NINETEENTH ANNUAL REPORT OF THE
AMERICAN JEWISH COMMITTEE

OFFICERS AND EXECUTIVE COMMITTEE

Officers

President, LOUIS MARSHALL
VICE-PRESIDENTS
CYRUS ADLER
JULIUS ROSENWALD
TREASURER, ISAAC M. ULLMAN

Executive Committee

JAMES BECKER (1928) ............................... Chicago, Ill.
DAVID M. BRESSLER (1928) ......................... New York, N. Y.
LEO M. BROWN (1929) ............................... Mobile, Ala.
ABEL DAVIS (1929) ................................. Chicago, Ill.
ABRAM I. ELKUS (1928) ....................... New York, N. Y.
PAUL L. FEISS (1927) .............................. Cleveland, O.
ELI FRANK (1928) ................................. Baltimore, Md.
FELIX FULD (1927) ................................. Newark, N. J.
MAX J. KOHLER (1929) ............................. New York, N. Y.
ALBERT D. LASKER (1928) ......................... Chicago, Ill.
IRVING LEHMAN (1929) ............................ New York, N. Y.
LOUIS MARSHALL (1929) ........................... New York, N. Y.
A. C. RATSHESKY (1929) ......................... Boston, Mass.
MILTON J. ROSENAU (1929) ....................... Boston, Mass.
JULIUS ROSENWALD (1927) ....................... Chicago, Ill.
*OSCAR S. STRAUS (1927) ......................... New York, N. Y.
LEWIS L. STRAUSS (1927) ........................ New York, N. Y.
CYRUS L. SULZBERGER (1927) .................... New York, N. Y.
ISAAC M. ULLMAN (1929) ....................... New Haven, Conn.

Assistant Secretary

HARRY SCHNEIDEMANN, 171 Madison Ave., N. E. Cor. 33rd St.,
New York City.

Cable Address, "WISHCOM, New York."

*Deceased 429
MEMBERS AND DISTRICTS


DIST. II: ALABAMA, MISSISSIPPI, TENNESSEE. 3 members: Moses V. Joseph, Birmingham, Ala. (1928); Ben H. Stein, Vicksburg, Miss. (1930); Nathan Cohn, Nashville, Tenn. (1928).

DIST. III: ARIZONA, LOUISIANA, NEW MEXICO, OKLAHOMA, TEXAS. 6 members: Barnett E. Marks, Phoenix, Ariz. (1929); Max Heller, New Orleans, La. (1929); Ivan Grunsfeld, Albuquerque, N. Mex. (1928); Marion M. Travis, Tulsa, Okla. (1927); Isaac H. Kempner, Galveston, Tex. (1926); J. K. Hexter, Dallas, Tex. (1928).

DIST. IV: ARKANSAS, COLORADO, KANSAS, MISSOURI. 6 members: Chas. Jacobson, Little Rock, Ark. (1929); C. D. Spivak, Denver, Colo. (1928); Henry Wallenstein, Wichita, Kan. (1928); Simon Binswanger, St. Joseph, Mo. (1927); Aaron Waldheim, St. Louis, Mo. (1926); A. C. Wormser, Kansas City, Mo. (1929).

DIST. V: CALIFORNIA, IDAHO, NEVADA, OREGON, UTAH, WASHINGTON. 8 members: Louis M. Cole, Los Angeles, Cal. (1928); Max C. Sloss, San Francisco, Cal. (1926); Ben Selling, Portland, Ore. (1927); Daniel Alexander, Salt Lake City, Utah (1928); Emanuel Rosenberg, Seattle, Wash. (1929).

DIST. VI: IOWA, MICHIGAN, MINNESOTA, MONTANA, NEBRASKA, North Dakota, South Dakota, Wisconsin, Wyoming. 13 members: David A. Brown, Detroit, Mich. (1926); Henry M. Butzel, Detroit, Mich. (1929); Meyer S. May, Grand Rapids, Mich. (1926); Joseph H. Schanfeld, Minneapolis, Minn. (1930); Isaac Summerfield, St. Paul, Minn. (1927); Harry A. Wolf, Omaha, Neb. (1929); D. M. Naftalin, Fargo, N. D. (1929); David B. Eisendrath, Racine, Wis. (1928); Nat Stone, Milwaukee, Wis. (1927).

DIST. VII: ILLINOIS. 8 members: James David (1929); M. E. Greenebaum (1928); B. Horwich (1927); Julian W. Mack (1928); Julius Rosenwald (1930); Joseph Stolz, Chicago, Ill. (1929); W. B. Woolner, Peoria, Ill. (1926).
DIST. VIII: INDIANA, KENTUCKY, OHIO, WEST VIRGINIA. 11 members: Samuel E. Rauh, Indianapolis, Ind. (1930); Sol S. Kiser, Indianapolis, Ind. (1929); Isaac W. Bernheim, Louisville, Ky. (1927); Samuel Ach, Cincinnati, O. (1929); Edward M. Baker, Cleveland, O. (1928); David Philipson, Cincinnati, O. (1929); Sigmond Sanger, Toledo, O. (1928); Paul L. Feiss, Cleveland, O. (1927); D. A. Huebsch, Cleveland, O. (1926); Louis Horkheimer, Wheeling, W. Va. (1930).

DIST. IX: CITY OF PHILADELPHIA. 6 members: Cyrus Adler (1928); Wm. Gerstley (1929); B. L. Levinthal (1930); M. Rosenbaum (1930), Morris Wolf (1928).


DIST. XII: NEW YORK CITY. 31 members: Isaac Allen (1926); Benjamin Altheimer (1929); Herman Bernstein (1926); Nathan Bijur (1930); David M. Bressler (1928); Elias A. Cohen (1927); Abram I. Elkus (1920); H. G. Enelow (1930); William Fischman (1930); Lee K. Frankel (1928); Henry M. Goldfogle (1929); Maurice H. Harris (1928); Max J. Kohler (1929); Jacob Kohn (1926); Irving Lehman (1927); Adolph Lewisohn (1930); William Liebermann (1929); Judah L.
Magnes (1930); Louis Marshall (1930); Alexander Marx (1926); Edgar J. Nathan (1928); A. E. Rothstein (1926); S. Rottenberg (1929); Bernard Semel (1929); Joseph Silverman (1927); I. M. Stettenheim (1927); Oscar S. Straus (1929); Lewis L. Strauss, Jr. (1927); Cyrus L. Sulzberger (1926); Israel Unterberg (1928); Felix M. Warburg (1928).


Dist. XIV: New Jersey and Pennsylvania (exclusive of Philadelphia). 17 members: Milton M. Adler, Newark, N. J. (1927); Isaac Alpern, Perth Amboy, N. J. (1927); A. J. Dimond, East Orange, N. J. (1928); Felix Fuld, Newark, N. J. (1928); David Holzner, Trenton N. J. (1930); William Newcorn, Plainfield, N. J. (1929); Joseph B. Perskie, Atlantic City, N. J. (1926); B. S. Pollak, Newark, N. J. (1928); Lewis Straus, Newark, N. J. (1927); Frederick Jay, Newark, N. J. (1928); Isaac W. Frank, Pittsburgh, Pa. (1927); William Harris, Allentown, Pa. (1930); A. L. Luria, Reading, Pa. (1928); Isaiah Scheeline, Altoona, Pa. (1929); Isador Sobel, Erie, Pa. (1926); A. J. Sunstein, Pittsburgh, Pa. (1927); A. Leo Weil, Pittsburgh, Pa. (1929).


Delegates from National Jewish Organizations
American Jewish Historical Society, A. S. W. Rosenbach; Council of Jewish Women, Miss Rose Brenner and Mrs. Harry Sternberger; Federation of Hungarian Jews in America, Samuel Bettelheim and Samuel Buchler; Hadassah, Miss Alice L. Seligsberg; Hebrew Shel-
The Nineteenth Annual Meeting of the American Jewish Committee was held at the Hotel Astor, New York City, on Sunday, November 8, 1925. Louis Marshall, Esq., presided, and the following were present:

District
VII. James Davis, Julian W. Mack, Julius Rosenwald, of Chicago.
IX. Cyrus Adler, Wm. Gerstley, B. L. Levinthal, M. Rosenbaum, of Philadelphia.
XI. Jacob Asher, Worcester; Edward M. Chase, Manchester; Henry Lasker, Springfield; David A. Lourie, Boston; A. C. Ratshesky, Boston; Archibald Silverman, Providence; Isaac M. Ullman, New Haven; Felix Vorenberg, Boston; Isidore Wise, Hartford.
XIII. Moses F. Aufsessàr, Albany; Simon Fleischmann, Buffalo; Benjamin Stolz, Syracuse.
XIV. Milton M. Adler, Newark; A. J. Dimond, East Orange; Felix Fuld, Newark; Frederick Jay, Newark; Lewis Strauss, Newark.

Delegates from Organizations:
Council of Jewish Women: Mrs. Leo H. Herz, Mrs. Estelle M. Sternberger, New York City.
Federation of Hungarian Jews in America: Samuel Bettelheim, New York City.
Hebrew Sheltering and Immigrant Aid Society of America: John L. Bernstein, Harry Fischel, Leon Kamaiky, Albert Rosenblatt, New York City.
Independent Order Free Sons of Israel: Solon J. Liebeskind, New York City.
Women's League of the United Synagogue of America: Mrs. Charles I. Hoffman, Newark.

