

Total receipts.....	\$ 4,170.76
Total disbursements.....	1,808.59
	<hr/>
Balance .....	\$ 2,362.17
Balance on hand May 1, 1909.....	\$ 1,847.22
Receipts to May 15, 1910.....	2,318.54
	<hr/>
Total .....	\$ 4,170.76
Total disbursements.....	1,808.59
	<hr/>
Balance on hand.....	\$ 2,362.17

BERNARD GREENSFELDER,  
*Treasurer.*

## <sup>1</sup>Transportation Decisions

### <sup>2</sup>RULES FOR THE REGULATION OF TRANSPORTATION.

1. A Transient shall mean any person (including his family) who shall have become a charge upon the charities of the city where he may be, within nine months of the time of his arrival at that city, unless he shall have become dependent through unavoidable accident.

2. A telegraphic code shall be used for the prompt and economical exchange of information regarding transportation between the constituent associations, and each association agrees and binds itself to reply to all inquiries submitted to it as soon as the necessary investigations can be made.

3. No applicant for transportation shall be forwarded from one city to another, nor shall half-rate tickets, paid for by the applicant, be furnished without the advice and consent of the city of destination. But should the applicant be a transient within the meaning as above defined, he may be returned to the city where he last resided, not as a transient, or to any city where transportation shall have been furnished him; in either case, at the expense of the city to which he shall be returned, provided the statement as to residence be confirmed by investigation in said city. Whenever transportation is furnished, even if paid for by the applicant, notice shall be sent to the city of destination.

4. The initial city shall in all cases furnish transportation through to the city of destination. In the event of any violation of this rule, the receiving city, shall at its option, after investigation, transport the applicant to his destination or to the city from which he came, at the cost of the initial city.

<sup>1</sup>The Transportation Committee consists of Judge Julian W. Mack, chairman, Chicago; Mr. Max Senior, Cincinnati; Max Herzberg, Esq., Philadelphia. During Mr. Senior's absence from the country Judge Nathan Bijur of New York has acted in his place.

<sup>2</sup>The Rules are now in course of revision by the Transportation Committee.

5. Any woman wishing to seek or desiring to join her husband shall not be assisted with transportation under any circumstances without the consent of the city where it is claimed the husband resides.

6. Any violations, disputes or misunderstandings between constituent associations under these rules shall be referred to the Executive Committee, who shall investigate the same, and whose decision shall be final and binding.

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NUMBER 1.

UNAUTHORIZED TRANSPORTATION.

*Removal Ordered by Physician—Funds Furnished by Non-Members—Protection of Health Resorts.*

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On December 24, 1908, the town of *E* filed its claim with the National Conference of Jewish Charities against the city of *S* in the following statement, submitted under oath:

"I, Mrs. *G*, first being duly sworn, depose and say that I am the person who was, together with my husband and four children, sent to *E* by the Society of *S*. That the matron of the aforesaid institution Mrs. *S* and Mrs. *R* knew that I was pregnant; that I begged to be allowed to stay in *S* until after my confinement, and that my husband be sent on alone; that I was told to sell all my furniture before tickets for the journey would be purchased, and that I received from the sale of my furniture \$11 and for my sewing machine \$8; that the matron of the Society purchased the tickets and handed them to me, at the same time giving me the address of a resident of *E* and telling me how well the family that had been previously sent to that city was doing; that the \$20 collected at one of the synagogues was given to me some time before and used for food and clothes while in *S*; that the Society gave me \$15 for use on the road and that Mrs. *R* gave me an additional \$10 to induce me to accompany my husband, saying that it was my duty to go with him if I really loved him."

*E* has an estimated Jewish population of 350; *S* has an estimated Jewish population of 40,000. The latter is a large mer-

cantile and industrial center, the former has some reputation as a health resort for consumptives. Both are members of the National Conference.

The *G* family consisted of father, mother and four children at the time they moved from *S* to *E*. The man was tuberculous, and was advised by his physician to seek a change of climate. The woman was pregnant. There is evidence that the agents of the Society knew her condition. The family arrived at *E* without the permission of *E*, and was soon on the local charities. Society at *S* admits furnishing transportation for *G* family, but says that the funds were supplied by a non-Jewish immigration association. It also admits giving *G* some money, and maintains that at the time *G* left *S* he should have had nearly \$100 in his possession, besides transportation. *S* further maintains that the orders of *G*'s physician that he be sent away were imperative, and that *S* acted only from motives of humanity and in order to save human life in sending the *G* family to the town of *E*, and, moreover, they had been sent with sufficient funds to keep them until *G* could get work. *E* denies that *G* had the sum of money *S* asserts, and says that what *G* did have was spent in breaking up house at *S* and re-establishing it at *E*. A statement by a party who had personally helped the family at *S*, that he had enlisted the support of the Society at *S*, is filed by *E*, and is not denied by *S*.

