THE PASSPORT QUESTION IN CONGRESS

The American Jewish Year Book for the year 5665, pages 283-305, contains an article on the American passport in Russia. This consisted in the main of extracts from the Foreign Relations of the United States and disclosed the firm stand which our Department of State has always taken respecting the recognition in Russia of the American passport. In that article, however, reference was made to only two resolutions of Congress upon this question, than which none is of more importance to the Jews in this country. It has seemed well, therefore, to supplement the valuable article referred to by giving in the following pages all the resolutions introduced into or passed by either branch of Congress upon this subject, and a few other documents pertinent thereto.

The first instance recorded is that growing out of the case of a naturalized citizen, Theodore Rosenstraus, whose name appears frequently in the diplomatic correspondence from 1873 to 1879. The resolution reads as follows:


JOINT RESOLUTION IN RELATION TO TREATY NEGOTIATIONS WITH RUSSIA, AS TO AMERICAN CITIZENS.

WHEREAS, 1: is alleged that by the laws of the Russian Government, no Hebrew can hold real estate, which unjust discrimination is enforced against Hebrew citizens of the United States resident in Russia; and

WHEREAS, The Russian Government has discriminated against one T. Rosenstraus, a naturalized citizen of the United States, by prohibiting him from holding real estate after his purchasing and paying for the same, because of his being an Israelite; and

WHEREAS, Such disabilities are antagonistic to the enlightened
spirit of our institutions and age, which demand free exercise of religious belief, and no disabilities therefrom; and

Whereas, The Secretary of State, under date of April 28, 1879, expresses doubt of his ability to grant the relief required under existing treaty stipulations; Therefore

Resolved, By the Senate and House of Representatives of the United States of America in Congress Assembled, That the rights of the citizens of the United States should not be impaired at home or abroad because of religious belief; and that if existing treaties between the United States and Russia be found, as is alleged, to discriminate in this or any other particular, as to any other classes of our citizens, the President is requested to take immediate action, to have the treaties so amended as to remedy this grievance.

Passed the House of Representatives, June 10, 1879.

The next resolution was introduced by Mr. S. S. Cox, of New York, and appears to have been brought about by the threatened expulsion from St. Petersburg of James G. Moses:

January 26, 1882. Resolved, That the President of the United States, if not incompatible with the public service, be requested to communicate to this House all correspondence between the Department of State and the United States minister at St. Petersburg, relative to the expulsion of American Israelites from Russia, and the persecution of the Jews in the Russian Empire.

Reported back favorably and passed, January 30, 1882.

It was in response to this resolution that President Arthur, on May 2, 1882, transmitted the diplomatic correspondence with Russia in reference to Jews, which had passed between 1872 and 1882. (47th Cong., 1st sess., Ex. Doc. No. 192.)

Mr. Cox introduced further resolutions as follows:

July 31, 1882. Whereas, the Government of the United States should exercise its influence with the Government of Russia to stay the spirit of persecution as directed against the Jews, and protect the citizens of the United States resident in Russia, and seek redress for injuries already inflicted, as well as to secure by wise and enlightened administration the Hebrew subjects of Russia and the Hebrew citizens of the United States, resident in Russia, against the recurrence of wrongs; Therefore

Resolved, That the President of the United States, if not in-
compatible with the public service, report to this House any fur-
ther correspondence in relation to the Jews in Russia not already
communicated to this House.

Referred to the Committee on Foreign Affairs.

On February 19, 1883, he submitted the same resolution,
which was referred to the Committee on Foreign Affairs and
reported back favorably on February 23, 1883, and passed.

January 8, 1884. Resolved. That the President of the United
States, if not incompatible with the public service, communicate
to this House all communications between the Government of
Russia and that of the United States, not heretofore communi-
cated, with respect to the condition and treatment of Hebrews by
the Government of Russia, especially with reference to Hebrew
citizens of the United States.

Reported back favorably, and adopted on February 25, 1884.

December 20, 1886. Resolved, That the President of the United
States, if not incompatible with the public service, communicate
to this House all correspondence in the Department of State be-
tween that Department and our minister to Russia, or between
the minister and the Russian Government, in relation to the con-
duct of the said Russian Government in the treatment and exp-
pulsion of S. Michelbacher, an American citizen who was expelled
from Russia on account of his being a Hebrew; and further, if
not incompatible with the public service, to communicate all other
correspondence in the Department between our Government and
that of Russia, in relation to the condition or expulsion of He-
brews who are Americans from the territory of Russia.

Referred to the Committee on Foreign Affairs.

For six years Congress took no further action until Mr.
J. Logan Chipman, of Michigan, introduced the following:

(52d Cong. 1st Sess. February 29, 1892. H. Res. No. 94.)

To Inquire into the Operation of the Anti-Jewish Laws of
Russia on American Citizens.

Resolved, By the Senate and the House of Representatives of the
United States of America in Congress Assembled, That the Presi-
dent of the United States is directed to inform Congress, whether
by the laws and regulations of the Empire of Russia, concerning
Jews, any American citizen of that faith is subject to restrictions
as to residence and business in said empire, which violate the provisions of Article 1 of the treaty of 1832, between the United States and said empire, and whether said laws and regulations are held by the Government of Russia to supersede, so far as American citizens of the Jewish faith are concerned, the provisions of the said treaty, permitting sojourn and residence of inhabitants of the United States in all parts whatsoever of the territories of Russia, in order to attend to their own affairs.

Referred to the Committee on Foreign Affairs and reported on April 6, 1892, as follows:

(52d Cong. 1st Sess. H. Report No. 1000.)

The subject of the resolution is of great concern to the people of the United States. It seeks to ascertain the status of American citizens of Jewish faith in the empire of Russia. Every citizen of the Republic is entitled at home and abroad to the exact treatment and protection which are the full right of citizenship under the Constitution and our treaties with foreign powers. Our Government can make no distinction based on creeds or birthplaces of its citizens, nor can it permit such distinction to be made by foreign powers. Not the religion nor race of a person but his American citizenship is the grand test of the treatment he shall receive and the rights he shall enjoy in other countries.

The peculiar laws and ordinances of the Empire of Russia have created great uneasiness among American citizens of Jewish faith. Whatever we may think of those laws and ordinances as part of the domestic policy for the government of the Russian Jews, we cannot tolerate their application to any American citizens of any religious faith or race. As between Russia and the United States they are simply inadmissible, if they are designed to control the conduct and to define the rights of any of our people who resort to that Empire for the peaceful purposes of commerce, or for any other purpose recognized by civilized nations; but when laws are aimed at a sect, a religious belief, or, what is the same thing, at the people who profess that belief, it is apparent that the reasons which prompt such action may extend to and embrace foreigners of the same belief, and of the same people.