Appointment of Committees

The President appointed the following Committees:
On Auditing the Accounts of the Treasurer—Benjamin Stolz, Edward M. Chase, and Morris Rosenbaum.
On Press—Herman Bernstein and Victor Rosewater.
Tellers—James Davis and Archibald Silverman.
ACTION ON THE REPORT OF THE EXECUTIVE COMMITTEE

The Executive Committee presented its report for the past year. In moving its adoption, Mr. Rosenwald thanked the President for his untiring activity and unselfish devotion to the cause for which the Committee stands.

Mr. Max J. Kohler discussed various immigration test cases in which he had been associated with Mr. Marshall as counsel, and called attention to the fact that a new naturalization code was being prepared in the Bureau of Naturalization.

Judge Julian W. Mack pointed out that much remains to be done to bring about the complete political and civil equality of the Jews in some of the countries in Eastern Europe, and that, although the so-called Polish-Jewish agreement had been announced last June, not a single provision of it had been put into effect.

Mr. Solomon Sufrin, on behalf of the Union of Roumanian Jews, thanked the President for having delivered, several months before, an address at the convention of that body, and stated that the address had evoked in the press of Roumania much comment which was having a good effect.

Doctor Cyrus Adler moved the acceptance of the report, and the adoption of the recommendation therein contained. The motion was carried unanimously.

NEW BUSINESS

Mr. Elias A. Cohen suggested that among the standing committees to be appointed there be one on Jewish education, which would undertake to make a survey of existing needs and facilities; he offered to make a contribution of $2,500
toward defraying the expenses of such a survey. Doctor Adler pointed out that the Bureau of Jewish Social Research had been asked by the United States Bureau of the Census to coöperate in the decennial census of religious bodies in 1926, and that a survey of Jewish education may conveniently be made in connection with this.

Upon motion, the Executive Committee was authorized to draft a resolution urging the early consideration by the United States Senate of resolutions now before it looking to the adhesion of the United States to the Permanent Court of International Justice (the World Court).

**Elections**

The Committee on Nominations made the following recommendations:

For Officers:


Vice-Presidents: Cyrus Adler and Julius Rosenwald.

Treasurer: Isaac M. Ullman.

For Members of the Executive Committee to serve for three years from January 1, 1926:

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<th>Leo M. Brown</th>
<th>Louis Marshall</th>
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<td>Abel Davis</td>
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<td>Max J. Kohler</td>
<td>Milton J. Rosenau</td>
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<tr>
<td>Irving Lehman</td>
<td>Isaac M. Ullman</td>
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There being no other nominations, the Assistant Secretary was requested to cast one ballot for the nominees of the Committee on Nominations, which he did, and announced the election of the several nominees.
The Assistant Secretary was requested to cast one ballot for the nominees for Membership-at-Large nominated by the Executive Committee in its Annual Report, which he did, and announced the election of the several nominees.

REPORT OF TELLERS

The tellers reported that they had canvassed the ballots cast for District Members, and that the following, who received a plurality of the votes cast, were elected to Membership:

District

II. Ben H. Stein, Vicksburg, Miss., to succeed Levi Rothenberg for term expiring 1930.

VI. Joseph H. Schanfeld, Minneapolis, Minn., re-elected for term expiring 1930.

VII. Julius Rosenwald, Chicago, Ill., re-elected for term expiring 1930.


IX. B. L. Levinthal and Morris Rosenbaum, of Philadelphia, Pa., re-elected for term expiring 1930.


XIII. Simon Fleischmann, Buffalo, N. Y., re-elected for term expiring 1930.


The Committee on Auditing the Accounts of the Treasurer reported that it had duly audited these accounts and found them to be correct.

To the Members of the American Jewish Committee:

The Executive Committee begs leave to submit the following report of the matters which engaged its attention during the past year:

A. DOMESTIC ACTIVITIES

I. IMMIGRATION AND NATURALIZATION

At the annual meeting a year ago, the Executive Committee reported that its chief concern during the preceding twelve-month had been with the question of immigration. Three phases of that question had been dealt with, namely, (1) the hardships to which certain immigrants had been subjected as a result of the imperfection of the former quota law, in force since July, 1921; (2) proposed new legislation in Congress; and (3) the plight of the emigrants who were stranded at various ports and emigration centers because the reduction of the quotas from their countries under the new
law of 1924 had taken effect so suddenly that they could not proceed to the United States although they had entered upon their journey in good faith and upon the basis of the visas of American Consuls.

During the past year, the Executive Committee continued to give attention to all these phases of the immigration question. In pursuance of the resolution adopted at the last Annual Meeting that the Executive Committee take steps to secure Congressional action for the relief of the stranded emigrants, the Committee gave its active support to resolutions for such relief introduced at the last session of the Sixty-seventh Congress in the Senate by the Honorable Royal S. Copeland, and in the House of Representatives by the Honorable Nathaniel D. Perlman. Owing, however, partly to the shortness of the session and partly to the unfriendly attitude toward immigration which has prevailed in Congress for the past five or six years, these measures were not reported for discussion in either House, although there was a full hearing before the House Committee in which representatives of your committee actively participated.

In the meantime, the Emergency Committee for Jewish Refugees of which the President of this Committee is the chairman, did not wait for the outcome of the attempt to secure relief by Congressional action. The Emergency Committee which, you will recall, is composed of representatives of a number of the national Jewish organizations of the country including this Committee, continued to study the problem and to take steps looking toward its solution through various channels, such as the repatriation of refugees able to return to the countries of their origin, the distribution of those who wished to proceed to other ports
where they could be lawfully admitted, and the assistance of those who were permitted to remain in the countries of their temporary sojourn. The Jewish community of Canada having secured permission for the admission of 5,000 refugees on the condition that guaranties be given that they would not become public charges, the Emergency Committee agreed to contribute toward the maintenance of these refugees until they might become self-supporting. After an expert investigation of the condition and needs of the five thousand refugees who had been induced by the agents of steamship companies to migrate to Cuba, where unfavorable economic and climatic conditions had caused intense suffering, the Emergency Committee made an appropriation for extending to them social, religious and financial aid with a view to enabling them to obtain a firm foothold in the country and to become there self-sustaining citizens. A similar investigation was made in Mexico, where several hundred Jewish immigrants are entering every month. A report of the results of this survey has been prepared.

The most acute phase of the refugee problem, however, was presented by the five or six thousand refugees stranded at ports of embarkation, unable to go forward or to retreat. During the past summer an agreement was entered into in Paris between the Emergency Committee, the officers of the ICA (Jewish Colonization Association) and the Emigdirekt, representing the Hebrew Sheltering and Immigrant Aid Society of the United States, and the immigrant aid committee of the Jewish World Relief Conference, by which the three organizations are jointly to assist these refugees to remove to various countries in which they may be able to
make permanent homes. It was agreed that the three organizations should furnish $425,000 for this work, the Emergency Committee's share of this amount being 80 per cent. An Evacuation Committee composed of three representatives of each of the cooperating organizations is to be responsible for the relief work, and it is explicitly provided for in the memorandum signed by the three organizations that nothing shall be done by the Evacuation Committee for the relief of the stranded emigrants which shall be other than in strict conformity with the laws of the countries to which these refugees may be transported.

The Emergency Committee believes that through these various channels, the distressing problems created, to a great extent, by the closing of the doors of the United States, are being met and solved.

In the meantime, evidence as to the unscientific character of the quota basis of restriction is accumulating. Last year reference was made to the findings of Doctor Raymond Pearl of Johns Hopkins University, based upon the Census report on "Paupers in Almshouses: 1923," showing that 55 per cent of the foreign-born white paupers in almshouses on January 1, 1923, came from three of the countries favored by the new immigration law, Ireland (26.2%), Germany (20.8%), and England (8.0%); whereas only 4.4% came from Poland, 2.2% from Russia and 3.1% from Italy.

More recently, there has appeared further evidence pointing to a similar conclusion. In a Public Health Bulletin issued by the United States Public Health Service of the Treasury Department during the present year, and entitled "Mental Hygiene with Special Reference to the Migration of People," there is given an analysis of the condition of
some 68,000 persons admitted into 62 hospitals in 21 States. In his general conclusion, the writer of the report, Doctor Walter L. Treadway, Surgeon, United States Health Service, says:

"Even with all these factors the comparative position of the races of Europe debarred because of mental disease may indicate certain general differences in the kind of immigrants arriving. However, it certainly does not indicate the superiority of one racial group over another, but it does suggest that northern and western European immigrants have, during the past 20 years, shown a higher proportion of mental diseases among those seeking admission to the United States. The problem of fairly selecting our immigration from Europe and restricting the social groups may rest better upon individual selection than upon racial or national group selection."

In its report last year, the Executive Committee stated that it had found many evidences that the anti-alien prejudice might lead to the introduction of legislation humiliating to the self-respect of immigrants and damaging to their interests. We referred then to the possibility of the introduction in Congress of a bill for the universal registration of aliens, a measure which had received the condemnation of many organizations whose work brings them into frequent and close contact with immigrants. A measure with this end in view was introduced at the last session of Congress, which convened in December, 1924, but because of the shortness of the season, it did not come up for a vote. Since then, the American Federation of Labor, at its recent convention, has declared its vigorous disapproval of the bill.

Another bill, which is perhaps even more vicious and dangerous, containing as it does potentialities for harm to tens of thousands of aliens, was the so-called Deportation Bill which was introduced at the last session of Congress.
This bill sought to remove all time limitations for the deportation of aliens, and to provide that at any time after entering the United States, whether entry was before or after the enactment of the measure, certain classes of aliens were to be summarily deported. Among these classes were to be aliens who are illiterate or who become public charges, or feebleminded, or sufferers from so-called "constitutional psychopathic inferiority," unless they could prove that these disabilities were due to causes which arose subsequent to their entry in the United States, or who are convicted of an offense for which they are sentenced to imprisonment for a year or more, or who, it is discovered, were convicted of or admit having committed, prior to their entry, an offense involving moral turpitude.