*E* claimed expenses connected with the confinement of *G*'s wife, and \$5 a week toward supporting the family until *G* could become self-supporting. *S* offered to pay confinement expenses.

Submitted to the Transportation Committee—MACK, SENIOR and HERZBERG.

DECISION—(HERZBERG):

*S*'s error consisted in the sending of this family without prior permission, and because of that fact should pay the bill presented.

The Committee fully recognizes the force of *S*'s argument, and the same questions confront all the larger cities.

Justice to the communities in the health resorts requires that no families be furnished with transportation unless investigation is first had and permission obtained. *If a family is sent without permission, the forwarding city must be held responsible, if it runs*

the chances of the family becoming self-supporting and it afterwards becomes dependent.

The Committee, in deciding the issue raised in favor of *E*, acquits *S* of any deliberate or willful violation of the rules, and is confident that its action was dictated by the humane intent to benefit a sickly and distressed family.

The decision was unanimous.

*Decision filed February 9, 1909.*

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NUMBER 2.

INTERPRETATION OF RULE 3.

*Return of Transients to Place of Domicile—Responsibility for Voluntary Wanderers—Inadequate Telegrams.*

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INQUIRY FROM THE CITY OF L.

May we ask whether Rule 3 of the Conference Regulations governing transportation would admit of returning a family to another city, member of the Conference, who had not been furnished by the Charity Society with transportation, but had themselves paid it, and became a charge upon our Society within a few weeks after arrival here? We notice the rule provides that should the applicant be a transient within the meaning as defined by Rule 1, he may be returned to the city where he last resided, not as a transient, or to any city where transportation shall have been furnished him, etc. Are we to understand that the expense is to be borne by the city to which the applicant shall be returned, even if that city did not furnish the transportation on the going trip?

Submitted to the Transportation Committee—MACK, SENIOR and HERZBERG.

DECISION—(HERZBERG):

The question submitted to the Transportation Committee for decision is, whether an applicant for charity, being a transient, may be returned to the city where he belongs, at the expense of that city, even if such city did not furnish the original transportation, but which was paid for by the applicant himself?

I am of the opinion that Rule 3 does not cover such a case, nor was it the intention of the framers of the rules to impose such a burden upon the home city. The manifest intention of the rules was to discourage the granting of tickets or the assistance of an intended traveler without the permission of the city of destination, and to penalize the home city only for an infraction of such rule. There would be little justice in attempting to make each city responsible for the voluntary acts of all the people who live in it, and to hold a contrary opinion, might only encourage persons to wander to other cities with the knowledge that they would surely be returned without cost to themselves, and at the expense of the city from which they came.

When an applicant, being a transient, applies for assistance in any city, such city may return him at its own expense to the city where he really belongs, and return him at the expense of his home city only if the transportation is furnished to him, either gratuitously or upon his payment therefor, without the consent of the city of destination.

I am willing to concede that the language of the rule may be somewhat obscure, and that it might have been worded more clearly, but I think that the words, "where transportation shall have been furnished him," refers both "to the city where he last resided not as transient" and "or to any city."

The main purpose of these rules was to discourage the practice of furnishing transportation without properly investigating or obtaining the consent of the city of destination, and to prevent the practice, unhappily common theretofore, of getting rid of a burden by foisting it upon another community. That practice has been summarily stopped by the adoption and enforcement of these rules, and it would be unfortunate if they were enlarged by attempting to hold a city responsible for all its inhabitants who may choose to wander or change their habitation without the advice or assistance of the city which they claim as their home. Such a rule could never be enforced, for the cases that would spring up under it would be legion, and the hardships thus imposed would cause a total disregard of the rules and rulings of the Transportation Committee.

## L. vs. P.

The facts in this case come directly under the ruling just laid down interpreting Rule 3. It is conceded that applicant had not been assisted to leave by *P*. The following telegrams were exchanged between *L* and *P*, while discussing the case:

L TO P.

"*M. G.*, discharged Denver patient, claims lived care Mrs. B. D., 318 A. Ave. Verify."

P TO L.

"*G* is a regular schnorrer has no relation very well known here."  
*L* interpreted the latter telegram to mean that *G* was a resident of *P*, and sent him to that city.

## DECISION—(MACK):

1. In accordance with the recent decision as to Rule 3, *L* has no claim, inasmuch as there is no proof that *P* assisted the applicant in leaving.
2. In any event, *P*'s reply did not justify the inference that *G* was a resident of *P*.
3. *P*, however, should have given a more definite answer in the interest of economy in telegraphing. The reply justified a counter inquiry.

## NUMBER 3.

## L. vs. N.

In this case *N* expressed no objection to the return of the applicant to that city, where he had a sister to receive him, but disclaimed responsibility for expense of the return because applicant had left *N* without assistance from any of the charities. *Held*, that *N* is not responsible for the return charges under the interpretation of Rule 3, above given.