The apprehensions of American citizens in this respect, if not founded on certainty, are at least natural. The laws of Russia regarding Jews engaged in commercial pursuits are of a character which is inimical to fair and free intercourse between that people and other peoples of the Empire. They restrict the places of residence, the pursuits to be followed, the cities to be resorted to, and prescribe regulations as to time of residence and membership of local guilds which would practically exclude American Jews from
enjoying the benefit of the treaty provisions between this country and Russia if they are applied to citizens of the United States. The joint resolution under consideration seeks a solution of the question by inquiries directed to the executive branch of the Government.

In order to understand the true state of the question it is well to refer to article 1 of the treaty of 1832, between the United States and Russia. It prescribes:

"There shall be between the territories of the high contracting parties a reciprocal liberty of commerce and navigation. The inhabitants of these respective States shall mutually have liberty to enter the ports, places, or rivers of the territories of each party wherever foreign commerce is permitted. They shall be at liberty to sojourn and reside in all parts whatever of said territories in order to attend to their affairs and they shall enjoy to that effect the same security and protection as natives of the country where they reside on condition of their submitting to the laws and ordinances there prevailing, and particularly to the regulations in force concerning commerce."

This treaty stipulation between civilized nations would seem to have but one meaning and to admit of no discrimination in favor of some and against other citizens of either of the high contracting parties; but what claim Russia may make under the clause in regard to "security and protection" and the "condition of their submitting to the laws and ordinances there prevailing, and particularly to the regulations in force concerning commerce," is the question.

Is the "security and protection" accorded to a native Russian Jew the "security and protection" to be accorded to an American citizen of Jewish faith? Are the restrictions placed on the Russian Jew as to commerce part of the "laws and ordinances" to be submitted to and to be regarded under the treaty as "regulations in force concerning commerce?" These are problems of serious concern to the American Jews, who, as men of commercial pursuits, feel that all avenues of trade should be open to them and, as American citizens, that they should stand abroad, as they do at home, on an exact equality with other children of the Republic.

The committee are certain that a discrimination can not legally be made against them, and that if it is made practically it would be a violation of the treaty and an unfriendly act toward the United States on the part of Russia. They are not prepared to believe that that nation will assume this attitude, but they deem it wise to have the matter authoritatively settled by an inquiry of the Executive branch of the Government of the United States.
This much is due to the commercial greatness, the usefulness, and patriotism of the American Jews. Their apprehensions may be ill-founded, and Russia may not make the monstrous claim that her laws relating to Jews are applicable to a citizen of this country, but it is well to know what the fact is and to ascertain the position of our own Government in the premises.

On June 10, 1892, Mr. Irvine Dungan, of Ohio, introduced the following joint resolution:

(52d Con. 1st Sess. House Res. No. 140.)

DIRECTING THE SEVERANCE OF DIPLOMATIC RELATIONS WITH RUSSIA.

Resolved. By the Senate and the House of Representatives of the United States of America in Congress Assembled, That the President of the United States is hereby directed to sever our diplomatic relations with the Russian Government, till such time as that Government shall cease discrimination against the Hebrews because of their religious faith, and remove the arbitrary and brutal restrictions now imposed upon them, against the protest of the civilized world.

Referred to the Committee on Foreign Affairs.

In the next year Mr. Isidor Rayner, of Maryland, introduced the following:

(52d Cong. 2d Sess. May 28, 1894. H. Res. No. 184.)

RELATING TO THE RUSSIAN TREATY.

WHEREAS, In the treaties and conventions now existing between the United States of America and the Government of Russia, it is provided that the inhabitants of each country shall mutually have the liberty to enter, sojourn, and reside in the respective territories of each other, and to that effect shall enjoy the same security and protection as natives of the country wherein they reside; and

WHEREAS, The Government of Russia has singled out a certain class of citizens and inhabitants of the United States, and forbidden them from sojourning or residing in, or entering into the territory or dominions of Russia, on account of their religious faith; and

WHEREAS, The severest penalties are visited upon those who in any manner violate this edict of the Russian Government, so that an American citizen of the prescribed faith, with an American passport, who should cross the borders of Russian territory would,
under the penal code of Russia, be subjected to the most cruel
punishment, without the privilege of trial by jury; and

WHEREAS, The Government of Russia has lately refused, in any
manner, to modify its policy in this respect, and has, through its
minister and representatives, refused to an eminent citizen of the
United States the right to enter upon its territory, for a peaceful
purpose and upon a mission of mercy, because he came under the
ban of religious exclusion, hereinbefore referred to, and for no
other reason; and

WHEREAS, Such action, persistently pursued by the Government
of Russia, is in violation of the law of nations, and in direct
breach of the treaties, conventions, and stipulations that now
exist between this Government and the Government of Russia;
therefore

Resolved, By the Senate and House of Representatives of the
United States of America in Congress Assembled, That the Presi-
dent of the United States be, and he is hereby authorized and
directed to make a demand upon the Government of Russia, that
citizens of the United States shall have the same right of entry,
travel and sojourn in the territory of Russia, that citizens of
Russia have in the territory of the United States, and that no
citizen of the United States shall be deprived of that right by
reason of his religious faith. That the President is further di-
rected to call the attention of the Government of Russia to its
continued violation of the treaty rights between said Government
and the Government of the United States, by its refusal to allow
citizens of this country the same rights of entry, travel and so-
jour that Russian citizens are allowed in our territory.

Sec. 2: That a copy of these resolutions be transmitted by the
President, with said demand and modification, and that upon a
failure upon the part of the Russian Government to comply with
said demand and abide by its treaty obligations with the Govern-
ment of the United States, the President of the United States
shall thereupon give notice to the Government of Russia of the
termination of all treaties between the Government of Russia and
the Government of the United States, and from and after said no-
tice all treaties and conventions between said governments shall
be abrogated and determined.

Referred to the Committee on Foreign Affairs.

Nearly three years later Mr. John F. Fitzgerald, of Boston,
submitted the following:

(55th Cong. 1st Sess. March 31, 1897. Res. No. 25.)

Resolved, That the Secretary of State be requested to demand
from the Russian Government that the same rights be given to
Hebrew American citizens in the matter of passports as now are accorded to all other classes of American citizens, and also inform the House of Representatives whether any American citizens have been ordered to be expelled from Russia or forbidden the exercise of the ordinary privileges enjoyed by the inhabitants, because of their religion.

Referred to the Committee on Foreign Affairs.

On December 4, 1899 (56th Cong., 1st Sess.), Mr. Fitzgerald submitted a resolution (H. Res. No. 4) worded exactly as the above.