In other words, if an alien, who fails to become naturalized, gives ten or fifteen or even twenty-five years of his life to the industries of the country, and then becomes disabled and is regarded as likely to become a public charge, he is subject to deportation unless he can show affirmatively that the cause of his misfortune arose subsequent to his arrival. Furthermore, under our laws, one who commits any crime but murder, cannot be indicted for the same after a lapse of three years. Yet should it be discovered that an immigrant—no matter how long he has been in this country—had when a child before his arrival here committed a minor offense for which he may or may not have been punished abroad, he would, if such a law is passed, be subject to banishment. He may have married an American wife, and reared a family of American children, yet he may nevertheless be deported.

Another fundamental objection to this proposed legislation is to be found in the general scheme which permits an
immigration inspector to arrest any immigrant who is claimed to be deportable for any reason and to determine as to whether or not the person proceeded against shall be deported. There is no provision for an appeal from his determination to the Secretary of Labor. There is no requirement that the person arrested shall be brought before a court, in order that it may determine whether he shall be deported. Apparently it is intended to make the decision of such inspector final and conclusive. This confers upon him the most arbitrary and despotic power. He is not restrained in his action by the consciousness that his decision is subject to review by a higher authority. The immigration inspectors are not chosen for the purpose of performing judicial duties. They are not qualified to deal with the delicate questions which may arise in such cases. They would not be deterred by the rules of evidence administered by the courts. They occupy the inconsistent position of being accuser, custodian of the person of the immigrant, and at the same time the judge who is the arbiter of the fate of the person proceeded against.

There are other serious objections to this legislation, which in every sense of the word is inequitable and unjust, and, therefore, un-American. It is awful to contemplate that one whose sole dereliction has been a desire to come to this country and who has carried out that design, is, because claimed to belong to one of the classes excluded by law from admission to the United States, to be regarded as having committed an offense punishable for all eternity, one which the lapse of time will not mitigate or alleviate, and which, like the sword of Damocles, may fall at any instant, however remote in time from the date of entry into the United States.
Under the terms of this bill it is immaterial whether he was entirely free from fraud, deceit and misrepresentation. He may have been passed by immigration inspectors and physicians in due course, who acted in good faith and honestly believed that he should be admitted. He may have been admitted in consequence of an appeal to the Secretary of Labor, or to his predecessor, the Secretary of Commerce and Labor. A court may have adjudged that he was entitled to admission. Yet if it is charged by an immigration inspector fifteen or twenty years after his entry, that a mistake was made or that the immigrant should not have been admitted, or that he might have been excluded under the then existing law, a decree of exile may be pronounced by an immigration inspector and carried into effect, without anybody to say him nay.

All good citizens must approve of the deportation of unfit, vicious, or criminal aliens, but this bill was certain to enmesh in its coils the innocent and worthy men and women who had lived here for years, removing every protective provision which the law affords to the most hardened malefactor. Your Committee foresaw the manifold possibilities for oppression, blackmail, and corruption inherent in this cruel and inhuman project and spared no effort to defeat it. Determined efforts were made to press it to passage, and suggestions were even made by those who were bent on its enactment to consent to the passage of a joint resolution admitting a thousand of the stranded immigrants, if opposition to the deportation measure were withdrawn, but the offer was unhesitatingly rejected, and the attempt to force the bill through Congress during the last days of the session met with failure.
During the past year a number of serious questions arose in consequence of the harsh interpretation given by the Department of Labor to the Immigration Law of 1924. A proper conception of this state of mind becomes apparent from the following letter to the Secretary of Labor:

October 11, 1924.

MY DEAR MR. SECRETARY:

As you know, I am very much interested in the administration of the immigration laws and in the welfare of those who desire to come to this country in conformity with our laws and who are worthy of admission. I have given much time and thought to the problems from time to time arising with respect to immigration and have appeared before various Congressional committees and before the courts in efforts to aid in their solution. I may add that I have never accepted a fee for any service that I have rendered in this connection.

My attention has been called recently to the case of the wife and children of Rabbi Jacob Shevelovitz, who resides at No. 194 Union Avenue, Long Branch, N. J. I know him to be a man of high character and ability, one who is sure to exercise a potent and beneficent influence in his chosen vocation. He arrived in this country a little more than a year ago and has ever since been functioning as a minister of a Jewish congregation at Long Branch. He came from Riga, where for many years he had been serving as an influential rabbi. He came to the United States solely for the purpose of continuing to act as a minister of religion. As soon as he was settled he planned to make arrangements to bring his wife and unmarried children under eighteen years of age to this country. He was, however, confronted by the provisions of Section 2 (d) of the Quota Law of 1921, which, though permitting ministers of any religious denomination to enter the United States regardless of the quota provisions of that law, contained no explicit enactment with regard to the admission of the families of such persons. He also learned of the case of the Commissioner of Immigration v. Gottlieb, which was then on its way through the courts and which involved interpretation of the section just referred to. I appeared for Gottlieb in the Supreme Court, recognizing the importance of the case and the fact that, although the District Court
and the Circuit Court of Appeals had decided in favor of Gottlieb, there was no unanimity as to the ground of the decisions. The Supreme Court construed the Act literally and held that under this section, no provision having been made for the wives and children of ministers of religion, they did not share the privilege of the husband and father to be regarded as outside the quota allotment. That decision was rendered on May 26, 1924, the very day on which the Immigration Act of 1924 went into effect. Prior to this decision Rabbi Schevelovitz had consulted me regarding the admission of his family. I advised him to await the decision in the Gottlieb case, which he did.

The Quota Law of 1924 is more explicit than the provision contained in the Act of 1921 with regard to non-quota immigrants, as appears from Section 4, subdivision (d), which reads:

"An immigrant who continuously for at least two years immediately preceding the time of his application for admission to the United States has been, and who seeks to enter the United States solely for the purpose of carrying on the vocation of, minister of any religious denomination, or professor of a college, academy, seminary, or university; and his wife, and his unmarried children under eighteen years of age, if accompanying or following, to join him."

Those coming within this provision are defined to be non-quota immigrants. Believing that under this provision, which was intended to cover cases which were excluded by the terms of the Gottlieb decision, he could bring his wife and children to this country, immediately after the passage of the Act Rabbi Schevelovitz tried to make arrangements through a steamship agency for their transportation from Riga to New York. The steamship company, in order to be entirely safe, laid the matter before your Department, and has informed the rabbi that, according to a decision by the Solicitor of the Department of Labor, "the non-quota status of wives and children of ministers and professors is limited to those ministers and professors and their families, who were admitted after July 1, 1924, under the new Immigration Law." He is also credited with having said "that as the new law changed the whole policy of admission, it would not be in accord with that law to extend the privilege of bring-
ing in families as non-quota immigrants if the husbands and fathers were not admitted under the same law."

I have tried to get a copy of this opinion, but am informed that under an Executive Order issued by President Roosevelt in 1907, it is unlawful for the text of an opinion of a Solicitor for a Department to be made public until the opinion has been approved by the Attorney General. I am informed that this opinion has not been submitted to the Attorney General for approval.

With all due respect permit me to say that this decision seems to me to be contrary to the fair intendment of the statute and to the dictates of justice and common sense. It was clearly intended to cure a defect which was believed to exist in the Act of 1921 and which was the subject of litigation in the Gottlieb case. The District Court and the United States Circuit Court of Appeals for the Second Circuit held that the wife and child of Rabbi Gottlieb could be admitted, and a writ of certiorari was secured by the Department of Justice, and while Congress was considering the new Quota Law, the case had been argued and was awaiting decision. Congress had its attention called to that situation, and the change in phraseology was clearly intended to avoid the hardship of separating a minister of religion or a professor, who should come to this country for the purpose of pursuing his vocation, from his family.

If the wife and children of Rabbi Schevelovitz had arrived here prior to the passage of the Act of 1924, they would have been excluded under the rule laid down in the Gottlieb case. They did not, however, come prior to that time, and are now seeking to come under the Act of 1924. Rabbi Schevelovitz complies with all of the conditions set forth in sub-division (d) of Section 4 of the Act, and his wife and children are seeking to follow him to the United States in order to join him there. Their case, therefore, is within the very spirit of this provision.

It cannot be that Congress intended a vain and useless thing, namely, that in order that this family might be united on American soil Rabbi Schevelovitz would be first required to return to Riga, secure new passports and visas, and then return to this country with his family, or, after arriving here, to send for them to join him here. He was already here, and lawfully so, at the time of the passage of
the Act; and yet, under the decision credited to the Solicitor of the Department of Labor, his family is nevertheless to be excluded. Does not this reduce the law to an absurdity? Can it be said for a moment that the Congress which sought to deal humanely with ministers of religion and professors of colleges, academies, seminaries or universities, at the same time intended to subject them to the, to them, enormous expenditure of money, waste of time and mental and physical suffering incident to an unnecessary journey across the ocean and back as a condition to the admission of a family intended to be exempted from the quota provision of the Act? I cannot believe that this can possibly have been the purpose of Congress, and reading the language of this subdivision in the light of the facts which I have set forth, I do not believe that there is any basis in reason or in the terms of the statute which justifies the interpretation attributed to the Department of Labor.

