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5 June 1920.

Sir:

Although considerable correspondence has passed between this Government and the Departments at Washington and in spite of the fact that numerous requests have been made for instructions as to the applicability of the Immigration Laws of the United States, and the appointment of Immigration Inspectors for the Virgin Islands, the Department of Labor, so far, has not found it expedient to either appoint Immigration Inspectors or to advise this Government that the Federal Laws are applicable to the Virgin Islands.

In view of the above, and owing to conditions existing, at present, in St. Thomas, I write merely to request your unofficial advice as to how such matters should be handled in these Islands.

I note, in paragraph 2- of the Immigration Rules of 1 May 1917, that the law is to be enforced in every part of the United States and every place possessed by the United States except Isthmian Canal Zone. I also note that the laws are enforced by the Bureau of Immigration and the immigration service in every such place, except the Philippine Islands, where the laws are enforced by the "officers of the general Government thereof".

In this connection, it should be stated that the immigration laws were passed 5 February 1917, about two months prior to the transfer of these islands from Danish to American sovereignty and that the rules under which the law is to be enforced were written 1 May 1917, or about thirty days after the transfer. This point has been brought to the attention of the Department, but, as before stated, no instructions have yet been received.

During the war and during the tenure of office of the former Collector of Customs, who was also Shipping Commissioner, certain rulings were made, locally, which might, in time of peace, be questioned. Without any instructions or clearly defined law under which to act, the Collector of Customs declined to permit the landing or the discharge of seamen unless they possessed \$ 50.00, ready cash. The Collector of Customs on duty during that period has been relieved and the present Collector of Customs does not feel that he has sufficient authority to handle the situation, with which opinion I agree.

However, in order that some safeguard may be had to ^{prevent} St. Thomas becoming a haven of refuge for the sick, lame and lazy of all the West Indies, and pending a definite decision by the Department of Labor, it seems probable that the "officers of the general Government" in these islands, may be compelled, in order to protect local interest, to consider the enforcement, in principle, of the laws governing elsewhere.

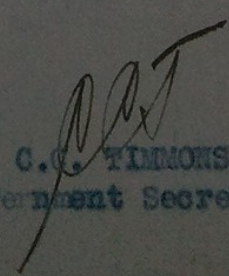
It is noted that in addition to other reasons for refusing admission, admission may be declined on the ground that the person is likely to become a public charge. This is particularly applicable with regard to St. Thomas, in view of the fact that the supply of labor, locally, is more than adequate. The likelihood, therefore, of a discharged seaman getting employment before his \$ 50.00 is expended is somewhat remote. It is also noted that the term "seaman" covers and includes every person signed on a ship's articles and employed in any capacity of board. It is still further noted that the Master, Agent or owners of a steamship may be required to give bond, to secure the maintenance, subsistence and return to the port whence embarked, of any alien discharged from the vessel.

This correspondence is prompted by the fact that very recently one of the French steamers, in St. Thomas, discharged two men, both British subjects and citizens of Jamaica, to suit the convenience of the Master. It appears that he claims both men were giving trouble on board ship. One was sick and was sent to the Hospital but his expenses were borne by the ship and he was discharged from the vessel upon his discharge from treatment at the hospital. One received, in cash, the sum of \$ 50.00. The other received, as wages, about \$ 86.00. Both are now practically destitute and demanding their return to Colon, where they were shipped. They were both enrolled for duty on board and, according to their papers, were to make the round voyage to France and back to Colon. The Shipping Agent and the French Consul have both refused, so far, to have anything further to do with them. The British Consul, naturally, declines to accept any responsibility in the premises. It is believed, however, that under pressure, which is now being brought to bear, the French Consul will take action. I merely recite this story as a case in point and as being one of the many with which we have to contend, locally.

If it is not too much trouble, may I ask you to advise me as to what you would do under the circumstances and also to send copies of such instructions and regulations as you may have governing similar matters in San Juan, P.R. ? It is believed that the Department of Labor, will, eventually, rule that the immigration laws are applicable here. It may be that they will be unable, for a time, to appoint Immigration Inspectors and get them on the job. In the meantime, it will probably be necessary for the local officials to attempt to enforce the law. Therefore, your guiding advice would be very much appreciated by the undersigned.

Assuring you of my thanks in advance and my desire to cooperate with you in any matters concerning travel between these islands and Porto Rico, I am
Very sincerely,

The Commissioner of Immigration,
Department of Labor,
San Juan, P.R.


C.C. TIMMONS,
Government Secretary.