In 1897, when the Russian charge refused to visé the passport of Adolph Kutner, a California banker, for the reason that he was a Jew, Senator J. C. Perkins introduced the following, which was referred to the Committee on Foreign Relations:


WHEREAS, A refusal by the chargé d'affaires of the Russian Legation to visé a passport, duly issued by the Department of State to an American citizen, has raised the question of invidious distinction by the Russian Government against certain Americans who are among the most useful, intelligent and patriotic of the people of the United States; and

WHEREAS, Prince Lobanow, Imperial Minister of Foreign Affairs, under date of August 12, 1895, informed the minister of the United States at St. Petersburg, that the "Imperial Government, having already many millions of Jewish subjects, only admits their cogeners of foreign allegiance when they seem to present a guaranty that they will not be a charge and a parasite element in the State, but will be able, on the contrary, to be useful to the internal development of the country"; and

WHEREAS, The citizen refused admission to Russia is one of the wealthiest and most progressive and most public-spirited of the residents of California, and in no way liable to become a charge upon the Russian Government, but able, if a resident, to be useful to the internal development of that country; and

WHEREAS, Said citizen simply desired to visit Russia for the purpose of seeing relatives and not for the purpose of permanent residence; and

WHEREAS, Refusal to visé his passport seems to have been based on the single fact that he professes the Jewish and not a Chris-
tian faith, which is contrary to the definitions given by the Imperial Minister of Foreign Affairs to the class of persons who are prohibited from entering the Russian dominions; and

WHEREAS, The apparent contradictions between the theory and the practice of the Russian Government give rise to the suspicion that a certain class of our citizens are excluded from the benefits of travel and temporary sojourn in Russia, simply because of their religious belief, and

WHEREAS, Such distinction would be abhorrent to all people who believe in the right of men to worship according to the dictates of conscience; Therefore

Resolved, That this Government request the Imperial Government of Russia to specifically declare whether American citizens are excluded from Russia on account of their religious faith, and if so, that said Imperial Government of Russia be requested to remove such prohibition and to permit Americans of whatever religious faith to visit Russia, if they are not liable to become a charge upon the Empire by reason of poverty or an inability to support themselves by honest labor.

This was followed by a resolution introduced by Mr. Curtice H. Castle, of California, which was referred to the Committee on Foreign Affairs:

(55th Cong. 2d Sess. December 9, 1897. H. Res. No. 126.)

WHEREAS, The Imperial Government of Russia forbids American citizens of the Hebrew faith the ordinary privileges enjoyed by other American citizens, of travel or residence within the confines of the Russian Empire; Therefore,

Resolved, That the Secretary of State be requested to demand of the Russian Government that it accord the same rights and privileges to said citizens as to other American citizens.

In 1902 Representative Henry M. Goldfogle introduced the first of his important resolutions on this subject:


Resolved, By the House of Representatives of the United States, that the Secretary of State be, and he is hereby, respectfully requested to inform this House whether American citizens of the Jewish religious faith, holding passports issued by this Government, are barred or excluded from entering the territory of the Empire of Russia, and whether the Russian Government has made, or is making, any discrimination between citizens of the United States of different religious faiths or persuasions, visiting or at-
tempting to visit Russia, provided with American passports; and whether the Russian Government has made regulations restricting or specially applying to American citizens, whether native or naturalized, of the Jewish religious denomination, holding United States passports, and if so, to report the facts in relation thereto, and what action concerning such exclusion, discrimination or restriction, if any, has been taken by any department of the Government of the United States.

Amended by adding the words "if not incompatible with the public interest" after the word "House" on the third line.

Debated and passed, April 30, 1902 (see American Jewish Year Book 5665, pp. 302-3).

On June 27, 1902, Senator E. W. Pettus, of Alabama, submitted the following resolution:


WHEREAS, It is asserted that American citizens, holding American passports, have been and are excluded by the Russian Government from its territory, solely because of their religious belief, contrary to treaty stipulations: Therefore

Resolved, That the President of the United States is requested, if not incompatible with the public interest, to inform the Senate as to the attitude of the Russian Government toward American citizens attempting to enter its territory with American passports.

Debated and passed.

In 1904 Mr. Goldfogle renewed his efforts and introduced the following:

(58th Cong. 2d Sess. January 4, 1904. H. Res. No. 113.)

Resolved, That it is the sense of the people of the United States that uniform treatment and protection should be accorded to every American citizen, regardless of race or creed, when travelling or sojourning abroad, and that every earnest effort should be made by the executive department of this Government to secure from the Imperial Government of Russia such uniformity of treatment and protection, especially in the recognition and honoring of the passports held by our citizens, to the end that there be no discrimination made by the Government of Russia between American citizens on the ground of their religious belief or faith; and
the President of the United States is hereby respectfully requested to take such steps and cause such diplomatic negotiations to be set on foot as may tend to secure, through means of treaty or otherwise, the honoring and the uniform recognition by the Russian Government and its authorities of American passports, irrespective of the religious faith or denomination of their holders, to the end that every law-abiding citizen provided with a passport duly issued by this Government, shall, regardless of what may be his race, creed, or religious faith, have freedom in travelling and sojourn in the territory of Russia, subject to such provisions in any treaty between the United States and Russia as are not consistent with the spirit and intent of this resolution.

This resolution was discussed by Messrs. Martin Emerich of Illinois, H. M. Goldfogle and F. Burton Harrison of New York, and Alfred Lucking of Michigan. On February 18 the House Committee on Foreign Affairs granted a hearing on the resolution and on April 16 reported the following substitute, which was unanimously adopted on the 21st:


Resolved, That the President be requested to renew negotiations with the governments of countries where discrimination is made between American citizens on the ground of religious faith or belief, to secure by treaty or otherwise, uniformity of treatment and protection to American citizens holding passports duly issued by the authorities of the United States, in order that all American citizens shall have equal freedom of travel and sojourn in those countries, without regard to race, creed or religious faith.

In conformity with the terms of this resolution the following dispatches passed between Secretary of State Hay, Ambassador McCormick, and Count Lamsdorff:

(Mr. Hay to Mr. McCormick.)

DEPARTMENT OF STATE, WASHINGTON, July 1, 1904.

Sir: On the 21st of April last the House of Representatives of the United States adopted a resolution in the following words: [Here follows the resolution just given.]

The subject to which this resolution relates has heretofore been the occasion of friendly but sincerely earnest representations to
the Russian Government on the part of that of the United States. The instructions on file in your office, and the correspondence had by your predecessors with the Imperial foreign office leave no doubt as to the feeling of the Government of the United States in regard to what it has constantly believed to be a needlessly repressive treatment of many of the most reputable and honored citizens of the United States. Similar views have been expressed, by my predecessors as well as by myself, in conferences with the representatives of Russia at this capital. That these friendly representations have not hitherto produced the results so befitting the close intimacy of the relations of the two countries for more than a century and so much in harmony with their traditional amity and mutual regard, is not, in the President's judgment ground for relaxing endeavors to bring about a better understanding, if only on the score of expediency and reciprocal convenience.

