The Joint Special Committee to whom was referred so much of the Governor's address as relates to alien passengers and State paupers; and to whom were referred the report of the commissioners of alien passengers and foreign paupers; the report of the superintendent of alien passengers; the report of the auditor of the fourth of February last; the petition of Enoch Train and others, and the remonstrance of William Beals and others,

**REPORT:**

The attention of the legislature has been called for many successive years to the great and increasing burdens cast upon our citizens by the influx of a pauper foreign population, and, in the opinion of the committee, the community are quite prepared for the adoption of some system which, while it shall recognize and answer all the claims of humanity, shall check, to some extent at least, the evils under which we now labor, and relieve us in some degree from the enormous expenses to which we are now subjected.

The committee do not propose to enter upon a prolonged discussion of the various topics connected with this general sub-
ject. It has so often been presented to the consideration of
the public that they deem such discussion unnecessary, and
they will therefore confine themselves to a statement of some
facts relating to it, and a brief exposition of their views in pro-
posing, without any difference of opinion among themselves,
the new system the details of which will be found in the bills
accompanying this report.

The actual cost to the people of the Commonwealth for the
year 1851, for the support of paupers having no legal settle-
ment among us, was nearly $212,000. This sum includes the
amount paid from the public treasury, the support of such
paupers by towns where no allowance was made to them there-
for, and the difference when such allowance was made between
the sum allowed and the estimated cost of the support afforded.

The whole number of such paupers applying for aid in the
year 1851 was 10,267, of whom 8527 were foreigners or born
of foreign parents, and the average number in our almshouses
and hospitals throughout the year was between 2000 and 2400.

From the sum above named ($212,000) is to be deducted
the sum of about $37,000 received from alien passengers, while
the expense of the alien commissioners' office and the expenses
attending the operations of the commissioners under the act of
the last legislature, amounting probably to about $10,000, are
to be added thereto.

These facts show how heavy a burden is laid upon the pro-
perty and industry of the State by the operation of our exist-
ing laws, and, in the opinion of the committee, emphatically
call for some change which shall promise to lessen that burden.
The evil is not a temporary one. These expenses go on in-
creasing from year to year—have nearly trebled within the last
ten years—and we see no reason to believe that this tendency to
increase will be checked under our present system. The for-
eigners coming to this State in the year 1850, were 40,861, and
in the year 1851, 45,973; and unless some change be made in
the principles of our legislation upon this subject, this tax upon
a community whose own poor do not increase in a ratio beyond
the general increase of population will soon become intolerable.

It is too late now to discuss the question how far the public
are bound to aid those who are suffering from poverty and
helplessness, however those evils may have been brought upon them and however slight their claims founded upon citizenship or any benefit they may have rendered to the community. The principle is established and universally recognized among us, that all who are in want have a claim for assistance which is not to be disregarded. But the extent of this claim and its just limitations and qualifications are to be carefully considered. There is no claim of this kind which humanity makes or which a wise policy will allow, which shall go beyond a protection of all from actual suffering. This claim is fully answered when our own poor, and especially when they who are strangers to and in distress among us, are clothed, sheltered and saved from hunger. Any provision of law which shall go beyond this—which promises any luxuries to pauperism—which professes to give anything more than a bare support—is inconsistent with sound policy, uncalled for by a wise humanity, and unjust to the community whose industry is taxed to meet these claims. It should be a settled principle that the mode of subsistence for public paupers should be lower than what any industrious man can earn. To put them in a better condition than that of the humblest man who gains his own living is a discouragement to meritorious poverty—has a tendency to extinguish that honest pride which keeps so many from our almshouses, and is offering a bounty to idleness and improvidence.

The community, therefore, should be satisfied that they have done their whole duty to a foreign pauper when they have made provision for him sufficient to preserve his health, and that the coarsest and cheapest food and the humblest clothing and shelter consistent with this primary object, are all he has a right to claim.

It should also be considered as an established principle, that the recipient of such bounty is bound to do all in his power to remunerate the public for the charity thus bestowed upon him—to labor for their benefit so far as he is able—to work as hard and as diligently to repay the favors bestowed upon him as his health and strength will permit. This is just to the bestower, and wholesome for the receiver of the charity.

Having these principles in view, the committee recommend a system which they hope will enable us to carry them out to
an extent which is impossible under our present laws. These paupers are now distributed among the various towns of the Commonwealth in such manner as necessarily to prevent any systematic treatment of them. In most of the towns there is, and can be, no provision for labor. In some they fare better than in others, and these are the favorite resorts of those whose object is to live as well and work as little as possible. And it is found accordingly, that many of these paupers travel from town to town with very eclectic views, and finally select their resting place where the greatest ease and luxury are to be found. The towns, on the other hand, are not paid by the State what it costs to support them, and thus it happens that the charity is not even once blessed—proceeding from unwilling donors, and falling upon ungrateful recipients.