I also call attention to the fact that Section 4, by virtue of subdivision (b) of Section 31 of the Act, took effect upon its enactment, namely, May 26, 1924. Congress certainly cannot be regarded as having intended to catch those situated as was Rabbi Schevelovitz in a trap. The Act of 1921, as interpreted by the Supreme Court on the day when the Act of 1924 went into effect, did not permit him to bring his wife and children to this country, but on that very day the Act of 1924 went into effect, which permitted him to do so. Now it is contended that because he was already here lawfully under the Act of 1921, his wife and children cannot lawfully come here under the Act of 1924 unless he starts all over again—leaves this country and then returns.

I am sure that if any Congressman who voted for this bill had been asked whether it was his intention to require ministers of religion or professors of colleges or universities to elect as to whether their families should be denied admission to the United States or that they would have to give up their professional occupations in the United States and return to their native lands, and then start anew for the United States with their families, his answer certainly would be that he had no idea of subjecting these learned men to such an alternative. It must be conceded that if the rabbi should return to Riga and should then return to the United States alone, there could be no
question under the literal reading of the statute that his family could subsequently join him here. But he is already here, and lawfully so. To say, therefore, that his family cannot join him unless they come within the quota or unless he goes through this useless ceremony, impoverishing himself and his family in doing so, is to lose sight of the salutary object of this provision of the new law, which was to unite the families of ministers of religion and professors in the simplest and easiest way, regardless of the quotas and regardless of all other technicalities. There was never a better illustration of the old legal maxim, which has been frequently followed in the interpretation of statutes, that he who clings to the letter clings merely to the bark. This is a matter which pertains to living, sentient, intelligent human beings. The law should, therefore, be interpreted in accordance with reason, humanity and common decency.

The rabbi has received a cablegram from his wife to the effect that the passports for the various members of his family have been duly visaed. What is he to do? I ask you in all candor whether this estimable gentleman, in order to be permitted to establish his family on American soil, shall be obliged to go to the court to ascertain whether the humane intention manifested by Congress in the adoption of Section 4, subdivision (d), of the new Act shall be effectuated. I can scarcely believe that you will answer this question in the affirmative.

I am, with best regards,

Very cordially yours,

(Signed) Louis Marshall.

Honorable James J. Davis,
Secretary of Labor,
Washington, D. C.

Ultimately, after considerable opposition on the part of various officials in the Department of Labor and protracted correspondence, the family of this worthy rabbi was admitted.

A similar situation was presented in the case of the family of Rabbi Jacob S. Duner, which on its arrival at
the port of New York was sought to be excluded. A writ of habeas corpus was issued and the United States District Court admitted the family with the exception of a feeble-minded child which was returned to its grandparents in Poland. The Government has appealed to the Circuit Court of Appeals where the appeal will presently be argued. *

In the case of Samuel Goldman and Esther Kaplan the important question arose whether feeble-minded children who arrived in this country from abroad during the war and were admitted on bond became citizens upon the naturalization of their fathers. The question had long been mooted in the Courts. The Supreme Court of the United States finally rendered a decision in the negative, but the Department of Labor nevertheless in the exercise of its discretion in view of the serious hardships involved admitted both of them.

One of the most interesting immigration cases that has occupied the attention of the courts is that of Pauline Fink, who was excluded by a board of physicians on the alleged ground that she was feeble-minded. A series of medical examinations followed before official boards, each rendering an opinion adverse to the immigrant. Eventually the case came before a Board summoned by the Surgeon General of the United States, which discovered that the girl was not feeble-minded, but a deaf-mute, a fact which her teachers in the school which she had attended had long before discovered. Nevertheless, the original board of physicians overruled the decision of the higher body and insisted upon her

*Since the submission of this report, the appeal has been argued and resulted in an affirmance, thus defeating the Government's contention.
deportation. A writ of habeas corpus was then sent out. The District Court and the Circuit Court of Appeals decided adversely to the petitioner. A motion was then made to the Supreme Court of the United States for a writ of certiorari to review the case on account of the important questions of law involved. The Solicitor General Honorable James M. Beck united in the application and the writ was granted. When the case came on for argument before the Supreme Court, the Solicitor General, Mr. Beck, recognizing the grave injustice involved in the case, arose in Court, confessed the error in the proceedings of the lower courts and moved that the writ of habeas corpus be allowed. This disposition of the litigation was approved by that great tribunal, and the helpless girl has overcome the stubborn efforts of an unyielding bureaucracy. Mr. Max J. Kohler, who, with great ability and industry, unravelled the difficulties of this complicated case, and your President, who regarded it as a privilege to participate in it, feel the utmost satisfaction in having been connected with a litigation which ended in so dramatic a triumph of justice. The action of the Solicitor General was in accordance with the finest traditions of the legal profession and is worthy of the highest praise for his courageous sense of right and his keen appreciation of his duty as a man.

Another interesting and important decision rendered by the Supreme Court during the year on the subject of immigration is Tod, Commissioner of Immigration, v. Waldman, 266 U. S. 113, 547. It deals largely with the question of procedure and constitutes a useful precedent. It is noteworthy that, after the Court had rendered its decision against the immigrants, a memorandum was written, on a
petition for rehearing, which made it practically certain that the immigrants involved would be admitted. This case is also important because it is the first case that has reached the Supreme Court which involved a consideration of the provision in the Act creating the literacy test, which excepted from its operation such persons as sought admission "to avoid religious persecution in the country of their last permanent residence, whether such persecution be evidenced by overt acts or by laws or governmental regulations that discriminate against the alien or the race to which he belongs because of his religious faith."

Another matter involving the welfare of immigrants was brought to the attention of this Committee at its last annual meeting. For some time past, complaints have been heard on many sides that naturalization was being denied to aliens legally eligible to become citizens, whose wives and minor children were not yet in America. It is possible that in a few cases this action was justified on the ground that the applicants had no bona fide intention to assume the duties and obligations of citizenship, but intended to return to their native lands and live and work there under American protection. But in a large majority of cases it was the immigration restriction law which made it impossible for the aliens in question to bring their families here, and, despite the fact that they showed it to be their intention to do so as soon as their becoming citizens would exempt their wives and minor children from the quota restriction, naturalization was nevertheless withheld. The reason for this peculiar attitude on the part of the courts was long a mystery.

The mystery, however, has been cleared up in a court proceeding. Representatives of the Department of Labor
produced a circular of that Department urging its agents to oppose the granting of citizenship under these conditions, and indulging in this extraordinary chain of reasoning: that among the members of the new citizen's family, who would have the right to come to America, there might be one or more who would otherwise be inadmissible for some cause; that to debar such a person from entering would lead to the separation of families; that this separation would, in turn, arouse public indignation under pressure of which the immigration authorities would feel constrained to admit the person in question, thus evading the law. Therefore, it was urged that rather than force the immigration officials to violate the law it was necessary to prevent this contingency from arising by the simple expedient of opposing the naturalization of all aliens whose families are still abroad.  
*O sancta simplicitas!*

These circulars went further and instructed the officials addressed to report every case in which a judge overruled the objection to the admission of such petitioners for naturalization, and to report the names of those judges who acquiesced in the views of the Bureau of Immigration and Naturalization.

These circulars constituted so flagrant a violation of the law, that the Executive Committee deemed it advisable to bring the subject to the attention of the President of the United States, which was done in the following letter:

*June 8, 1925.*

**Dear Mr. President:**

In the interest of law observance by public officials, I venture to call your attention to an abuse which has of late been practised in the Bureau of Naturalization of the Department of Labor. In entire
disregard of the provisions of the Naturalization Law, which care-
fully defines the conditions upon which an alien may become a citizen, 
the Bureau has undertaken to impose extra-statutory requirements 
which are violative of the letter and the spirit of the enactment. 
Circular letters have been issued to United States Attorneys and to 
examiners and clerks in the naturalization service and from time to 
time have been submitted to courts, in which it is stated that, as a 
matter of policy, it is undesirable to admit to citizenship applicants 
whose wives or children have not been residents of this country, and 
that, as a matter of law, they are ineligible for admission. One of 
these circulars goes so far as to instruct the persons addressed to 
make a special report to the naturalization office of every case in 
which the Judge overrules the objection to the admission of the peti-
tioner whose family resides abroad and never lived in the United States, 
and admits such petitioner to citizenship. It also directs examiners 
"to report the court and name or names of the Judge or Judges ad-
hering to the Assistant Secretary's views," they being of the char-
acter above described.

The same Assistant Secretary, in a circular letter dated January 
31, 1925, lays down the arbitrary doctrine, utterly devoid of legal 
support:

"I want to repeat what I have said frequently to you, that an 
alien whose family is in Europe has never lived in the United 
States, no matter how many years he may have been here."

This is unmitigated lawlessness. This official is usurping the powers 
of Congress, overruling the Immigration Act by his ipse dixit, and 
attempting to intimidate not only his subordinates, but the courts 
themselves, into a disobedience of the law. It is an astounding act of 
oficial tyranny. Those affected are usually helpless and are coerced 
into submission to an encroachment upon their fundamental rights 
by acts of sheer oppression.

These circulars have been criticized recently in an opinion reported 
in the Philadelphia Legal Intelligencer of May 15, 1925, in the case 
entitled "Abdallah's Naturalization." I enclose a copy for your 
consideration. It is so clear in its statement as to preclude further 
discussion.

If it is the desire of the Department of Labor to deprive the alien
wife and children of a resident who is entitled to citizenship of the right to immigrate into the United States, by stripping the husband and father of his legal right to be naturalized, it is acting in direct opposition to the humane policies voiced in a number of your public messages.

I am sure that you will be swift to vindicate the law against these wanton acts of aggression.

Cordially yours,

(Signed) LOUIS MARSHALL.

The President,
The White House,
Washington, D.C.