I have therefore to instruct you to inform Count Lamsdorff that the text of the foregoing resolution has been sent to you for your information and for your guidance in interpreting this expression of the feeling of the people of this country, through their direct representatives, as to the treatment of the citizens in question. You will make known to his excellency the views of this Government as to the expediency of putting an end to such discriminations between different classes of American citizens on account of their religious faith when seeking to avail themselves of the common privilege of civilized peoples to visit other friendly countries for business or travel.

That such discriminatory treatment is naturally a matter of much concern to this Government is a proposition which his excellency will readily comprehend without dissent. In no other country in the world is a class discrimination applied to our visiting citizens. That the benefits accruing to Russia are sufficient to counterbalance the inconveniences involved is open to question from the practical standpoint.

In the view of the President it is not easy to discern the compensating advantage to the Russian Government in the exclusion of a class of tourists and men of business, whose character and position in life are such as to afford in most cases a guarantee against any abuse of the hospitality of Russia and whose intelligence and sterling moral qualities fit them to be typical representatives of our people and entitle them to win for themselves abroad a no less degree of esteem than they enjoy in their own land.

I have, etc.

JOHN HAY.

Foreign Relations 1904, page 790.
American Embassy, St. Petersburg, August 22, 1904.

Your Excellency: Under instructions from my Government which I found awaiting me on my return from Carlsbad, I have the honor to bring before you for consideration at this time a subject which has been the occasion from time to time of friendly but sincerely earnest representations to the Russian Government on the part of that of the United States.

The feeling of the people of the United States, which is deep and widespread with reference to this subject, found expression in a resolution adopted on the 21st of April last by the House of Representatives.

I assume that your excellency’s attention was called to this resolution at the time of its adoption, by His Excellency Count Cassini, His Imperial Majesty’s ambassador in Washington, and that a copy of the resolution was transmitted to you for your information. As your excellency doubtless noted at the time, this resolution is conceived in a temperate spirit and expressed in moderate terms, such as to recommend its reception in a similar spirit as well as the consideration of the subject which it brings forward.

The text of this resolution was sent to me for my information in interpreting this expression of the feeling of the American people as to the treatment of the citizens in question, and I here beg to insert the resolution as placing that expression on record, although, as above indicated, a copy of the resolution has already been transmitted to you by Count Cassini (see above).

This resolution voices not only the feelings of the people, but also a principle which lies at the foundation of our Government. It is for this reason that the question has been, is, and always will be a live question with us and liable to become acute and be brought forward at some time in such a way as to seriously disturb the friendly relations which have always existed between Russia and the United States.

Aside from the belief that the treatment accorded by Russia to many of our most reputable and honored citizens is needlessly repressive, public opinion, as your excellency knows, plays a large part in the foreign relations as well as domestic affairs with us, and when underneath this public opinion there lies an important principle, as is the case in the United States, it can not be left out of account by those who have maintained the close relations which it is desired by my Government to see maintained with this great Empire and her august ruler.

“That friendly representations,” as is set forth in my instructions, “have not hitherto produced results befitting the close in-
timacy of the relations of the two countries for more than a cen-
tury, and so much in harmony with their traditional amity and
mutual regard, is not, in the President's judgment, ground for
relaxing endeavors to bring about a better understanding, if only
on the score of expediency and reciprocal convenience."

Moreover, in no other country in the world is class discrimina-
tion applied to our visiting citizens, nor can it be seen, from the
practical standpoint, that the benefits accruing to Russia are suffi-
cient to counterbalance the inconvenience involved. In the view
of the President, "it is not easy to discern the compensating ad-

tage to the Russian Government in the exclusion of a class of
tourists and men of business whose character and position in
life are such as to offer in most cases a guarantee against any
abuse of the hospitality of Russia, and whose intelligence and
sterling moral qualities fit them to be typical representatives of
our people and to win for themselves abroad a no less degree of
esteem than they enjoy in their own land."

It seems to me that there are higher grounds to which to ap-
peal, and to which it is opportune to appeal at this time, than
those of expediency and reciprocal convenience, evidences of the
influences of which have manifested themselves in steps already
taken toward the alleviation of the condition of the representa-
tives of the race referred to within the Empire.

At this time, too, when the world is extending its congratu-
lations to His Majesty on an event which has brought happiness to
himself and gratification to his friends; when he is extending
the Imperial clemency to some, justly under the ban of the law,
it would seem fitting to take under consideration this larger ques-
tion, a solution of which would not only tend to draw closer the
relations between this great Empire and the United States, but
also to arouse a responsive feeling of good will throughout the
world.

The railway and the telegraph are breaking down the barriers
of distance which have until now kept apart the peoples of the
various nations of the earth; Russia has made a notable contribu-
tion to this object in the great system of railways constructed
within the Empire, which are operated in close connection and
harmony with those of the outside world.

To throw this great railway system open more fully to those
who would avail themselves of it for legitimate purposes, is but
to dedicate it to a use which would be of the greatest good to the
Empire and the world at large.

Events have proven that no artificial barrier can keep out those
who come with hostile intent or who, from without, seek to circu-
late ideas of hostile character. Is there any reason, therefore,
why at least serious consideration should not now be given to the
views of my Government as to the expediency of putting an end to such discriminations as now exist in Russia between different classes of American citizens on account of their religious faith when seeking to avail themselves of the common privilege of civilized peoples to visit other friendly countries for business or for travel?

In transmitting the views of my Government at this length, and personally adding some reasons for favorable action which seem to me to be cogent, I have been actuated by the desire, as your excellency will appreciate, to contribute something toward those friendly relations which have marked the past and which I value. For this reason I lend myself most earnestly to the work of carrying out my Government's instructions, in the hope that the result will be such as to contribute to the removal of one question of disturbing character from the realm of discussion by a mutually satisfactory understanding concerning it.

I take this occasion to renew to your excellency the assurance of my high consideration.

ROBERT S. MCCORMICK.

Foreign Relations 1904, page 791.

(Mr. McCormick to Mr. Hay.)

AMERICAN EMBASSY, ST. PETERSBURG, October 7, 1904.

Sir: I have the honor to transmit to you herewith a copy and translation of a note received from Count Lamsdorff, imperial minister for foreign affairs, in reply to mine of August 22 last, relating to the resolution adopted by the House of Representatives of the United States on April 21 last, concerning "the freedom of travel and sojourn in Russia, without regard to race, creed, or religious faith," of all American citizens, which was transmitted to me in your dispatch No. 127, of July 1 last.

I have, etc.

ROBERT S. MCCORMICK.

(COUNT LAMSドルFF TO MR. MCCORMICK.)

MINISTRY FOR FOREIGN AFFAIRS, ST. PETERSBURG, October 4, 1904.