Decisions were unanimous.

Filed August 24, 1909.

## NUMBER 4.

## PASSING PATIENTS ALONG TO DENVER.

*Duty of City Receiving Patients Bound for Denver—"The Spirit of True Jewish Benevolence"—City Receiving in Error not Justified in Forwarding in Error.*

## C. vs. T.

*C* asks for a ruling in the following case: Mrs. *N. Z.*, with three children, called at the office of *C* and requested aid in traveling to Denver. She came originally from *Ph.*, where there is no organized Jewish charity. From *Ph.* she went or was sent to *P*, thence to *Ch.*, thence to *Y*, which sent her to *T*, and *T*, which is a member of the National Conference of Jewish Charities, forwarded her to *C*, which thereupon filed its complaint against *T*. *T* does not deny sending the family to *C*, and in defence of its action says:

"When a poor Jewish woman comes here with three children, two of whom are afflicted with tuberculosis, on her way to Denver for treatment and possible cure, friendless and moneyless, what would you consider the proper course for us to pursue? Surely, you would not have them sent back East, whence they came, and thus retard their journey and thereby diminish the chances for treatment at Denver. . . . We certainly have been obliged to handle this case in a spirit of true Jewish Benevolence."

There is nothing in the record to show that the cases were suitable for treatment at Denver, and at the last meeting of the National Conference of Jewish Charities the following resolution was adopted:

"*Resolved*, That the efficiency of the National Jewish Hospital for Consumptives should not be impaired by sending of such advanced cases as are not suitable for treatment in that institution."

Submitted to the Transportation Committee—MACK, SENIOR and HERZBERG.

## DECISION—(SENIOR):

The language of the transportation rule is so plain that it cannot be mistaken.

*T*, having forwarded the *Z* family to *C*, without *C*'s consent, and that family having become a charge upon *C* charities, *T* is responsible for all charges incurred by *C*, regardless of the fact that, according to the statement of *T*, the family did not originate in that city.

Of course, *T*, in turn, will have a valid claim upon *Ch.* or *Y* or *P* for all expenses incurred in *C*, as well as any incurred in *T*, if the *T* charities can prove that the *Z* family was forwarded from either of the cities mentioned by the charity organization of that city. I would especially urge upon *T* to present such a claim, in case *T* can prove its contention.

I wish to emphasize that it is not "a spirit of true Jewish benevolence" to unload a sick and helpless family upon any other city, and especially upon a city already so overburdened as Denver.

Decision unanimous.

Filed February 7, 1910.

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 NUMBER 5.

 STATUS OF PERSONS SENT OUT BY INDUSTRIAL  
 REMOVAL OFFICE.

*Construction of Contract with Industrial Removal Office—  
 Tuberculosis as Unavoidable Accident—The Responsibility  
 of Metropolitan Cities—Moot Cases Not Approved.*

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 L. vs. C.

The complaint in this case was filed by *L* against *C* on April 4, 1910. The facts are sufficiently stated in the opinion of the Committee.

Decision by Judge Mack, in which Mr. Herzberg and Judge Bijur concurred.

## DECISION—(MACK):

*J. B.*, who had lived with his wife and three children in New York for 9 years, and had always supported them, was induced by the Industrial Removal Office to go to *L*, which, under contract with the *I. R. O.*, accepted him and found work for him, giving him only temporary assistance until work was found. After 5 months' residence, and against the advice of the Superintendent of the Federated Jewish Charities of *L*, he took his family to *N* at the request of his wife's sister, who resided there. He at once found work in *C*, which is just across the river from *N*. The *N* Jews are nearly all of the working class, have no organization, and in serious cases are assisted by the United Jewish Charities of *C*, of which it is practically a suburb. A fourth child was born there.

After 5 months *B* developed tuberculosis, consulted the physicians of the Denver Hospital in *C*, who refused pay, and recommended him to the United Jewish Charities for treatment at Denver.

*C*, in order to secure an interpretation of the transportation rules of the National Conference of Jewish Charities, sent the family back to *L*.

*L* claims reimbursement for all outlays resulting from the return of the family by *C*, on the following grounds:

1. *B* was not a resident of *L*, as he had resided there less than 9 months. He was therefore a transient within Rule 1.

2. His illness was of 5 weeks' duration. It was an unavoidable accident within Rule 1, and the family should not, even if deemed residents of *L*, have been returned.

3. *C* was not responsible for him. *N* was his residence. If *C* helped out of humanitarian considerations, it could not for that reason compel another constituent society to assist it in the care of families residing either permanently or temporarily in a non-constituent city—*N*.

*C* counterclaims its expenses on the ground that as *L* by its contract with the *I. R. O.* assumed the care of the family, *B* must be treated in all respects like a resident of *L*, irrespective of his period of residence.