The President referred this letter to the Department of Labor, and the Honorable W. W. Husband, Acting Secretary, replied as follows:

June 23, 1925.

SIR:

Your letter of the 8th instant to the President, in reference to the practice in certain naturalization cases, has been referred to this Department for reply.

In response thereto, you are informed that the Department is under no misapprehension, and has governed itself accordingly, in realization of the fact that the question of the admissibility of any alien to American citizenship is vested in the court hearing the petition for naturalization of the alien. There has been no desire or attempt on the part of the administrative office to impose extra-statutory requirements or to usurp the functions of the court, as you indicate.

Where a case develops in which the family of the applicant for citizenship resides abroad, the question is involved as to whether or not it is the intention of the petitioner to reside permanently in the United States; further, if the husband or parent be naturalized, it frequently enables the family abroad of such applicant to enter the United States without regard to the quota restrictions of the immigration law. Obviously then, these are matters concerning which the courts desire to be informed, for it goes to the bona fide of the application. For years the majority of courts exercising naturaliza-
tion jurisdiction, have, in the exercise of their judicial discretion, declined to admit to American citizenship, applicants whose families are abroad.

Further, there has been no desire or attempt on the part of the administrative office either to intimidate the Naturalization Field Officers or the courts in asking for information concerning the action of the courts in individual cases. It was the aim of the administrative office to properly discharge its duties by obtaining information and governing itself accordingly. Where the courts adopt an almost uniform rule, it is the position of the Department that this is the law and should be followed wherever possible. Statistics, not only in this respect, but in other respects, are required generally.

Prior to the receipt of your letter, the Department had considered this matter in its entirety, and in order that there might be no misunderstanding on the part of the Naturalization Field Officers, the following instructions were issued:

"Where cases involving this question arise, you will call the facts to the attention of the court. At the same time you will acquaint the court with the fact that if an alien whose family resides abroad is admitted to American citizenship, it will enable some of the family to enter the United States without regard to the quota restrictions of the immigration laws. This case should be so presented that the court will consider whether or not an alien whose family resides abroad can be said to be a permanent resident of the United States. The facts in each individual case, of course, will govern. No objection will be urged to the naturalization of such an alien unless it be clearly apparent, either by long physical residence in this country without effort on the part of the alien to bring his family to the United States or by evidence adduced at the hearing, that he is, obviously, not intending to reside permanently in the United States."

Respectfully,

(Signed) W. W. Husband,
Acting Secretary.

Mr. Louis Marshall,
120 Broadway,
New York, N. Y.
To this your President replied as follows:

June 25, 1925.

SIR:

I am in receipt of yours of the 23rd instant, in which you comment on my letter of the 8th instant to the President in reference to a number of circulars which have been issued by the Department of Labor in relation to the naturalization of husbands and fathers whose families are abroad.

I note your statement that recently the Department had considered this subject in its entirety and in order to avoid misunderstanding on the part of Naturalization Field Officers had issued instructions from which you quote. Through an apparent oversight you have failed to send me the full text of these instructions. I would be grateful for a copy of them.

It does not appear from the portion quoted as to whether or not the Department has withdrawn the circular letters commented on in the opinion in the case entitled “Abdallah’s Naturalization.” So long as these circulars are outstanding and have not been recalled, the recent instructions would not cure the evil to which the President’s attention was directed.

Even standing alone, those instructions are highly objectionable. I refer especially to the following passage:

“At the same time you will acquaint the court with the fact that if an alien whose family resides abroad is admitted to American citizenship, it will enable some of the family to enter the United States without regard to the quota restrictions of the immigration laws. The case should be so presented that the court will consider whether or not an alien whose family resides abroad can be said to be a permanent resident of the United States.”

It is evident that this document refers to sub-division (a) of Section 4 and subdivision (1) of Section 6 (a) of the Immigration Act of 1924. The first of these reads:

“Sec. 4. When used in this act the term ‘non-quota immigrant’ means—

(a) An immigrant who is the unmarried child under 18 years of age, or the wife, of a citizen of the United States who resides therein at the time of the filing of a petition under section 9.”
The second of these provisions reads:

"Sec. 6. (a) In the issuance of immigration visas to quota immigrants preference shall be given—

(1) To a quota immigrant who is the unmarried child under 21 years of age, the father, the mother, the husband, or the wife, of a citizen of the United States who is 21 years of age or over."

Both of these provisions recognize the fact that there may be non-quota immigrants who are the children or the wife of a citizen of the United States, and that there may be other immigrants who come within the quotas who are nevertheless given preferential consideration if they belong to any of the classes described in Section 6 (a), subdivision (1).

Congress has, therefore, contemplated that a person may be naturalized and become a citizen of the United States even though his wife and children may live abroad. The members of our national legislature were not oblivious of the provisions of our naturalization laws. They, therefore, deliberately recognized the right of an applicant for citizenship to become naturalized, even though in the circular letter of January 31, 1925, issued by the Department of Labor, it is stated "that an alien whose family is in Europe has never lived in the United States, no matter how long he may have been here."

This pronouncement is in direct contravention, not only of the express terms of the Naturalization Act, but of the provisions of the Immigration Act of 1924, which of necessity recognized the rule of law to be the direct converse of that stated in the circular and of that contained in the recent instructions to which you have directed my attention.

The courts which deal with naturalization are not ignorant of the law relating to that subject, or of that which deals with immigration. Why, therefore, should the instructions of the Department of Labor request the Naturalization Field Officers to acquaint the court with the obvious fact that the admission to American citizenship of an alien whose family resides abroad will enable some members of his family to enter the United States as non-quota immigrants? The applicant for citizenship is either a resident of the United States or he is not. The fact that his admission to citizenship will enable members of his family who are abroad to enter is absolutely imma-
terial. His residence is not dependent upon that of other members of his family. The fact that Congress, out of tender consideration for the maintenance of the family relation, makes it possible for divided families to be reunited, provided the head of the family is an American citizen, should not be treated as a ground for withholding citizenship from one properly qualified within the law.

These instructions, however, may naturally be interpreted as a subtle admonition of the desirability of withholding the right of citizenship from those who have actually and in good faith continuously resided here during the period required by law. I repeat that such instructions "impose extra-statutory requirements which are violative of the letter and the spirit" of the Naturalization Law.

The second sentence which I have quoted from the instructions especially justifies the criticism that I have made. The Naturalization Field Officers are told that the case "should be so presented that the court will consider whether or not an alien whose family resides abroad can be said to be a permanent resident of the United States."

What is there in our congressional legislation which warrants any court in laying down the doctrine advanced in this pronouncement which declares as clearly, as language can that an alien whose family resides abroad cannot be said to be a permanent resident of the United States? That the converse is the law has been decided by the highest judicial authorities in the land. The residence of a husband and father is not determined by that of the wife. As was said by Chief Justice Shaw in McDaniel v. King, 5 Cush. 475:

"The wife's domicile may be governed by that of the husband (Greene v. Greene, 11 Pick. 410), but the reverse is not true."

In the same case, that great jurist likewise said:

"The actual removal of one from another State to this, leaving a family therein, but with no intention of returning, is a change of domicile (Cambridge v. Charlestown, 13 Mass. 501)."

In Penfield v. Chesapeake & Ohio R. R. Co., 134 U. S. 351, it was decided that a man did not become an actual resident of New York by sending his family to that State from Missouri, where he and they had resided, with the intent that they should stay in New York, but remaining himself in Missouri.
This necessarily recognizes the soundness of the doctrine that the residence of the family does not determine the residence of its head. His residence depends upon his personal acts, upon his intent, as evidenced by the duration of his physical presence in the country, his occupation there and his daily acts, from which his intent is to be deduced. Certainly one who has lived continuously in the United States for five years, has earned his livelihood here, has entered into the life of the community, has evinced a desire to become a citizen and possesses the qualifications requisite to citizenship, cannot be looked upon as a transient sojourner. And if, as is intimated in the recent instructions, it is his desire upon becoming a citizen to have his wife and children join him here, this circumstance is eloquent of the existence of a bona fide intention to be and remain an actual resident of this country.

In United States v. Curran, 299 Fed. Rep. 206, 209, decided recently by the Circuit Court of Appeals, for the Second Circuit, Judge Rogers, speaking for the Court, said of one born in Italy of Italian parents:

"If, after he attained his majority, he came to the United States with the intention of remaining here and making his permanent home, and was admitted into the country, he thereby acquired an American domicile. For it is a rule of common law that every person sui juris may acquire a domicile of his own choice. In re Newcomb, 192 N. Y. 238. A domicile of choice is dependent upon residence and intent. Sun Printing Assn. v. Edwards, 194 U. S. 377; Mitchell v. United States, 21 Wall. 350; Ennis v. Smith, 14 How. 400. As soon as he arrived here, if he had the animus manendi, a settled intention to remain and make this country his home, he obtained an American domicile; and as soon as he acquired his new domicile he lost the former one. Desmare v. United States, 93 U. S. 605. If it appears that there has been a concurrence of the factum of removal and the animus to remain, the change of domicile is complete, although the family remains temporarily in the place of the former domicile."

I call attention to the following additional authorities, which are illustrative of a large number of others to the like effect: Dicey's Conflict of Laws, 3d Ed., pp. 109-117; 121-126 (Rule 7); Story on Conflict of Law, 8th Ed., Secs., 46-48; Thompson v. State, 28 Ala.
12, cited with approval in 181 U. S. 168, 201 U. S. 587, 621; Burnham v. Rangely, 1 Woodbury & Minot, 7, 4 Fed. Cas. No. 2176; Parsons v. City of Bangor, 61 Me. 457; Matter of Bye, 2 Daly, N. Y., 525.