Mr. Ambassador: It is with special interest that I have become acquainted with the consideration expressed by your excellency in your note of the 9/22d of August, relative to certain facilities to be granted to American citizens of Hebrew faith with regard to their entry into Russia. In this connection I have the honor to inform you that a special commission has been instituted by supreme order on December 17, 1903, with the ministry of the interior, in view of generally revising the passport regulations actually in force.
The Imperial ministry of foreign affairs having appointed a representative with this commission, I shall not fail to bring, through his intermediary, to the knowledge of that commission your views on the subject and the desire of the Federal Government, of which your excellency has been the interpreter.

I avail, etc.

LAMSDORFF.

Foreign Relations 1904, page 793.

Nothing further was done in Congress until 1908 when Mr. Goldfogle introduced the following:

(60th Cong. 1st Sess. February 4, 1908. H. Res. No. 223.)

Resolved, That the Secretary of State be, and he hereby is, requested to communicate to this House, if not incompatible with the public interests, the correspondence relating to negotiations with the Russian Government concerning American passports since the adoption of the resolution by the House of Representatives relating to that subject on the twenty-first day of April, nineteen hundred and four; and also a copy of the circular letter issued by the Department of State to American citizens advising them that upon the Department receiving satisfactory information that they did not intend to go to Russian territory, or that they had permission from the Russian Government to return, their application for passport would be reconsidered; and also a copy of the notice accompanying such letter issued by the Department of State, dated May 28, nineteen hundred and seven.

This was referred to the Committee on Foreign Affairs, which reported on February 11, through Mr. A. B. Capron of Rhode Island. It was discussed by Representatives F. B. Harrison of New York, who favored its passage, and by Representative F. O. Lowden of Illinois, who opposed it, and by a vote of 120 yeas to 101 nays, the resolution was, on motion made by Mr. Capron, laid on the table. This action was taken at the instance of Secretary of State Root, who, on February 8, had written to Mr. Capron, "it is not deemed compatible with the best public interests at this time to communicate the subsequent correspondence."
On January 18, 1909, Mr. Goldfogle introduced the following joint resolution; which was referred to the Committee on Foreign Affairs and ordered to be printed:

(60th Cong. 2d Sess. H. J. Res. No. 235.)

CONCERNING AND RELATING TO THE TREATY BETWEEN THE UNITED STATES AND RUSSIA.

WHEREAS, In the treaty between the United States of America and the Government of Russia it is provided that the inhabitants of the respective countries shall mutually have the liberty of entering, sojourning, and residing in all ports of the respective territories of each other, and they shall enjoy to that effect the same security and protection as natives of the country wherein they reside; and

WHEREAS, The Government of Russia refused from time to time to recognize or honor the passports of the United States issued to and held by American citizens, on account that such citizens were of Jewish faith, and refused to permit the holders of such passports to sojourn or enter in the territory or the domain of the Russian Government solely on account of and because of their said religious faith; and

WHEREAS, After the Government of Russia persistently refused to visé American passports held by law-abiding American citizens, placing its refusal upon the ground that the holders of such passports were of Jewish faith, the House of Representatives of the United States of America on the twenty-first day of April, nineteen hundred and four, adopted a resolution in the following words:

"Resolved, That the President be requested to renew negotiations with the governments of countries where discrimination is made between American citizens on the ground of religious faith or belief to secure, by treaty or otherwise, uniformity of treatment and protection to American citizens holding passports duly issued by the authorities of the United States, in order that all American citizens shall have equal freedom of travel and sojourn in those countries without regard to race, creed, or religious faith"; and

WHEREAS, After the passage of such resolution, and in the year nineteen hundred and four, this Government duly communicated such resolution to the Russian Government, and then sought to secure from the Government of Russia such action as would end the discrimination made by Russia between different classes of American citizens on account of their religious faith in the honoring of American passports, to the end that all American citizens
holding our passports should have equal freedom of travel and sojourn without regard to race, creed, or religious faith; and

WHEREAS, The Government of Russia has persistently continued up to the present time to refuse to visé, recognize, or honor passports presented to its authorities issued by the American Government to American citizens on the ground that the holders thereof were of the Jewish faith: Therefore be it

Resolved, By the Senate and House of Representatives of the United States of America in Congress Assembled, That the President of the United States be, and is hereby, directed to renew negotiations with the Government of Russia to secure, by treaty or otherwise, uniformity of treatment and protection to American citizens holding passports duly issued by the authorities of the United States, in order that all American citizens shall have equal freedom of travel and sojourn in such country without regard to race, creed, or religious faith, and to demand and insist that the honoring or viséing of passports when duly issued and held by citizens of the United States shall not be withheld because or on account of the race, creed, or religious faith of their holders.

Sec. 2. That a copy of these resolutions be transmitted to the Russian Government with such demand and insistence, and that upon the failure of the Russian Government to abide by its treaty obligations with the Government of the United States, and to comply with said demand, the President of the United States shall give notice under and pursuant to article twelve of the treaty between the United States and the Emperor of all the Russias, ratified on the eleventh day of May, in the year eighteen hundred and thirty-three, of the intention of the United States to arrest the operation of said treaty, and thereupon, pursuant to such official notification and at the period fixed after giving such official notification under said article twelve, the said treaty and convention between the United States and Russia shall be deemed ended and determined.

This resolution was amended by the Committee on Foreign Affairs to read as follows:

WHEREAS, It is alleged that the Government of Russia has continued up to the present time to refuse to visé, recognize, or honor passports presented to its authorities issued by the American Government to American citizens on the ground that the holders thereof were of the Jewish faith: Therefore be it

Resolved, By the Senate and House of Representatives of the United States of America in Congress Assembled, That the President of the United States be, and is hereby, directed to renew negotiations with the Government of Russia to secure, by treaty
or otherwise, uniformity of treatment and protection to American citizens holding passports duly issued by the authorities of the United States, in order that all American citizens shall have equal freedom of travel and sojourn in such country without regard to race, creed, or religious faith, including a provision that the honoring or viséing of passports when duly issued and held by citizens of the United States shall not be withheld because or on account of the race, creed, or religious faith of their holders.

It was reported to the House on February 15, and on February 27, Representative A. J. Sabath of Illinois, made a speech favoring the passage of the resolution as originally introduced. On March 1, the resolution, as amended by the Committee on Foreign Affairs, was discussed by Messrs. Goldfogle, Harrison, Hitchcock of Nebraska, and Parsons of New York, and passed.

Though the additional data given below do not come strictly within the purview of this article, they are of significance as showing the trend of American opinion on the subject, and are therefore inserted in order to complete the record.

In September, 1905, at the conclusion of the peace negotiations between Japan and Russia, President Roosevelt wrote to Count Witte as follows:

OYSTER BAY, N. Y., September 10, 1905.

My dear Mr. Witte: I beg you to accept the accompanying photograph with my hearty regards.

I thank you heartily for the message you gave me from His Majesty announcing his generous purpose of interpreting the most favored nation clause hereafter so that America shall stand on an equality with other powers in this regard.