In our judgment, *C* should not have returned the family merely to secure a ruling. The Committee is, or should be, deemed empowered to settle actual controversies between the parties, without compelling the unnecessary shifting about of families. As to the questions raised, we hold:

1. *B* was a transient in *L*, whatever *L*'s obligations may be toward the *I. R. O.* Under our rules, he must be deemed a transient—9 months' residence means actual residence.

2. An illness that develops from causes not existing at the time of residence in the former home is to be deemed an unavoidable accident within Rule 1.

The object of the rule was to enable the return of dependents, who had been shifted about, not of actual workers, who had been self-sustaining in their former homes, had left voluntarily and at their own expense and had then in their new home met with sudden disaster, due to causes not theretofore existing.

Whether or not the causes of the tuberculosis existed in *L* is not clear. In view, however, of our first finding, this becomes immaterial.

3. *N* is the residence of people working in the city of *C*, and is to be deemed a part of *C*, within the meaning of our rules. Its Jews, especially those working in *C*, are essentially a part of the Jewish community of *C*. This applies to all suburban localities, whether technically a part of the city or separate municipalities in the same county or State, or even in another State, if the locality is for practical purposes, so far as the Jews are concerned, a part of the metropolitan community.

4. *C*'s counterclaim is for the foregoing reasons denied, and *L*'s claim upheld.

*Filed August 8, 1910.*

## NUMBER 6.

## PART TRANSPORTATION.

*Sending Applicant to Nearest Large City—Right of City Completing Transportation to Reimbursement.*

L. vs. P.

Submitted to Transportation Committee—MACK, HERZBERG and BIJUR.

DECISION—(HERZBERG):

*P* is a small city in the neighborhood of *L*, and has a relief society in connection with its synagogue.

*A*, who was a transient in *P*, his home being New York, applied for assistance. The president of the society furnished him with transportation to *L*, with a letter to the society there, recommending him for further assistance. *L*, after investigation, sent *A* to his home in New York, and claims the expense from *P*.

*P* in its letters stated that its finances would not permit it to furnish transportation further than *L*, and, unless such transportation were furnished, *A* would have become a burden on *P*.

This case is so clear a violation of the rules that the mere statement of the facts is sufficient to justify our ruling that *P* should reimburse *L* for its expenses incurred in the case.

It was to prevent such conduct that these rules were promulgated, and it is to the interest of every community to see that they are strictly enforced. All concur.

*Filed September 20, 1910.*

## NUMBER 7.

## TAKING THE HUSBAND'S WORD.

*Uniting Family Ill-advisedly—Transportation Given on Information of Husband—Such Information Does Not Suspend Rules.*

D. vs. G.

The papers in this case show that the *R* family had been on the charities of *G* for some time, when Mrs. *R* appeared with a letter

from her husband, who had gone to the city of *D*, in which letter he stated that he was able and willing to support his family. The city of *G* accepted the statement, but made no inquiry of the city of *D* whether the family might be sent to *D* with its consent. Transportation was furnished them by *G* to *D*. When the family were reunited at *D* the man was unable to support them, the wife was in a delicate condition, and they came upon the charities of *D*. *D* claims reimbursement for all funds expended on the family. Further facts are stated in the decision.

Submitted to Transportation Committee—MACK, HERZBERG and BIJUR.

#### DECISION—(BIJUR):

The essential and admitted facts of this case are:

Mrs. *R* applied for aid to the Relief Society of *D*. She was in ill health, about to be confined, and accompanied by three minor children. Her husband had preceded her to *D* by about six months. She had been furnished with a ticket to *D* from *G* by the Relief Society of the latter city, where she had previously resided. She had been dependent upon the society in *G* for some months; and upon her statement and that of her husband that he was able and willing to send for her and support her and her children in *D* she was furnished with the ticket hereinbefore mentioned.

The society in *G* explains that it believed that the husband could make use of the money—which he would otherwise have expended for railroad fares—for household furniture, etc. The head of the society in *G* also writes, "I did not *have anything* to do with their going to *D*, *except that* I, of my own accord, furnished them with transportation."

While it is evident from the record that the officers of the society in *G* were actuated by kindly motives, nevertheless the entire proceeding is so palpably a violation of the transportation rules of the Conference that it is surprising that the society at *G* should not voluntarily have anticipated the decision of this committee that it is liable to *D* for all its proper disbursements in the premises.

All concur.

Filed October 5, 1910.