It is another great evil of the present system, that under it our own native poor cannot be separated from the foreigner. The difference in their habits and former associations is likely to require a difference in the mode and system of treatment, which it is impossible now to make, and thus we must do injustice to our own citizens or more than justice to aliens.

As a remedy for these evils, it will be seen by one of the accompanying bills that the committee recommend the establishment of three institutions, to be placed in different parts of the State, where all paupers not having a settlement in the Commonwealth shall be placed, to be clothed, sheltered, fed, tasked, and disciplined in accordance with the principles above referred to. If the legislature should receive the suggestions of the committee with favor and adopt the plan recommended by them, a system would be established in reference to a subject upon which the want of one is now so much felt. There would be systematic charity, systematic labor, systematic discipline. The first effect of the adoption of such new system would be to drive from among us all foreigners who are able, but not willing to work—all who are looking to see how much they can draw from the public and how little they can do in return—all, in fine, who are not proper objects of charity.

By one of the provisions of the bill, the committee have sought to guard against an abuse which would be very likely to grow up if no preventive were provided. It would be very
likely, and indeed very certain, to happen, that applicants for public charity, after their immediate wants were supplied—after they were furnished with comfortable clothing, and when they had been fed and warmed into strength and a capacity for labor—would leave the institution, soon again to fall into distress, and again to call for aid. This, of course, ought to be guarded against. The committee have not thought it expedient to provide for their recapture, nor to consider the mere act of quitting the institution without leave as an offence. But they believe that the provision recommended by them is just and will prove effectual. The inspectors will discharge the pauper when, in their opinion, he has done work enough to compensate the public for the expense to which he has subjected them. If he chooses to leave without their consent, he ought to do it at his own hazard, and to be subject to confinement and a severer discipline if he again has occasion to throw himself upon the community. It is believed that in all such cases the pauper would seek some other community than our own when the second application was to be made.

By the bill upon this subject, it will be seen that a large discretion is given to the commissioners to be appointed by virtue of one of its provisions. This must necessarily be so, as it is obviously impossible for the legislature wisely to prescribe narrower limits to their action. There is no doubt that intelligent and practical men will be selected for this purpose, and it is to be presumed that their action will be in accordance with the principles established by the legislature. In the opinion of the committee, the buildings to be erected should be of the plainest character, without any attempt at architectural beauty, and of the cheapest materials and workmanship consistent with a true economy.

It will be seen that the bill provides for the payment of the expense to be incurred by the issue of scrip, redeemable in twenty years, and the establishment of a sinking fund which will probably be sufficient for its redemption at maturity.

In regard to alien passengers, the committee find that, although as before stated, the whole number of foreigners coming into the State during the last year was larger by 5000 than in the year 1850, yet the number arriving by water was
nearly 1000 less than in the preceding year. In looking for the cause of this change in the proportion of those arriving by land and by water, the committee think it is to be found in the difference between the existing laws of our State and those of the State of New York upon this subject. The bonds there demanded are much less onerous than those our statutes require, and thus strong inducements are held out to ship-owners and ship-masters to go to New York rather than Boston. If all foreigners arriving were paupers, and if all were to remain permanently where they arrive, we might well enough be content with this state of things. But the reverse of both these propositions is true. The pauper comes generally in company with many who are not unlikely to become a valuable addition to our population, and experience has shown that there is no certainty and hardly a probability that he will remain in the city or State in which he is landed. The result is that we are permitting our neighbors to take the bonds which are to indemnify them against loss, while we are to support the paupers, and at the same time are diminishing the commercial operations of the State. The provisions recommended by the committee will, in their opinion, be a sufficient remedy for this evil, and will more effectually protect us from pecuniary loss than would an adherence to the present system.

In conclusion the committee would express their gratification in believing that on these questions no feelings of party are likely to intrude; that they will everywhere be considered as among those in which the common interest is concerned, and that all good citizens will unite in checking the evils under which we are laboring as they would to avert any other public calamity.

The committee unanimously report the accompanying bills.

C. H. WARREN,
EDWD. L. KEYES,
A. M. MERRILL,
WM. B. PARMENTER,
NOAH WELLS,
AMASA SANDERSON,
DANIEL EDSON.
Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Fifty-Two.