Will you, I pray, present to His Majesty my warm acknowledgments for this act?

In furtherance of our conversation of last evening I beg you to consider the question of granting passports to reputable American citizens of Jewish faith. I feel that if this could be done it would remove the last cause of irritation between the two nations whose historic friendship for one another I wish to do my best to main-
tain. You could always refuse to give a passport to any American citizen, Jew or Gentile, unless you were thoroughly satisfied that no detriment would come to Russia in granting it. But if your Government could only see its way clear to allowing reputable American citizens of Jewish faith, as to whose intentions they are satisfied, to come to Russia, just as you do reputable American Christians, I feel that it would be from every standpoint most fortunate.

Again assuring you of my high regard, and renewing my congratulations to you and to your country upon the peace that has been obtained, believe me,

Sincerely yours,

THEODORE ROOSEVELT.

During the last presidential campaign the passport question was frequently referred to. The clauses bearing on this subject inserted in the Democratic and Republican platforms were given in the last Year Book (pp. 140, 150). In his speech of acceptance delivered at Cincinnati on July 28, 1908, Mr. Taft expressed his views as follows:

The position which our country has won under Republican administrations before the world should inure to the benefit of everyone, even the humblest of those entitled to look to the American flag for protection, without regard to race, creed or color, and whether he is a citizen of the United States or of any of our dependencies. In some countries with which we are on friendly terms, distinctions are made in respect to the treatment of our citizens travelling abroad and having passports of our Executive, based on considerations that are repugnant to the principles of our Government and civilization. The Republican party and administration will continue to make every proper endeavor to secure the abolition of such distinctions, which in our eyes are both needless and opprobrious.

In a speech at Brooklyn, N. Y., on October 26, 1908, Mr. Taft said:

It is a pleasure to be here, for nowhere in America is there a greater spirit of freedom and a greater appreciation of American institutions than right here among the people who owe so much to our immigration laws. . . . People have asked what is the use of a great navy or a great army or of establishing wide for-
eign relations. That has been the Roosevelt policy. After the Spanish-American war we established foreign relations on behalf of the dependencies, and Mr. Roosevelt has since been able to exercise a greater power for peace than any other President or monarch. It seems to me we ought to give the term "American citizen" the proud significance that "Roman citizen" had in the days of Rome.

Therefore we should progress to the point where no matter in what part of the world an American citizen may be found his certificate of citizenship shall be all that is required to insure his respect and good treatment. Nothing, if I am elected President, will give me greater pleasure than to devise ways and means to make the American passport respected the world over. Don't misunderstand me. What I am promising is that every effort shall be made to this end.

Again, in a speech at the Thalia Theater, New York, on October 28, 1908, he said:

But that national prestige must be used not only for the benefit of the world at large, but for the benefit of our own citizenship, and therefore as we gain in international prestige we ought to assert our insistence that our passports certifying our citizenship should secure to every man, without regard to creed or race, the same treatment, the same equality of opportunity, in every nation on the globe. Now, this is not a matter with respect to which promises of immediate accomplishment can be made, but of this you can be certain that if you commend the administration of Theodore Roosevelt by electing a Republican administration to succeed his, that administration will continue to press that question until the certificate contained in an American passport shall have the effect that it ought to have.

Of great significance, also, was the letter addressed by Secretary Root to Mr. Jacob H. Schiff on October 19, 1908. After a statement of the reasons for acting favorably upon Pouren's application for a re-opening of his case, which had been decided adversely to him by Commissioner Shields, Secretary Root wrote:

The other matter relates to securing from the Russian Government equality of treatment for all American citizens who seek to enter Russia with passports, without regard to their creed or origin. Our Government has never varied in its insistence upon such
treatment, and this administration has repeatedly brought the matter to the attention of the Russian Government, and urged the making of a new treaty for the purpose of regulating the subject.

We have but very recently received an unfavorable reply to this proposal, and we have now communicated to Russia an expression of the desire of this Government for a complete revision and amendment of the treaty of 1832, which provides for reciprocal rights of residence and travel on the part of the citizens of the two countries. We have expressed our views that such a course would be preferable to the complete termination of the treaty, subjecting both countries to the possibility of being left without any reciprocal rights whatever, owing to the delay in the making of a new treaty.

The course which the Administration is following in this respect is the one which appears to us to be best calculated to attain the end desired, an end as to which I beg to assure you the Administration is in full and sympathetic agreement with you.

Taken in connection with the unceasing, but as yet fruitless, efforts of the Department of State (as recorded in the American Jewish Year Book for 5665), the resolutions of Congress might seem to present rather a counsel of futility than an augury of success. But we are scarcely warranted in accepting this view as the case stands at present. It is true that before the month of October, 1908, Russia had received the representations of our Government with coldness. But the decided stand then taken by Secretary Root, and the explicit utterances of Mr. (now President) Taft are much more likely to produce results than mere energetic remonstrances followed by supineness. Mr. Root’s significant allusion to a complete termination of the present treaty as a contingency to be avoided can scarcely be treated with indifference at St. Petersburg, nor is it likely that the Government of Russia will contemptuously disregard Mr. Taft’s earnest declarations.

An encouraging feature of the situation is that on June 15 last President Taft proclaimed an agreement between the
United States and Russia regulating the position of Corporations and other Commercial Associations. This agreement was signed at St. Petersburg on June 25/12, 1904, its ratification was advised by the Senate on May 6, 1909, and it was ratified by the President on June 7, 1909. Its proclamation, by the President on June 15, may fairly be taken as an indication that the negotiations on the Passport question are progressing satisfactorily, and that the hope is reasonable that the present administration will accomplish what was unattainable by its predecessors.
THE JEWISH COMMUNITY OF NEW YORK CITY

For some years the sentiment favoring the co-ordination of the Jewish religious, educational, and philanthropic organizations of New York City has been growing. New York Jewry had brought into existence great numbers of organizations, but had not succeeded in creating any one organization which might be regarded as representative of the whole community. Attempts at this had been made, notably by the Federation of Jewish Organizations and the United Hebrew Community, and by the formation of federations of Galician and Bukowinian, of Roumanian and Polish Jews. Also, many persons were desirous of dealing with New York's huge philanthropic problem by means of a federation of all the more important charitable institutions, and a step in this direction had been taken by the formation of the Council of Jewish Communal Institutions. All of this was indicative of the trend of public opinion. It had long been felt that the Jews of New York have specifically Jewish problems of a religious, educational, and philanthropic character, which have to be dealt with in a specifically Jewish manner; but hitherto the methods adopted had been inadequate, and the forces at command had not been even measurably investigated. Moreover, the lack of any organization which might speak authoritatively at a time when Jewish interests and rights might need to be publicly advocated, led to a loss in effectiveness and the infringement of rights which might properly be claimed.