## INDEX.

- ABRAHAMS, ISRAEL, on Medieval Desertion, 55.  
 ADDAMS, JANE, 39.  
 ADDRESS OF WELCOME, Hon. Elias Michael, 29-31.  
 AGRICULTURE, Jews should be encouraged to engage in, 130, 131; men now profitably engaged in, 130; the hope of distribution, 150; training farms suggested, 151; failure of farm experiment, 152, 165, 166; farming, 249, 271.  
 AGUNAH, 56.  
 BARON DE HIRSCH TRADE SCHOOL, 249.  
 BASHEIN, JACOB, 234.  
 BERLINSKY, G. A., 106, 297.  
 BIENENSTOCK, MONTEFIORE, 265.  
 BILLIKOPF, JACOB, 107, 160.  
 BLAUSTEIN, DR. DAVID, 297.  
 BOARDS, often apply business standards to charity, 260; are responsible to community, 261; should keep pace with the paid workers, 262; should educate themselves on social questions, 268; are social workers, 269.  
 BOGEN, BORIS D., 103, 254, 273, 281, 297.  
 BRESSLER, DAVID M., 111, 166, 209.  
 BUREAU OF DISTRIBUTION, failure of, 153.  
 BUSINESS MEETING, 199.  
 CHARITIES, general, debt of, to Jewish, 39.  
 CHARITY, common sense in, 33; science in, 34, 278; will become a municipal function, 256, 267.  
 CHARITY, Jewish, wide scope of, 11; fundamental purpose of, 30; peculiar problems of, 31; recent change in spirit of, 32; organization of, 36, 279-281; warrant for, 36-38; not preventive, 286.  
 CHARITY WORKER, relation of Jewish to general, 38.  
 CHILDREN, Jewish dependent, boarding of, 40, 207; CHILDREN in private homes, 205; bureaus for, in New York City, 205; work supervised by the State Board of Charities, 207; statistics, 208; attack upon, 208; advantages of, 210; effect upon the children, 210, 211; as practiced formerly, 219, 220; problem peculiarly great in New York, 220; affected by conditions, 229; homes good in Chicago, 234; in experimental stage, 235; has good effect on health, 235; institutions for, 205; models for mothers, 230; homes should be investigated, 206, 223; attend public schools, 207; religious schools, 207; health supervised, 207; clothing, 207; receive individual attention, 209; surroundings, 209; difficulty of finding good homes, 220; homes, should be inspected, 224; poor conditions in, 224, 225; selfish motives in, 225; advantages of institutions for, 226; cottage type of, 226; atypical, 227, 229; homes for, 231, 236; in non-Jewish homes, 232; as companions, 236, 237; of widowed mothers, in institutions, 238; cause of dependence of, 240; health tests of, 241; special dietaries for, 241; physically defective, 242; industrial training of, 242, 243, 246, 249, 252; education of, 239, 243, 244, 251, 252, 253; religious training of, 239, 240; vocational training of, 243, 246; See Mothers, Orphan Asylums and Pensioning Widowed Mothers.  
 CLARA DE HIRSCH HOME FOR WORKING Girls, 249.  
 COFFEE, REV. RUDOLPH I., 271.  
 COMMITTEE ON PRESIDENT'S MESSAGE, Report of, 167.

- COMMITTEE ON TRANSPORTATION, Report of, 41.  
 CONSTITUTION, 7-9.  
 COURT OF DOMESTIC RELATIONS, 78, 94.
- DECISIONS OF TRANSPORTATION COMMITTEE, 48, 307.
- DELEGATES, Register of, 19-24.
- DESERTION, Central Bureau of, Recommended, 49, 77, 104;  
 not a distinctly Jewish problem, 54, 110;  
 greater among non-Jews, 55;  
 old evil, 55;  
 legislation against, in Middle Ages, 55;  
 Treated in *Shulchan Aruch*, 56;  
 few cases in Kansas City, 56;  
 and in Cincinnati, 57;  
 children deserted, 56;  
 percentages of, in various cities, 56, 58;  
 money spent on deserted families, 56, 110;  
 difficult to obtain uniform statistics, 58;  
 causes of, 58; et seq., 87;  
 immorality, 62;  
 lack of work, 62-65;  
 insufficient earnings, 65;  
 birth of child, 65;  
 incompatibility of temper, 65, 66;  
 disparity in age, 66;  
 Jewish causes, different, 104, 105;  
 investigation of, in 1902, 59, 60, 62;  
 Zilpha D. Smith on, 59, 61;  
 Lilian Brandt on, 61;  
 age of deserters, 67;  
 frequency of, 67, 68;  
 length of, 69, 70, 72, 73;  
 return of deserters, 70, 71;  
 remedies for, 71;  
 Cincinnati plan for treating, 71-73, 84, 85, 101, 106;  
 criticised, 102, 103;  
 permanency of, 72;  
 case of, involving New York and London, 74;  
 as an extraditable offense, 76, 78;  
 results of prosecution for, in New York, 76;  
 has relatively decreased in New York, 76;  
 misdemeanor or felony, 77, 78;
- DESERTION, should have special State supervision, 78;  
 court of domestic relations suggested, 78, 94;  
 William C. Baldwin on, 79, 80;  
 family of deserter paid for prison work, 79;  
 as handled in Washington Juvenile Court, 80, 100;  
 forms for study of, 81-83;  
 discussion of, 84 et seq.;  
 New York experiences unique, 84;  
 much does not reach charitable organization, 84;  
 definition of, desirable, 86;  
 reason for considering at charity conference, 86;  
 not limited to the poor, 86;  
 results, not causes, primary consideration, 87;  
 among the rich, 87;  
 ways of handling by courts, 87;  
 courts not eager to inflict punishment, 88, 96;  
 causes aggravated in heterogeneous community, 88;  
 Missouri doctrine, 88, 89;  
 Educational Alliance combatting, 89, 90;  
 method of New York Legal Aid Bureau, 90, 91;  
 result in certain cases, 91, 92;  
 complication of the question, 92;  
 effect of *get*, 92;  
 legal dilemma for Russian Jew, 93;  
*get* without divorce misdemeanor in New York, 93;  
 photographs of deserters generally obtainable, 100;  
 methods of apprehending deserters, 97;  
 police unreliable, 97;  
 Yiddish papers can be of service, 98, 99;  
 deserters generally go to large cities, 99;  
 objection to statistics of, 94;  
 deserter, bad rather than unfortunate, 96;  
 difficulty of handling the evil of, 96;  
 uniform laws, desirable, 96, 103, 199;  
 wives should be helped, 102;  
 mistaken help dangerous, 103;  
 Illinois progressive laws on, 105;  
 education of wife as remedy, 105;  
 none in Roumania, 105;