I take exception, therefore, to your suggestion that the courts have adopted "an almost uniform rule" which is at war with these principles. If there have been any courts that have excluded from naturalization men who have fully complied with the terms of the Naturalization Law, because their families are abroad, it must have been due to the hypnotic suggestions contained in the circulars to which I have referred in my letter and which I look upon as illegal.

I deem it to be my duty, therefore, to ask, with the utmost respect, that not only the circulars, but the instructions which you have quoted, be recalled.

Very truly yours,

(Signed) Louis Marshall.

Honorable W. W. Husband,
Acting Secretary of Labor,
Department of Labor, Washington, D. C.

This letter was supplemented by the following:

June 26, 1925.

SIR:

Supplementing my letter of the 25th instant, permit me to say that I regard the circulars and instructions to which I have referred in my letter to the President and in my communication to you, as an attempt to reverse the fundamental doctrine regarding the right to become a citizen which was solemnly adopted by the Act of July 27, 1868, and which now constitutes Section 1999 of the United States Revised Statutes. It is there declared:

"Whereas, The right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty and the pursuit of happiness; and whereas in recognition of this principle, this country has freely received immigrants from all nations, and invested them with the rights of citizenship; and whereas it is claimed that such American citizens, with their descendants, are subjects of foreign states; owing allegiance to the governments thereof, and whereas it is necessary to the maintenance of public
peace that this claim of foreign allegiance should be promptly and finally disavowed: Therefore any declaration, instruction, opinion, order or decision of any officer of the United States which denies, restricts, impairs, or questions the right of expatriation, is declared inconsistent with the fundamental principles of the Republic.”

In the Cable Act, approved September 22, 1922 (42 Stat., Ch. 411, p. 1021), this principle is practically redeclared, for it is provided: “Nothing herein shall be construed to repeal or amend the provisions of Revised Statutes, Section 1999, or of Section 2 of the Expatriation Act of 1907 with reference to expatriation.”

An official statement, therefore, that an applicant for naturalization who has lived in this country for the required period of time and has otherwise complied with the terms of the Naturalization Law, is to be regarded as a resident of the country in which his family sojourns, amounts to a denial of the right of expatriation. If one who has been physically in this country for the required period of time with the intention of establishing his home here, is nevertheless prevented from becoming a citizen upon the artificial theory pronounced in these documents, then, in legal effect, his effort to expatriate himself from the country of which he was a subject or citizen will be set at naught.

It seems to me exceedingly strange that on the one hand immigrants who have resided here for the required period and have not applied for citizenship, are frequently denounced in certain quarters as having no interest in the welfare of the country and as being undesirable, and that on the other hand immigrants who likewise have been here for the required period and signify their desire to cast their lot with the country by seeking to become citizens, are sought to be deprived of that right by a species of chop-logic which declares that though they are here in body they are nevertheless absent because their families are in a foreign land, and that if they should be permitted to become citizens they would be enabled to bring their families to the United States from that foreign land under the provisions of the Immigration Act.

I am so greatly concerned in the preservation of the fundamental principles of our Government and in the observance of the spirit of
our laws, that I regard it to be my duty to call attention to these inconsistencies.

Very truly yours,
(Signed) Louis Marshall.

Honorable W. W. Husband,
Acting Secretary of Labor,
Department of Labor, Washington, D. C.

In reply, the Honorable R. C. White, as acting Secretary wrote:

June 30, 1925.

SIR:

Permit me to acknowledge the receipt of your letter of the 25th instant in further reference to naturalization cases where the wife and family of the applicant are abroad.

As the Department, in its response of the 23d instant, quoted that portion of the circular letter of instructions to the Field Service which was pertinent to your inquiry, it is believed this is an adequate compliance with your wishes. You may rest assured that action has been taken which will clear up any misapprehension under which the Field Service may have labored as to the attitude of the Department, and that the position of the Department will continue to be as indicated in its letter to you of the 23d instant.

The Department believes that the instructions issued will accomplish not only a fair presentation of the cases to the Courts, but a fair and equitable consideration by the Courts from the viewpoint of those advocating the cause of the alien petitioner and his family and also from the viewpoint of the Government. The proper course would seem to be for the instructions to stand until such time as in given cases it is shown an unwarranted hardship is being experienced by applicants for naturalization, a situation which the Commissioner of Naturalization believes will not arise, and in which belief the Department concurs.

Respectfully,
(Signed) Robe Carl White,
Acting Secretary.

Mr. Louis Marshall,
120 Broadway,
New York, N. Y.
Against this unsatisfactory attitude your President protested in the following letter:

July 3, 1925.

SIR:

I am in receipt of yours of the 30th ultimo, in answer to my letter to Mr. Husband, as Acting Secretary, of the 25th ultimo, in reference to naturalization cases where the wife and family of the applicant are abroad.

I regret to say that your answer is not satisfactory, and I feel rather disappointed that you have not sent me as requested the full text of the circular letter of instruction to the Field Service for which I asked. For the proper interpretation of any document it is necessary to have the whole instrument before one, and it is for that reason that I felt justified in making the request that I did.

I repeat what I said in my letter of the 23rd ultimo, that the portion of the circular letter referred to which was quoted does not meet the criticisms of the circulars which were commented upon in the case of Abdallah's Naturalization, and to which I likewise referred in my letter to the President. An applicant for naturalization who has complied with the requirements of the statute is entitled to become a citizen. His rights are measured by the terms of the statute, and that statute likewise is a limitation upon the powers of the Department of Labor and of the Naturalization Bureau with respect to making additional requirements. The courts are likewise bound by the statute.

If these propositions were not sound, then this would not be a government of laws, but one of men. Such a course of procedure would only lead to anarchy. It is not within the scope of the authority of the Department of Labor to say to a man who has resided here for more than five years and who has otherwise shown himself to have complied with the statutory requirements, that he is not a resident of the United States because his family is abroad. That is contrary to the fact and contrary to law.

The idea expressed by you that, even if the instructions issued are unlawful, nevertheless the proper course would be that they should stand "until such time as in given cases it is shown an unwarranted
hardship is being experienced by applicants for naturalization," is, you will permit me to say, nothing more or less than a statement that the law may be broken by those in power, regardless of consequences. In other words, you take it upon yourself to say that even though the instructions be illegal the person who has been deprived of his rights must show that he has experienced an unwarranted hardship before the Department, in the exercise of its grace, will grant remission.

As one who believes in the supremacy of the law, and that it applies to the highest official as well as to the meanest citizen, I protest against such doctrine. I therefore most respectfully urge upon you the importance of reconsidering your conclusion.

Very truly yours,

(Signed) Louis Marshall.

Honorable Robe Carl White,
Acting Secretary of Labor,
Department of Labor,
Washington, D. C.

The Committee hopes that this abuse, against which there have been so many complaints, will cease. It means to continue to employ the utmost vigilance to prevent this lawless policy from gaining a foot-hold in our governmental system.

An important question affecting naturalization has recently been decided by the United States District Court for the District of Oregon in the case of United States v. Cartozian, reported in 6 Fed. Rep., 2nd Series p. 919. It related to the status of Armenians, as to whom it had been previously held in In re Halladjian, 176 Fed. Rep. 834, that they were eligible to naturalization. As a result of the decisions of the Supreme Court in Ozawa v. United States, 260 U. S. 178, relating to Japanese, and in United States v Thind, 261 U. S. 204, relating to East Indians, the Depart-
ment of Labor sought to reopen the subject of naturalization in so far as it related to Armenians, and it was intimated that if the latter were held to be ineligible then the question would be raised as to Oriental Jews.

Your President, therefore, furnished data to the counsel who represented Cartozian. In an interesting opinion Judge Wolverton has recently decided that Armenians are free white persons within the meaning of the United States Revised Statutes, Sec. 2169, so as to be eligible for naturalization as American citizens; it being the overwhelming opinion of anthropologists and other authorities that Armenians in Asia Minor are white persons within the common usage of the term. No appeal has been taken from that decision by the Government, and it is therefore believed that this much controverted question is finally and authoritatively adjudicated.*

2. RELIGIOUS AND RACIAL INTOLERANCE

Although symptoms are not lacking of the existence of religious bigotry and racial discrimination in the United States, toward the survival and growth of which the passage of the Immigration Law of 1924 indirectly contributed, there has been no widespread anti-Jewish propaganda. By this it is not meant to imply that Jews are not victims of social ostracism and of disabilities in the matter of securing employment. Ignorance and bigotry alone can account for this condition. This is a problem, however, which only years of education, leading to the greater spread of a fair and liberal American attitude, can solve. It cannot be

*Since the submission of this report the Department of Justice and the Department of Labor have concluded to acquiesce in this decision.
solved so long as persons who should know better help to keep alive erroneous ideas which are based upon a dearth of knowledge or a lack of sympathetic understanding, such as characterized a statement made last spring by a Professor of Princeton University, who, at the meeting of the American Society of International Law held at Washington, took occasion to cast a slur upon the Jew as a citizen in an address which attracted widespread attention.