The terrible Russian massacres of 1905 found no organization ready to meet the problem created thereby, and the
formation of a temporary organization was necessary. This led to a crystallization of the sentiment, which had been growing for years, that an organization representative of the Jews of the whole country should be formed. This and other causes led to the creation of the American Jewish Committee in November, 1906. Similarly, when unwarranted charges of criminality were made against New York Jews in the fall of 1908, it was found difficult to present the facts to the public in their proper light. This gave rise in October, 1908, to the feeling that a more effective organization of New York's Jewish forces should be attempted. A first step in that direction was taken by a call for a conference of delegates of various organizations to meet in Clinton Hall on October 11, 1908. This conference met on that and the succeeding day, and led to the appointment of a committee of twenty-five with authority to consult with other organizations, looking to the creation of what might be known as the Jewish Community of New York City. This committee immediately entered into relations with the New York members of the American Jewish Committee for the purpose of co-operation with that committee for the reason that they had interests in common, and the American Jewish Committee had a considerable local membership representative of the various classes of New York Jewry. Furthermore, inasmuch as the American Jewish Committee was a national organization, the Jewish Community of New York City, if combined with it, would have a voice in shaping not only local policies but the policy of Jewry throughout the land.

Numerous conferences were held during the fall and winter of 1908-1909, and as a result of these conferences a tentative
constitution was agreed upon. In the meantime, the American Jewish Committee, at its annual meeting on November 8, had placed before it a memorandum establishing the relations between the proposed community and the American Jewish Committee, which was adopted as follows:

On the conditions hereinafter specified, a call for the formation of a Jewish Community of the City of New York shall be issued, which is to be signed by a committee of twenty-five of the proposed new organization, and by the New York members of the American Jewish Committee. These conditions are:

1. It is expressly understood that the American Jewish Committee shall have exclusive jurisdiction over all questions of a national or international character affecting the Jews generally.

2. The membership of the American Jewish Committee is to be increased, so that the Twelfth District shall have allotted to it twenty-five members.

3. These twenty-five members are to be elected by the Jewish Community of New York City in such manner as it shall determine by proper by-laws, it being understood that citizenship of the United States is one of the qualifications for membership of the American Jewish Committee.

4. These twenty-five members of the American Jewish Committee shall at the same time constitute the Executive Committee of the Community.

5. As such Executive Committee, they shall have jurisdiction over all questions of a local character, or which shall specifically affect the New York Community itself, subject, however, to the right of any two members of such Executive Committee who shall be members of the Executive Committee of the American Jewish Committee, to appeal to the latter from any action determined upon, if they shall certify that in their opinion the action proposed to be taken shall trench upon the jurisdiction of the American Jewish Committee, in which event a special meeting of the Executive Committee of the latter shall be held within ten days to consider such appeal. All action by the New York Community as to the subject matter of the appeal shall be suspended until the decision of such appeal, which decision shall be final.

6. It shall not be within the province of any member of the Executive Committee of the American Jewish Committee chosen from any other district, to take such appeal or to interfere with the action of the New York community.
In pursuance of the determination reached by the conference, on February 10, 1909, a call for a convention to be held on February 27, was issued in part as follows:

... The Constituent Convention of the "Jewish Community of New York City" will be held at the Hebrew Charities Building, No. 356 Second Avenue, at 8 o'clock in the evening of Saturday, February 27, 1909, for the purposes of organization, the adoption of a Constitution, and the election of an Executive Committee and other officers.

The need for the unification of the various elements of the Jewish population of New York, which has reached the aggregate of almost a million persons, and of bringing about harmony and a proper sense of solidarity in place of the deplorable conditions which now exist, has been recognized by all thoughtful men. The problems affecting the Jewish community are many. They concern their external and internal relations, their rights and duties, their material and their spiritual growth.

Attempts by individuals, whoever they may be, or by small groups, however constituted, to deal with these constantly recurring problems, so long as they undertake to act without a mandate from the masses, whose welfare is involved in the solution, must from the nature of things prove inadequate.

You are, therefore, earnestly requested to send to the convention delegates to the number to which your organization is entitled under the allotment hereinafter specified, and to issue to them credentials.

1. Every incorporated Synagogue with not less than 50 nor more than 250 contributing members or seatholders—one delegate. For every additional 250 contributing members or seatholders or fraction thereof—one delegate. Incorporated Synagogues with less than 50 contributing members or seatholders may unite for purposes of election on the above basis.

2. Every local Federation of Jewish Societies, one delegate for every ten constituent incorporated Societies; provided, however, that the Council of Jewish Communal Institutions shall have one delegate for every 1500 members represented by it.

3. Every incorporated Jewish Society or Lodge, in sympathy with the objects of the Community, with not less than 100 members, and not affiliated with any local Federation under paragraph 2 above, one delegate, and one additional delegate for each additional 1500 members. Societies with less than 100 members may unite for purposes of election on the above basis. Junior and Auxiliary Societies shall not be represented.
4. Societies of Rabbis, Cantors, and Social Workers, and Faculties of Jewish Colleges—one delegate each.

5. No person shall be eligible as a delegate unless he be an American citizen.


For the Clinton Hall Conference: Joseph Barondess, Gedaljah Bublick, Samuel Dorf, Dr. H. J. Epstein, Harry Fischel, Rabbi S. Jaffe, N. Lamport, Dr. J. L. Magnes, U. Marcus, Rabbi S. Margolies, Rev. H. Masliansky, Louis Miller, Leon Moisseiff, Dr. S. Mosessohn, Dr. M. Moskievitz, Dr. S. Neumann, David Pinski, Dr. A. Radin, Judge Otto S. Rosalsky, Prof. S. Schechter, Abraham S. Schomer, Bernard Semel, Dr. P. S. Siegelstein, Dr. Jos. Silverman.

On February 27, 1909, some three hundred delegates, representing 222 societies, as follows, came together:

- Synagogues ........................................ 74
- Charitable Societies .............................. 18
- Mutual Benefit Societies ......................... 42
- Lodges ............................................... 40
- Educational Societies ............................ 12
- Communal Federations ............................. 9
- Literary, Musical, etc. .......................... 9
- Zionist Societies .................................. 9
- Religious Societies ............................... 9

But this number, 222, does not at all represent the total number of societies which sent delegates, because federations of societies were allowed only one delegate for every ten constituent societies, and it is therefore safe to assume that fully 500 organizations of various kinds were represented. The convention was called to order by Dr. J. L. Magnes, who was elected chairman, and who opened the proceedings by delivering an address outlining the reasons for the calling of the convention and the purposes that the contemplated organization might subserve. The convention held sessions on February 27, 28; March 6, 27, and April 10; adopted a con-
stitution and elected an executive committee, as follows: Abraham Abraham, Joseph Barondess, Nathan Bijur, Benjamin Blumenthal, Joseph H. Cohen, Samuel Dorf, Bernard Drachman, Harry Fischel, Daniel Guggenheim, Samuel B. Hamburger, M. Jarmulowski, Leon Kamaiky, Philip Klein, Nathan Lamport, J. L. Magnes, M. Margolies, Louis Marshall, H. P. Mendes, S. Neumann, Jacob H. Schiff, Bernard Semel, P. A. Siegelstein, Joseph Silverman, Isidor Straus, Cyrus L. Sulzberger, and an advisory council. As will be seen, the purposes of the Community are as follows: “To further the cause of Judaism in New York City, and to represent the Jews of this city with respect to all local matters of Jewish interest.”