- DESERTION, Americanized husband and foreign wife, 105;  
 friendly visitors and social settlements, as remedial agents, 106;  
 Kansas City plan of meeting, 107;  
 approved, 110;  
 parole system for deserters, 107;  
 specific case of paroled deserter, 108;  
 not on increase, 110;  
 prevention, the keynote, 106;  
 among clients of Industrial Removal Office, 147.
- DRUCKER, SAUL, 229.
- ELECTION, of officers and directors, 203
- ELECTION OF OFFICERS OF SECTION OF Social Workers, 297.
- EMPLOYERS' LIABILITY LAW IN OHIO, 192;  
 abolition of strict rule of negligence, 192-194.
- "FAMILY DESERTION," 54-83.
- FARMERS (JEWISH) IN THE UNITED States, 249;  
 in New Jersey, 250.
- FREE LOAN SOCIETIES, See Gemillath Chasodim.
- FRIENDLY INNS: See Hachnosas Orchim.
- FRISCH, RABBI EPHRAIM, 144.
- FROHLICHSTEIN, S. H., 158.
- FURTH, JACOB, 162.
- GALVESTON MOVEMENT, 122;  
 method of work, 125;  
 committees created in west and southwest, 125;  
 port unknown to immigrants, 125;  
 not an experiment, 126;  
 number distributed, 126;  
 sympathetically received by German and Russian element, 126;  
 infuses pioneer spirit into immigrants, 126;  
 transportation, shortcomings of, 127;  
 can become effective means of distribution, 127;  
 ignorance of immigrants a drawback, 128.
- GEMILLATH CHASODIM, 45-46.
- GET, complicates question of desertion, 92;  
 without divorce, misdemeanor in New York, 93;
- GOLDSTEIN, RABBI SIDNEY E., 287,
- GREENSFELDER, BERNARD, 186.
- HACHNOSAS ORCHIM, 45-46.
- HARRISON, RABBI LEON, 53.
- HEBREW ORPHAN ASYLUM OF NEW York City, work of the, in connection with boarding out children and pensioning widowed mothers, 204-219.
- HEBREW SHELTERING GUARDIAN Society of New York City, work of, in boarding out children and pensioning widowed mothers, 204-219.
- HEBREW TECHNICAL SCHOOL FOR Boys, 249.
- HEBREW TECHNICAL SCHOOL FOR Girls, 249.
- HELLER, ERNESTINE, 297.
- HERZBERG, MAX, 197.
- HOLLANDER, PROFESSOR J. H., 32.
- IMMIGRANTS, distracted by life of New York, 113;  
 just like other men, 115;  
 should be attracted to the farm, 130;  
 become rapidly Americanized, 147;  
 their percentage of wrong-doing less than of native-born, 156.
- IMMIGRATION DEMANDS CONTINUATION of Jewish Charities, 42;  
 not a Jewish problem only, 42;  
 Jewish immigrants needed, 43;  
 should be considered in regard to best interests of this country, 43;  
 very valuable to this country, 43;  
 dangers of, 44;  
 American Jews must meet problems of, 44;  
 threatened by unfounded cry, 154;  
 should not be restricted, 156;  
 See Galveston movement, Industrial Removal Office and Removal work.
- INDUSTRIAL REMOVAL OFFICE, 111;  
 meets a definite need, 111;  
 is clearing-house for Jewish immigration, 112;  
 to distribute descriptive leaflets, 128;  
 résumé of work of, 132;  
 occupations of those distributed, 133-135;  
 in Philadelphia and Boston, 136.



