question of desertion, discussed this morning. Ten years ago we discussed this question at the National Conference of Jewish Charities in Chicago, and today we are still talking about it. Upon

retrospection, what have we done to suppress this ever-growing evil? We are about to present a resolution this evening, which we hope will be the means of stirring social workers to action. We advise that a permanent committee on desertion be appointed by the National Conference of Jewish Charities, and that the National Conference of Charities and Corrections be asked to appoint a similar committee, and that the two Conferences work jointly in doing something definite.

If every State in the Union would work upon a similar plan simultaneously, by getting such interests together as the Governors, the prominent prosecutors and police officials, the judges and the social workers, and agree upon some definite plan of procedure, results would doubtless follow. In order to have the means with which to extradite, we must have the sympathy and support of our executive officers; for the legal manipulation we need the prosecutors and police officials; to create the proper sentiment among the people, and insure necessary care and relief of those rendered dependent, we need the social workers. Furthermore, we need the men on the bench, for without them and their co-operation our efforts would be practically in vain. In Chicago we have no more helpful, no more co-operative or humanitarian body than the men on the bench. After getting the various bodies mentioned interested, each State ought to call a convention within its borders, study its own problem, and confer with all other States for concerted action. We all, I am sure, believe in the dynamic force of concerted action, and it is only by uniting and making desertion a national issue that we will ever accomplish anything worth while.

BUSINESS SESSION.

VICE-PRESIDENT MARKS: We will now have a report from the Treasurer. (For report see page 298.)

VICE-PRESIDENT MARKS: You have heard the report of the Treasurer. If there be no objections, the same will be received and made a part of the record.

Now the Committee on Resolutions.

MR. MAX HERZBERG, Chairman of Committee: Mr. Chairman, the Committee on Resolutions begs leave to present a number of resolutions, and ask that they be acted upon *seriatim*. I present the following:

Resolved, That the National Conference of Jewish Charities in the United States, at its biennial session, held in the city of St. Louis, Mo., on May 18, 1910, endorse the provisions of the Owen Bill for the establishment of a National Bureau of Health, and urge upon the respective members of Congress to vote for the passage of the bill; and be it further

Resolved, That the Secretary of the Conference be authorized to communicate with the committee having the bill in charge, informing it of this action.

VICE-PRESIDENT MARKS: The question is upon the adoption of the resolution.

It was then duly moved and seconded that the resolution be adopted.

The question was then put by Vice-President Marks, and the motion to adopt the resolution announced carried.

WHEREAS, Numerous appeals are being constantly made to the Jews of the United States in behalf of charitable institutions in Jerusalem, and there is no available information as to whether such institutions are worthy of assistance, and it has been asserted that many of said appeals are fraudulent;

Resolved, That the Executive Committee be authorized to cause an investigation to be made as to the needs and requirements of such institutions, the financial support that they receive, the expenses of such appeals and returns thereto, and such other data from which a proper estimate can be made with authority to pay for the necessary costs of such investigation, and to publish a summary thereof with such recommendations as the Executive Committee may deem proper.

VICE-PRESIDENT MARKS: The question is upon the adoption of the resolution.

It was moved and seconded that the resolution be adopted.
Motion put and carried.

WHEREAS, Industrial accidents are a large contributing cause of distress among the Jewish poor, of whom a very large proportion are engaged in manual labor;

Resolved, That this Conference urge its constituent societies to promote, so far as they are able, the passage of laws for the compulsory payment of damages resulting from industrial accidents, eliminating the defenses of contributory negligence or the negligence of fellow-servants.

It was duly moved and seconded that the resolution be adopted.
Motion put and carried.