In order that the Community might not be diverted from its proper work, it was determined to embody in the constitution the proviso that no propaganda of a partisan political nature should be engaged in, and at the convention it was further resolved, though not made part of the constitution, that no person holding a political office shall be eligible for membership on the Executive Committee, and that upon the election of a member of the Executive Committee to a political office, his membership on the Executive Committee shall, ipso facto, cease.

The annual meeting of the Community is to be held during the Succoth week. The relationship to the American Jewish Committee is established in Paragraph five, from which it will be seen that the 25 members of the Executive Committee of the Community are the New York City members of the American Jewish Committee. While the autonomy of the Jewish Community is fully safeguarded, the American
Jewish Committee is recognized as the organization which shall deal with affairs other than those of a local character.

The first meeting of the executive committee of the Community was held on April 17, and elected the following officers:

Chairman, Dr. J. L. Magnes; Vice-Chairman, Joseph H. Cohen; Treasurer, Harry Fischel; Secretary, Bernard G. Richards.

Standing committees as follows were appointed: On religious organization, Jewish education, Sabbath observance, social and philanthropic work, propaganda, finance, and program of further work.

The first meeting of the Advisory Council was held on May 9, 1909, and organized by the election of the following officers:

Chairman, Rev. Mordecai M. Kaplan; Vice-Chairman, Louis S. Posner; Honorary Secretary, Dr. Hyman J. Epstein.

CONSTITUTION

I. NAME

The name of this organization shall be the Jewish Community of New York City.

II. PURPOSE

The purpose of the Jewish Community of New York City shall be to further the cause of Judaism in New York City, and to represent the Jews of this city with respect to all local matters of Jewish interest.

This organization shall not engage in any propaganda of a partisan political nature, or interfere with the autonomy of a constituent organization.
III. Membership

The Jewish Community of New York City shall be constituted in the following manner from among the Jewish organizations and societies of New York City.

1. Every incorporated Synagogue with not less than 50 nor more than 250 contributing members or seatholders—one delegate. For every additional 250 contributing members or seatholders or fraction thereof—one delegate.

Incorporated Synagogues with less than 50 contributing members or seatholders may unite for purposes of election on the above basis.

2. Every incorporated local Federation of Jewish Societies—one delegate for every ten constituent societies.

3. Every incorporated Jewish Society, or chartered Lodge, in sympathy with the objects of the Community, with not less than 100 members, and not affiliated with any local federation, under paragraph 2 above, one delegate, and one additional delegate for each additional 1500 members.

Such Societies with less than 100 members may unite for purposes of election on the above basis.

Junior and Auxiliary Societies shall not be represented.

4. Societies of Rabbis, Cantors or Social Workers, and Faculties of Jewish Colleges—one delegate each.

5. No organization shall have representation in this Community, unless it shall have been established at least one year before the date of the application for representation; except federations of such societies as have been in existence for over a year.

6. The Executive Committee of the Community shall have the power to decide on the eligibility of organizations and delegates; subject, however, to the right of any organization
or delegate to appeal to the convention from the decision of the Executive Committee.

7. No person shall be eligible as a delegate unless he be an American citizen.

8. Delegates shall be chosen for one year and shall serve until their successors are elected.

9. Political organizations shall not be eligible for membership.

IV. MEETINGS AND OFFICERS

1. At the first meeting of the Jewish Community of New York City, there shall be elected an Executive Committee of twenty-five, and at each annual meeting thereafter, five members shall be elected for a term of five years each. Immediately after the first meeting, the Executive Committee shall divide itself by lot into five classes of five members each, to hold office for one, two, three, four and five years, respectively.

2. The annual meetings of the Jewish Community of New York City shall be held during Succoth Week, unless the Executive Committee at their discretion determine otherwise.

3. An Advisory Council of Seventy shall be elected at the annual meeting of the Community, who shall serve for one year and until their successors are chosen. They shall aid with their advice and co-operation the Executive Committee from time to time.

V. RELATIONSHIP TO THE AMERICAN JEWISH COMMITTEE

1. The twenty-five members elected by the Jewish Community of New York City as the Executive Committee thereof, shall at the same time constitute District XII of the American Jewish Committee.
2. The American Jewish Committee shall have exclusive jurisdiction over all questions affecting the Jews generally, not of a purely local character.

3. The Executive Committee of the Jewish Community of New York City shall have jurisdiction over all questions of a local character, or which shall specifically affect the New York Community itself, subject, however, to the right of any two members of the Executive Committee, who shall at the same time be members of the Executive Committee of the American Jewish Committee, to appeal to the latter from any action determined upon, if they shall certify that in their opinion the action proposed to be taken shall infringe upon the jurisdiction of the American Jewish Committee, in which event a special meeting of the Executive Committee of the latter shall be held within ten days to consider such appeal. All action by the New York Community as to the subject matter of the appeal shall be suspended until the decision of the appeal, which decision shall be final.

4. It shall not be within the province of any member of the Executive Committee of the American Jewish Committee chosen from any other district, to take such appeal or to interfere with the action of the New York Community.

5. Any person, who shall have been elected a member of the American Jewish Committee, shall continue to complete his term of office in that Committee, and as *ex-officio* member of the Executive Committee of the Community of New York City, notwithstanding the fact that he may not have been re-elected a delegate.

VI. DUES

Each organization shall pay dues of five dollars ($5) per annum per delegate, and any deficiency shall be covered by
an assessment upon the constituent societies in proportion to their representation, such additional assessment in no year to exceed five dollars ($5) per delegate.

VII. SPECIAL MEETINGS

Special meetings shall be held upon written request of one-fourth of the delegates of the Community, or may be called by the Executive Committee of its own motion.

VIII. QUORUMS

1. One-fourth of the total number of delegates shall constitute a quorum for the transaction of business at a meeting of the Community.

2. Eleven members of the Executive Committee shall constitute a quorum for the transaction of business at a meeting of the Executive Committee.

IX. AMENDMENTS

This Constitution may be amended by the vote of two-thirds of the delegates at any meeting, provided that three months' previous notice of any proposed amendment be submitted to the constituent organizations, and provided that in no event shall any amendment be made to Article V, without the concurrence of the American Jewish Committee.