- JEWISH IMMIGRANTS' INFORMATION Bureau**, report of, 137-139; occupations of immigrants handled by, 140; See Galveston Movement.
- JEWISH HOME FINDING SOCIETY OF Chicago**, 231
- KALISKY, MIRIAM**, 105.
- KAUFMAN, S. B.**, 104, 296.
- LANDSBERG, DR. MAX**, 237
- LEGAL AID**, 168; has not received sufficient attention, 168; many requests for, 169; legal technicalities create difficulties, 170, 171; ethics of members of the bar, 170, 172; simplification of procedure desired, 170; administration of justice neither satisfactory nor logical, 170; justice often case of money, 172; preventive measures in Chicago, 173; hundreds of preventable arrests, 173; courts breed useless strife, 174; agents at police stations intercept legislation, 174; persons dissuaded from litigating, 174; cases arbitrated out of court, 174; large numbers involved in cases, 174; judges now co-operate with workers, 175, 195; classification of cases handled in Chicago, 175-176; foreigners pursued by police, 177; social worker protects them, 177; Illinois "Contributing Act" very helpful, 178; money collected for neglected families, 178; social workers in criminal courts, 179; social workers in insane courts, 180; personal injury cases successfully handled, 182; adherence to letter of law dooms many, 184; tremendous step forward, 184; courts appreciate services of social workers, 185; discussion of, 186; paid worker necessary, 187;
- LEGAL AID**, expenditures in large cities not warranted in small, 187; "Contributing Act" approved, 187; in St. Louis, 188;
- LEGAL AID DISPENSARIES UNDER STATE control**, 189; a beginning in Colorado, 189; something similar in Nuremberg, 189; subdivision of philanthropy, 190; exceptions to some of Miss Low's statements, 191; in Cincinnati, 194; police should pass upon issuance of warrants, 195; infractions of the law not to be condoned, 196; necessary part of modern charity, 196; to be rendered only to those actually in need, 197; not to interfere in criminal actions, 197; nor negligence cases, 197; discouragement of litigation, 197; necessity for uniform laws, 199.
- LEUCHT, RABBI I. L.**, 157.
- LEVI, LEO N.**, suggested removal work, 163;
- LEVIN, LOUIS H.**, 45, 278.
- LOW, MINNIE F.**, 168, 198, 232;
- LOWENSTEIN, SOLOMON**, 204.
- MACK, JUDGE JULIAN W.**, 41.
- MANHATTAN TRADE SCHOOL FOR GIRLS**, 249.
- MARKS, MARTIN A.**, 167.
- MAUSER, HENRY**, 219.
- MAY, MAX B.**, 191.
- MEETINGS**, informal, between Biennial Conferences, 52; annual, desirable, 52.
- MEMBERSHIP LIST**, 10-18.
- MEMBERS**, individual, desirable, 52, 53;
- MICHAEL, HON. ELIAS**, 29.
- MITCHELL, MAX**, 297.
- MOTHERS**, keep children with, 40; competence of, 238; See Children and Pensioning Widowed mothers.
- NATIONAL CONFERENCE OF JEWISH Charities**, Prime Purpose of, 42; should have comprehensive membership, 42;

- NATIONAL CONFERENCE OF JEWISH Charities**, local charities should affiliate with, 46; membership increased, 47; Yiddish societies should join, 47, 51; new members of, 47, 48; use of funds of, 48; Traveling Scholarship of, discontinued, 48; individual membership in, desirable, 49;
- NEWMAN, A. S.**, 95.
- OFFICERS**, list of, 1908-1910, 5; 1910-1912, 6.
- OHIO HUMANE SOCIETY**, 56, 71, 85, 102, 103, 106, 195.
- ORPHAN ASYLUM**, not an experiment, 237; should be temporary, 238; after-care by, 253; See Children.
- PAGE COMMISSION**, 189, 190.
- PENSIONING WIDOWED MOTHERS**, A Study of the Problem of, 204-219; questions for the study of cases, 211, 212; tabulation of information concerning, 213-215; housing conditions, 215, 216; employment of children, 216; health of families, 216, 217; recreations of children, 217; delinquency rare, 217; relief statistics, 217; support must be adequate, 218; requires supervision, 218; needs friendly visitor, 218; unsatisfactory homes, 227; ample relief to, in Chicago, 233; may not go out to work, 233; should not be separated from children even temporarily, 234.
- PINCUS, J. W.**, 297.
- PRAYER**, by Rabbi Samuel Sale, 28; by Rabbi Leon Harrison, 53; by Rabbi Mendel Silber, 297.
- PRESIDENTIAL ADDRESS**, by Professor J. H. Hollander, 32-39.
- PROCEEDINGS**, 19.
- PROGRAM**, of the Conference, 25; of the Section of Jewish Social Workers, 26.
- REEDER, RUDOLPH R.**, on institutions for children, 225, 226.
- "RELATION BETWEEN THE SOCIAL Worker and His Organization, The," 254-265.
- REMOVAL WORK**, including Galveston, 111; not designed simply to meet emergencies, 112; is constructive, 112; both philanthropic and economic, 113; has dual aspect, 113; number removed, 114; method of, 114, 115; rules governing, 115-117; kind of position for applicants, 116; task of receiving community, 116; social necessities of removed applicants, 117; applicants often highly skilled, 118; many places able to receive applicants, 118; machinery of distribution should be perfected, 119, 149; not sufficiently widespread, 119; to create nuclei of immigrants, 119; some beneficiaries unreasonable, 120; smaller towns should help, 120; many trades represented among beneficiaries, 121; seeks to make distribution automatic, 122; illustrated lectures well received, 128; transportation costly, 129; discussion of, 141, et seq.; local peculiarities of receiving communities, 141; local prejudice against Jews, 142; immigrant house in Minneapolis, 142; Minneapolis method, 143; B'nai B'rith and, 143, 158, 159; advantages of, to beneficiaries, 145; work well done, 145; more skilled workmen now applying, 146; work at Pine Bluff, Ark., 146, et seq.; non-Jewish Associations interested in, 148; shops to test skill of applicants, 150; "sympathetic distribution," 153; drawbacks in New Orleans, 157; cannot take large number, 157; in St. Louis, 159; in Kansas City, 160, 161;