AN ACT

Concerning Alien Passengers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Sect. 1. The fifth section of the act entitled "An act concerning alien passengers," approved on the tenth day of May in the year one thousand eight hundred and forty-eight, is hereby amended so as to read as follows:

6 If on examination there shall be found among said passengers any lunatic, idiotic, deaf and dumb, blind, or maimed person, no such person shall be permitted to land until the master, owner, consignee, or agent of such vessel shall make and deliver to said superintendent a bond to the Commonwealth, with satisfactory sureties in the sum of one thousand dollars, conditioned that such passenger shall not within ten years...
ALIEN PASSENGERS AND PAUPERS. [April,

14 from the date of said bond become a city, town, or
15 State charge within this Commonwealth. And in re-
16 spect to every other of said passengers the said super-
17 intendent before he shall be permitted to land shall
18 require a bond, secured as aforesaid, in the sum of
19 three hundred dollars, conditioned that such person
20 shall not become a charge as aforesaid within five
21 years from the date of said bond; provided, however,
22 that in lieu of the bond lastly above-mentioned the
23 said superintendent may receive from said master,
24 owner, consignee, or agent such sum as in his judg-
25 ment shall be sufficient to cover the risk incurred by
26 the Commonwealth in permitting such passenger to
27 be landed, and thereupon permit such passenger to be
28 landed; provided that the sum so to be paid shall in
29 no case be less than two dollars; and the names of all
30 such passengers shall be certified by said superinten-
31 dent on the back of the report; and provided further,
32 that if any passengers so arriving as aforesaid are so
33 sick or destitute as to require relief, and if said master
34 shall refuse to report them, or if said master, owner,
35 consignee, or agent shall refuse to give such bond as
36 is herein required, the said superintendent may permit
37 them to be landed, and in such cases any city or town
38 that shall be put to any expense for the support, sick-
39 ness, or burial of any such passenger, within ten years
40 of the time he has so landed, may maintain an action
41 of debt against said master, owner, consignee, or agent,
42 and recover all expenses incurred as aforesaid; and
43 said commanding officer, owner, consignee, or agent
44 shall be liable to the penalties provided in the tenth
45 section of this act.

1 Sect. 2. This act shall take effect from and after
2 its passage.
Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Fifty-Two.

AN ACT

In relation to Paupers having no Settlement in this Commonwealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Sect. 1. His excellency the governor, with the advice and consent of the council, is hereby authorized and empowered to appoint a board of three commissioners, who shall select and purchase three sites for the purpose of erecting on each of them a building which shall be sufficient for the accommodation of five hundred inmates, a superintendent and his family, and all necessary subordinate officers; one of which sites shall be in the county of Middlesex or the county of Essex; one in the county of Bristol or the county of Plymouth, and one in some town of the Commonwealth west of the town of Brookfield.
Sect. 2. The said commissioners shall cause to be erected on each of said sites a building of the capacity aforesaid, and shall properly furnish the same, and shall also cause to be constructed such workshops, and make such other provision for labor in connection therewith as they may deem proper, and may purchase as much land attached to said buildings as, in their opinion, may be usefully devoted to such purpose; and they shall have power to make all contracts and employ all agents necessary to carry into effect the powers hereinbefore granted.

Sect. 3. After the completion of such buildings the governor, upon being notified of that fact by the said commissioners, shall issue his proclamation accordingly; and thereupon the several cities and towns in the Commonwealth shall have a right to send to one of said institutions, to be maintained at the public expense, all paupers not having a settlement within the Commonwealth who are then receiving support from, or who may, thereafterwards fall into distress in said cities or towns; that is to say, the cities and towns in the counties of Suffolk, Middlesex, or Essex may send such persons to the institution to be established as aforesaid in the county of Middlesex or the county of Essex; the cities and towns in the counties of Norfolk, Bristol, Plymouth, Barnstable, Nantucket, or Dukes county, to the institution to be established as aforesaid in the county of Bristol or the county of Plymouth, and the remaining cities and towns in the Commonwealth to the institution to be established as aforesaid in the western part of the Commonwealth.

Sect. 4. No city or town shall receive any pay- ment or allowance from the Commonwealth for the
3 expense of supporting any such pauper incurred more
4 than thirty days after the issuing of such procla-
5 mation.

1 Sect. 5. The governor, with the advice and con-
2 sent of the council, shall appoint a superintendent of
3 each of said institutions, whose salary shall be one
4 thousand dollars per annum, and who shall receive no
5 other compensation or perquisite for his services, ex-
6 cepting the right to reside with his family, in the
7 building under his care; and it shall be his duty to
8 receive all paupers sent as aforesaid with a proper
9 certificate from the mayor of the city, or one of the
10 overseers of the poor of the town, from which they
11 may be so sent, and to provide for them under such
12 rules and regulations as shall be established in the
13 manner hereinafter provided.