Your President took advantage of the occasion of the laying of the cornerstone of the Jewish Community Center in Washington, D. C., on May 3, 1925, to refute this charge in the following words:

It is unfortunate that there is so much misunderstanding of the Jew among those who should regard it as an act of genuine patriotism to avoid the creation of suspicion, lack of confidence and prejudice on the part of one element of our population against another. In order that unity of purpose shall be best achieved, it is essential that harmonious relations shall prevail among all of the components of our national life. Whether all men were created equal or not, all men are not alike, and it is well that infinite variety prevails and not deadly uniformity. This adds to life greater zest and fuller interest. It tends to the development of ideas, the interchange of thought and the appreciation of different cultures. We do not all of us desire to ape our neighbors or to be compelled to accept their individual standards. Were we to do it, what a dull and dreary world this would be! The greatness of our country lies in the fact that individual liberty is guaranteed by the genius of our government. Freedom of thought, of speech, of the press, of the exercise of religion, spell America. Of late we have heard much in certain quarters concerning race and have noted a disposition by some, happily an inconsiderable minority, to differentiate between our citizens on the basis of race. So far has this tendency developed in a certain group that an effort has been made, for reasons far from patriotic, to construct as a standard of excellence a mythical race, unknown to science, or history or geo-
There are others who have been so enamored of the idea of legislating along racial lines that they are attempting to have the entire population analyzed for the purpose of resolving it into its remote racial origins. That may be followed by psychoanalysis and microscopic blood-tests. We will then know who is descended from the baboon or the gorilla or the chimpanzee. All this merely leads to the introduction of the ideas of caste, foreign to those concepts which have produced the phenomenal growth, unity and progress of the republic. Hitherto we have recognized but one race, and that the human race. It would be tragic, if 150 years after Lexington and Concord and Bunker Hill we were to consider not human worth, not manhood and womanhood, but racial origins.

I am led to make these comments by the statement recently made here in Washington by a Princeton Professor at the annual meeting of the American Society of International Law. I quote from a stenographic report of his remarks:

"I venture to suggest that a great deal of the animosity, the hostility, the prejudice, the unfairness toward the Jew has been due to the unfortunate fact that the Jew has preserved the idea that he wants to keep his racial integrity; that he desires and preserves his race intact; that he is unwilling to be assimilated fully in the community in which he lives. That I think is the real basis for most of the race prejudice that exists on this subject, and for that reason I feel that there is more need than ever for affirming the first obligation of a citizen and that first obligation it seems to me, is that of undivided allegiance."

In effect this questions the loyalty of the American Jew, because it is asserted that he is unwilling to surrender his racial integrity and to be fully assimilated. If this means that the Jews remain loyal to their age-long traditions, to their noble history, to their long line of prophets poets and sages, to their culture and civilization, to their Bible and sacred literature, if it means that they are unwilling to forget their ancestry, their trials, their tribulations, their sufferings, their heroism, their martyrdom, their devotion to the word of God and to their ethical and moral ideals and to their exalted family life, then we admit the impeachment, and glory in it. If by assimilation is meant that we are unwilling to surrender that
which has been distinctive in our civilization, to abjure our sacred faith, to apostatize, to substitute hypocrisy for deep conviction, to become cowardly reçreants to a glorious past in this land which is dedicated to the safeguarding of conscience, then we declare with one voice that we are unalterably opposed to such assimilation and that not even a Princeton professor can frighten us into it.

The very suggestion that we hold a divided allegiance is an insult to the three and a half million Jews in the United States who have come here, some of them 270 years ago, to make this their home and that of their children, and who love every inch of its soil and revere every word of its Constitution. It is a degradation of the memory of the Jews who in every period of American history gladly gave their lives and their possessions for the preservation of the government. The President in his fine and statesmanly address has pointed out the part taken by the Jews in the Revolutionary War. I may add that in the Civil War, when there were less than 150,000 Jews in the United States, more than 8,000 fought in our army and navy, as is proven by the list collated by the late Simon Wolf, an outstanding American citizen long a resident here, in his book entitled "The Jew as Patriot, Soldier, and Citizen." During the world conflict the Jews, although constituting but 3 per cent. of the population, were represented in the Army, the Navy and the Marines to the extent of nearly 6 per cent. They have performed their civic duties as faithfully and devotedly as any other part of the population. They have done their share to improve our commercial and industrial status; and they vie with their fellow citizens of other faiths to make this a better world to live in. That we love Palestine, the home of our fathers, and are ready to help other sons of our ancient faith to seek there the opportunities for betterment which under our present immigration laws they are denied here, and to create there a cultural center, is the same response to the feeling of brotherhood that the Sons and Daughters of the Revolution feel toward those who live in Anglo-Saxon lands, which our Irish fellow-citizens have evinced for those who have remained on the old sod, and which every rightly constituted man entertains for his kin or for those who belong to the same religious community. That is not a double allegiance in the political sense of the term. It is merely evidence of the fact that, however
men may at times differ, the call of humanity, in the end, resounds above the clash of arms and the artificial hatreds and jealousies which are, too often, alas, stimulated by cowardly propagandists and by narrow-minded bigots.

May the Jewish Community Center of Washington long endure as a continual reminder that the Jews of the United States do not harbor an inconsistent dual allegiance, but that their hearts and souls are permeated by a double loyalty—loyalty to their religion and loyalty to their citizenship in this the land they love and cherish.

Your Committee participated with other organizations and individuals in the contest against Chapter 1 of the General Laws of 1923 of the State of Oregon, the Compulsory Public School Law which sought to make it a misdemeanor for "any parent, guardian, or other person," having control or custody or charge of a child under the age of sixteen years and of the age of eight years or over, to "fail or neglect or refuse to send such a child to a public school for a period of time a public school shall be held during the current year," in the district in which the child resides.

The President of your Committee, at the earnest request of Mr. William D. Guthrie, intervened in its behalf as amicus curiae in the action brought to test its constitutionality, and filed in the Supreme Court of the United States when the case reached that tribunal a brief in the interest of the parents of Jewish children and of the teachers who maintain private schools for the education of Jewish children in this country. In the brief it was contended that the law in question was "an infringement upon the liberty of the individual and a deprivation of those who maintain such private schools, not only of their liberty, but also of their property."
In the course of the discussion, after pointing out that the law was an act of tyranny, Mr. Marshall said:

"Recognizing in the main the great merit of our public school system, it is nevertheless unthinkable that public schools alone shall, by legislative compulsion rather than by their own merits, be made the only medium of education in this country. Such a policy would necessarily lead to their deterioration. The absence of the right of selection would at once lower the standards of education. If the children of the country are to be educated upon a dead level of uniformity and by a single method, then eventually our nation would consist of mechanical Robots and standardized Babbits.

"On the theory which seeks to eliminate private and parochial schools, the Legislature might as well compel all of the inhabitants of the land to subscribe to the same newspaper, to attend the same church, to become members of the same political party, and to join the same lodge. Indeed, it would be less an invasion of liberty to do any of these things than to say to parents that, regardless of their ambitions and aspirations for their children, regardless of the love and affection which they bear to them, regardless of their deep-seated convictions respecting the duty which they owe for the ethical, moral and religious rearing of their children, the State may come in and take away from them that sacred right and the performance of the duty which they conscientiously believe that they owe to their children and to future generations. Our children do not belong to the State. As a rule the poorest of parents are better qualified to take care of their children than the politician or professional agitator could possibly be."

He also refuted the allegations that "our nation supports the public school for the sole purpose of self-preservation," that the assimilation and education of the foreign-born are best secured in the public schools, that private and parochial schools tend to the formation of groups the children of which are brought up "in an environment often antagonistic to the principles of our government," that a "true American"
would result from mixing "those with prejudices in the public school melting pot," and other contentions of like tenor.

On June 1, 1925, the Supreme Court of the United States rendered a unanimous decision in the case, declaring the statute unconstitutional.

After showing that the plaintiffs had such an interest in the subject-matter of the controversy as to afford them a standing in court, Mr. Justice McReynolds disposed of the merits of this historic cause in the following words:

"Under the doctrine of Meyer v. Nebraska, 262 U. S. 390, we think it entirely plain that the Act of 1922 unreasonably interferes with the liberty of parents and guardians to direct the up-bringing and education of children under their control. As often heretofore pointed out, rights guaranteed by the Constitution may not be abridged by legislation which has no reasonable relation to some purpose within the competency of the state. The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the state to standardize its children by forcing them to accept instruction from public teachers only. The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."

It is gratifying to note that the exponents of the new nativistic philosophy have found a courageous and redoubtable opponent in the President of the United States, who has utterly demolished some of the most cherished of the pet notions of Ku Kluxism and Nordicism. Mr. Coolidge graciously accepted an invitation to deliver an address at the exercises connected with the laying of the cornerstone of the Jewish Community Center of Washington, referred to above, and in his remarks he made it known in plain
terms that he was entirely out of sympathy with the New
Know-Nothings, that he disagreed wholly with the views
of the university professor already alluded to, and that he
appreciated the debt which America owes to the Jews.
Among other things he said:

The Jewish community of the United States is not only the second
most numerous in the world, but in respect of its Old World origins
it is probably the most cosmopolitan. But whatever their origin as
a people, they have always come to us, eager to adapt themselves to
our institutions, to thrive under the influence of liberty, to take their
full part as citizens in building and sustaining the nation, and to
bear their part in its defense, in order to make a contribution to the
national life fully worthy of the traditions they had inherited.

He also repudiated the idea, which the apostles of super-
Americanism have tried sedulously to spread, that the popu-
lation of the British colonies in America was a homogeneous
unit, held together by ties of race and by a common heritage
of political experience under a free government, in saying:

Among the peoples of the thirteen colonies, there were few ties of
acquaintance, of commercial or industrial interest. There were great
differences in political sentiments, even within the local communities,
while there were wide divergencies among the several colonies, in
origin, in religion, in social outlook.