- REMOVAL WORK in Memphis, 165;  
See Galveston Movement Industrial Removal Office.
- RESOLUTIONS, 200-202.
- RULES FOR THE REGULATION OF Transportation, 307.
- SABSOVICH, H. L., 248.
- SALE, RABBI SAMUEL, 28.
- SAMFIELD, RABBI M., 165.
- SCHIFF, JACOB H., 123, 144, 161.
- SCHOLARSHIP, Traveling, discontinued, 48.
- SCHULMAN, RABBI SAMUEL, 277.
- SEAMAN, PHILIP L., 291.
- SECRETARY, Report of, 45.
- SECTION OF SOCIAL WORKERS, 52, 204-297.
- SENIOR, MAX, 84.
- SHULCHAN ARUCH, treats desertion, 56.
- SILBER, RABBI MENDEL, 297.
- SOCIAL SERVICE, not a profession, 288; is a profession, 292; does not center about the relief office, 293; and socialism, 295-296.
- "SOCIAL WORK AS A PROFESSION," 278-289.
- SOCIAL WORKER, should have respect for his community, 254, 262-263; qualifications for, 255-256, 270; necessity of, 256; should have confidence of board of managers, 257; interviews on relations with organizations, 258-259; should be a leader, 262; should not emphasize the faults of the poor, 263; relation to the beneficiaries, 264, 265; should know the community, 266; should work with the municipal authorities, 267; should be of high intelligence, 270; relation to boards and individual member, 271; ignorance of, 271-272; social standing, 273, 284, 290, 291; differentiated by study, 281; number among Jews, 281, 282; likely to increase, 286; function, 282, 283; has future of unusual opportunities, 284; should harmonize the older and the later charities, 285;
- SOCIAL WORKER, should organize Jewish charitable forces to aid movements for general benefit, 285; narrowed by his special field, 289; often untrained, 290; should be reformer, 296; description of, 296.
- SOLOMON, MRS. HENRY, 103, 198, 231, 237.
- "SPECIAL EDUCATION FOR JEWISH Dependent Children with Particular Reference to Industrial and Technical Training," 239-248.
- STIX, MRS. C. A., 101.
- "STUDY OF THE PROBLEM OF BOARDING Out Jewish Children and of Pensioning Widowed Mothers," 204-219.
- SULZBERGER, CYRUS L., 104, 152, 272.
- TELLER, CHESTER J., 228, 270, 297.
- TRAINING, Jewish, 251.
- TRANSPORTATION, Basis of the National Organization, 41.
- TRANSPORTATION COMMITTEE, Decisions of, 48, 307.
- TUSKA, BENJAMIN, 86.
- UNITED HEBREW CHARITIES, of New York City, work of, in co-operation with orphan asylums, in subsidizing widowed mothers, 204-219.
- "VINELAND'S SWEETS," 250.
- WALDMAN, MORRIS D., 54, 209, 227, 296.
- WEIL, JONAS, 141.
- WEST, JAMES E., on finding homes for children, 223.
- WHITE HOUSE CONFERENCE ON THE Care of Dependent Children, 222.
- WEINER, CECIL B., 253, 297.
- WOLFENSTEIN, DR. S., 204, 237.
- WOLF, HENRY, 250.
- WORK OF THE Y. M. H. A. OF NEW York, 274-278.
- WYLE, ARMAND, 222.
- Y. M. H. A., 274-278.
- YOUNKER, FALK, 274.