1 Sect. 6. The governor, with the advice and con-
2 sent of the council, shall appoint for each of said
3 institutions three inspectors, residing in the immedi-
4 ate vicinity thereof, respectively, who shall receive a
5 salary of one hundred dollars each; whose duty it
6 shall be to establish rules and regulations for the
7 proper management and government of said institu-
8 tion, subject to the approval of the governor, and to
9 see that all such rules and regulations are enforced.
10 And each of said institutions shall be visited by one
11 of said inspectors at least once in each week.

1 Sect. 7. The said inspectors shall have the same
2 power to bind as apprentices minors who are inmates
3 of the institution under their charge, the same author-
4 ity in causing the inmates of said institution to be
5 returned to the place or country from which they
6 came, and the same authority in regard to the re-
moval of lunatics to the State lunatic hospital, as is
now vested in the overseers of the poor in the several
cities and towns in the Commonwealth.

Sect. 8. Each city and town shall be allowed, for
the expense of transporting such paupers as aforesaid
to said institutions, ten cents for each mile of the dis-
tance from said city or town to said institution; to be
paid from the treasury of the Commonwealth upon
the certificate of the superintendent of the institu-
tion where such pauper shall be received.

Sect. 9. If any inmate of either of said institu-
tions, above the age of sixteen years, shall leave the
same without the consent of the inspectors thereof,
and shall, within one year from the time of such
leaving, be found within any city or town of the Com-
monwealth soliciting public or private charity, he
shall upon complaint and proof thereof before any
Police Court or justice of the peace be punished by
confinement to hard labor in the house of correction
for the county within which he shall so be found for
a term not exceeding three months.

Sect. 10. It shall be the duty of the inspectors
aforesaid to audit all the accounts of the superin-
tendents of the said respective institutions; and to
report to the governor and council in the month of
December annually the state of the institution under
their charge, and the expenses, in detail, of said insti-
tution for the year next preceding said report.

Sect. 11. The said commissioners are hereby au-
thorized to put the buildings belonging to the Com-
monwealth on Rainsford's Island, in the harbor of
Boston, in a proper state of repair for the reception of
5 sick persons, and for the accommodation of proper
6 attendants. Provided, however, that the expense of
7 such repairs shall not exceed the sum of five thou-
8 sand dollars. And after the issuing of his proclama-
9 tion by the governor as is hereinbefore provided, all
10 foreign paupers arriving by water within the Com-
11 monwealth who cannot, on account of sickness, be
12 removed to one of the institutions aforesaid, shall,
13 during the continuance of such inability, be supported
14 at said island; and the governor is hereby authorized,
15 by and with the consent of the council, to appoint
16 such officers and attendants, and to ordain and estab-
17 lish such rules and regulations for the government
18 and supporting the said paupers, and to establish such
19 compensation for said officers and attendants as he
20 may think proper, until the further action in the
21 premises, of the legislature.

1 Sect. 12. To defray any expenses for the pur-
2 chases, buildings, and repairs hereinbefore authorized,
3 the treasurer of the Commonwealth is hereby empow-
4 ered, under the direction of the governor, with the
5 advice and consent of the council, to issue scrip or
6 certificates of debt, in the name and behalf of the
7 Commonwealth and under his signature and the seal
8 of the Commonwealth, to an amount not exceeding
9 one hundred thousand dollars, bearing an interest of
10 five per cent. per annum, payable semi-annually, with
11 warrants for the interest attached thereto, which scrip
12 or certificates shall be redeemable in twenty years
13 from the date thereof, and shall be countersigned by
14 the governor and be deemed a pledge of the faith and
15 credit of the Commonwealth. And the said treasurer
16 may, under the direction of the governor, dispose of
17 any portion of said scrip at any price not less than its
18 par value.
Sect. 13. Three thousand dollars annually shall be reserved from the amount received from alien passengers arriving in the Commonwealth to constitute a sinking fund for the redemption of the scrip issued as hereinbefore authorized.

Sect. 14. The amount of expenses and liabilities for said purchases, buildings, and repairs shall not exceed the amount of said scrip and the amount of premium received upon the sale thereof.

Sect. 15. If said institutions are ready for the reception of inmates before the first day of February next, the governor is hereby authorized to draw his warrant upon the treasury for all expenses incurred in the support of such inmates until the said first day of February.

Sect. 16. This act shall take effect from and after its passage.