The admirable paper of Dr. Waldman has demonstrated the advisability of securing further data on the question of family desertion, and of devising some remedies to check an evil that has become national in its character, regardless of race or creed; therefore be it

Resolved, That the President of the National Conference of Jewish Charities be instructed to appoint a special committee of five to consider the question in all its phases, to prepare uniform forms for investigation and report, and to invite suggestions for remedies; which committee shall report to the Executive Committee of the Conference, who are hereby authorized and empowered to take such action as the committee may deem necessary and appropriate; and further be it

Resolved, That this Conference request the National Conference of Charities and Corrections to appoint a committee upon the same subject, with which this committee of this Conference may act for the purpose of securing uniform legislation throughout the United States and to enlist the sympathetic co-operation of the various authorities throughout the State in the work of remedial legislation and the prompt and efficient execution of the laws now in force or hereafter be adopted.

It was moved and seconded that the resolution be adopted.
Motion put and carried.

CHAIRMAN OF COMMITTEE ON RESOLUTIONS: Mr. Chairman, the transportation rules which have been suggested by Judge Mack have nevertheless been criticised to some extent. We therefore offer the following resolution:

Resolved, That the President appoint a committee of three to consider and prepare a revision of the transportation rules of the Conference, to be submitted to the Executive Committee, which is hereby authorized to alter or adopt new rules on the subject, which, when so approved and due notice given, shall be binding on all the constituent members of the Conference.

Moved and seconded to adopt the resolution.

Motion put and carried.

CHAIRMAN OF COMMITTEE ON RESOLUTIONS: The Committee also offers the following amendment to Section 2 of the Constitution, in reference to the payment of dues:

Resolved, That the Annual Membership Dues in a city where Federation exists shall be for such Federation one per cent. (1%) of the annual amount expended by it for its corporate purposes during the preceding year; not less, however, than five dollars (\$5.00), nor more than fifty dollars (\$50.00); and dues of five dollars (\$5.00) for any constituent member of such Federation that shall desire membership in this Conference.

In cities where no Federation exists, the annual membership dues for each society shall be five dollars (\$5.00) where its expenditures as above are less than five thousand dollars (\$5,000.00) and ten dollars (\$10.00) for all others.

Motion put and carried.

CHAIRMAN OF COMMITTEE ON RESOLUTIONS: Now, Mr. Chairman, I take great pleasure in offering the following resolution:

Resolved, That the thanks of the members of this Conference are tendered to the Jewish citizens of St. Louis for the generous hospitality extended by them; to the Columbian Club for the use of its beautiful edifice; to the press of St. Louis and the Jewish press of the country for the publicity given to the affairs of this body; and particularly to the Committee on Arrangements for the thoughtful and considerate preparations made for the sessions of the Conference.

Moved and seconded that the resolution be adopted by a standing vote.

VICE-PRESIDENT MARKS: It has been moved and seconded that this resolution be adopted by a standing vote. Those in favor of the motion will please arise. It is unanimously adopted.

The next will be the report of the Committee on Nominations.

The Chairman of the Committee on Nominations hereupon presented a report naming Mr. Julius Rosenwald for President, but he found it impossible to accept the honor. The following nominations were then submitted:

President, Lee K. Frankel, New York, N. Y.

Vice-Presidents, Julius Rosenwald, Chicago, Ill.; Sidney E. Pritz, Cincinnati, Ohio.

Treasurer, Bernard Greensfelder, St. Louis, Mo.

Secretary, Louis H. Levin, Baltimore, Md.

Executive Committee, Max Senior, Cincinnati, Ohio; Max Herzberg, Philadelphia, Pa.; Julian W. Mack, Chicago, Ill.; Nathan Bijur, New York, N. Y.; Jacob H. Hollander, Baltimore, Md.; Samuel S. Fleisher, Philadelphia, Pa.; Alfred Benjamin, Kansas City, Mo.; Minnie F. Low, Chicago, Ill.; Aaron Waldheim, St. Louis, Mo.; Jonas Weil, Minneapolis, Minn.

VICE-PRESIDENT MARKS: There being no other nominations, I hereby duly declare, upon the authority of a motion just carried to that effect, the nominees elected as put in nomination by the committee.

VICE-PRESIDENT ROSENWALD (assuming the chair): Have you any motions?

Moved and seconded to adjourn.

VICE-PRESIDENT ROSENWALD: If there are no objections the meeting will stand adjourned.