He paid this eloquent tribute to the value of the Bible in
the development of American ideals:

"There were well-nigh as many divergencies of religious faith as
there were of origin, politics and geography. While the early dangers,
in some colonies, made a unity in belief and all else a necessity to
existence, at the bottom of the colonial character lay a stratum of
religious liberalism which had animated most of the early comers.
From its beginnings the new continent had seemed destined to be
the home of religious tolerance. Those who claimed the right of
individual choice for themselves finally had to grant it to others."
Beyond that—and this was one of the factors which I think weighed heaviest on the side of unity—the Bible was the one work of literature that was common to all of them.

"The Scriptures were read and studied everywhere. There are many testimonies that their teachings became the most important intellectual and spiritual force of unification. I remember to have read somewhere, I think in the writings of the historian Lecky, the observation that 'Hebraic mortar cemented the foundations of American democracy.' Lecky had in mind this very influence of the Bible in drawing together the feelings and sympathies of the widely scattered communities. All the way from New Hampshire to Georgia they found a common ground of faith and reliance in the Scriptural writings. . . .

"This biblical influence was strikingly impressive in all of the New England colonies and only less so in the others. In the Connecticut code of 1650, the Mosaic model is adopted. The magistrates were authorized to administer justice 'according to the laws here established and for want of them, according to the word of God.' In the New Haven code of 1655, there were seventy-nine topical statutes for the government, half of which contained references to the Old Testament. The founders of the New Haven colony, John Davenport and Theophilus Eaton, were expert Hebrew scholars. . . .

"The sturdy old divines of those days found the Bible a chief source of illumination for their arguments in support of the patriotic cause. They knew The Book. They were profoundly familiar with it and eminently capable in the exposition of all its justifications for rebellion. To them, the record of the exodus from Egypt was, indeed an inspired precedent. They knew what argument from Holy Writ would most powerfully influence their people. It required no great stretch of logical processes to demonstrate that the children of Israel, making bricks without straw in Egypt, had their modern counterpart in the people of the colonies, enduring the imposition of taxation without representation." . . .

The President pleaded for national solidarity and harmony on the basis not of racial and religious standardization but upon the basis of "those institutions which have
proved capable of guaranteeing our unity, and strengthening us in advancing the estate of common man."

More recently, the President made an even more direct plea for religious and racial understanding in his noble address to the American Legion, at Omaha, Nebraska, on October 6. His remarks on that occasion were so telling and to the point that we deem it useful to give the following excerpts:

If we are looking for a more complete reign of justice, a more complete supremacy of law, a more social harmony, we must seek it in the paths of peace. Progress in these directions under the present order of the world is not likely to be made except during a state of domestic and international tranquillity. One of the great questions before the nations today is how to promote such tranquillity.

The economic problems of society are important. On the whole we are meeting them fairly well. They are so personal and so pressing that they never fail to receive constant attention. But they are only a part. We need to put a proper emphasis on the other problems of society.

We need to consider what attitude of the public mind it is necessary to cultivate in order that a mixed population like our own may dwell together more harmoniously and the family of nations reach a better state of understanding. You who have been in the service know how absolutely necessary it is in a military organization that the individual subordinate some part of his personality for the general good. That is the one great lesson which results from the training of a soldier. Whoever has been taught that lesson in camp and field is thereafter the better equipped to appreciate that it is equally applicable in other departments of life. It is necessary in the home, in industry and commerce, in scientific and intellectual development.

At the foundation of every strong and mature character we find this trait, which is best described as being subject to discipline. The essence of it is toleration. It is toleration in the broadest and most inclusive sense, a liberality of mind, which gives to the opinions and judgments of others the same generous consideration that it asks for
its own, and which is moved by the spirit of the philosopher who declared that "To know all is to forgive all." It may not be given to finite beings to attain that ideal, but it is none the less one toward which we should strive.

One of the most natural of reactions during the war was intolerance. But the inevitable disregard for the opinions and feelings of minorities is none the less a disturbing product of war psychology. The slow and difficult advances which tolerance and liberalism have made through long periods of development are dissipated almost in a night when the necessary wartime habits of thought hold the minds of the people. The necessity for a common purpose and a united intellectual front becomes paramount to everything else.

But when the need for such a solidarity is past there should be a quick and generous readiness to revert to the old and normal habits of thought. There should be an intellectual demobilization as well as a military demobilization. Progress depends very largely on the encouragement of variety. Whatever tends to standardize the community, to establish fixed and rigid modes of thought, tends to fossilize society. If we all believed the same thing and thought the same thoughts and applied the same valuations to all the occurrences about us, we should reach a state of equilibrium closely akin to an intellectual and spiritual paralysis. It is the ferment of ideas, the clash of disagreeing judgments, the privilege of the individual to develop his own thoughts and shape his own character, that makes progress possible. It is not possible to learn much from those who uniformly agree with us. But many useful things are learned from those who disagree with us; and even when we can gain nothing our differences are likely to do us no harm.

In this period of after-war rigidity, suspicion and intolerance, our own country has not been exempt from unfortunate experiences. Thanks to our comparative isolation, we have known less of the international frictions and rivalries than some other countries less fortunately situated. But among some of the varying racial, religious and social groups of our people there have been manifestations of an intolerance of opinion, a narrowness of outlook, a fixity of judgment against which we may well be warned.
It is not easy to conceive of anything that would be more unfortunate in a community based upon the ideals of which Americans boast than any considerable development of intolerance as regards religion. To a great extent this country owes its beginnings to the determination of our hardy ancestors to maintain complete freedom in religion. Instead of a State church we have decreed that every citizen shall be free to follow the dictates of his own conscience as to his religious beliefs and affiliations. Under that guaranty we have erected a system which certainly is justified by its fruits. Under no other could we have dared to invite the peoples of all countries and creeds to come here and unite with us in creating the State of which we are all citizens.

But having invited them here, having accepted their great and varied contributions to the building of the nation, it is for us to maintain in all good faith those liberal institutions and traditions which have been so productive of good.

The bringing together of all these different national, racial, religious and cultural elements has made our country a kind of composite of the rest of the world, and we can render no greater service than by demonstrating the possibility of harmonious co-operation among so many various groups. Every one of them has something characteristic and significant of great value to cast into the common fund of our material, intellectual and spiritual resources.

The war brought a great test of our experiment in amalgamating these varied factors into a real nation, with the ideals and aspirations of a united people. None was excepted from the obligation to serve when the hour of danger struck. The event proved that our theory had been sound.

On a solid foundation of national unity there had been erected a superstructure which in its varied parts had offered full opportunity to develop all the range of talents and genius that had gone into its making. Well-nigh all the races, religions and nationalities of the world were represented in the armed forces of this nation, as they were in the body of our population.

No man's patriotism was impugned or service questioned because of his racial origin, his political opinion or his religious convictions. Immigrants and sons of immigrants from the Central European
countries fought side by side with those who descended from the countries which were our allies; with the sons of equatorial Africa, and with the red men of our own aboriginal population, all of them equally proud of the name Americans.

We must not, in times of peace, permit ourselves to lose any part from this structure of patriotic unity. I make no plea for leniency toward those who are criminal or vicious, are open enemies of society and are not prepared to accept the true standards of our citizenship. By tolerance I do not mean indifference to evil. I mean respect for different kinds of good.

Whether one traces his Americanism back three centuries to the Mayflower, or three years to the steerage, is not half so important as whether his Americanism of today is real and genuine. No matter by what various crafts we came here, we are all now in the same boat.

You men constituted the crew of our "Ship of State" during her passage through the roughest waters. You made up the watch and held the danger posts when the storm was fiercest. You brought her safely and triumphantly into port. Out of that experience you have learned the lessons of discipline, tolerance, respect for authority and regard for the basic manhood of your neighbor. You bore aloft a standard of patriotic conduct and civic integrity to which all could repair.

Such a standard, with a like common appeal, must be upheld just as firmly and unitedly now in time of peace.

Among citizens honestly devoted to the maintenance of that standard there need be small concern about differences of individual opinion in other regards. Granting first the essentials of loyalty to our country and to our fundamental institutions, we may not only overlook but we may encourage differences of opinion as to other things. For differences of this kind will certainly be elements of strength rather than of weakness. They will give variety to our tastes and interests. They will broaden our vision, strengthen our understanding, encourage the true humanities and enrich our whole mode and conception of life.
I recognize the full and complete necessity of 100 per cent. Americanism, but 100 per cent. Americanism may be made up of many various elements.

If we are to have that harmony and tranquillity, that union of spirit which is the foundation of real national genius and national progress, we must all realize that there are true Americans who did not happen to be born in our section of the country, who do not attend our place of religious worship, who are not of our racial stock or who are not proficient in our language.

If we are to create on this continent a free republic and an enlightened civilization that will be capable of reflecting the true greatness and glory of mankind, it will be necessary to regard these differences as accidental and unessential. We shall have to look beyond the outward manifestations of race and creed. Divine Providence has not bestowed upon any race a monopoly of patriotism and character.

In view of these exalted pronouncements of the President of the United States which have reached into every corner of our land, the Committee cannot help feeling confident that the traditional sense of fairness and justice of the American people had not and will not be weakened by the outpourings of fanatics and bigots and of those who believe it to be for their interest to disseminate hatred, suspicion, and animosity.

3. The Bureau of Jewish Social Research

The Committee has during the last year again made a contribution toward the support of the Bureau of Jewish Social Research, whose department of Information and Statistics collects useful data and publishes a monthly Summary of Events of Jewish Interest on behalf of this Committee. This Department, which is directed by Doctor
H. S. Linfield, also prepares the statistical tables, directories, and other material for the American Jewish Year Book.

4. THE AMERICAN JEWISH YEAR BOOK

Volume twenty-seven of this useful annual, which was prepared, as have been all the preceding volumes since the tenth (1908–1909), in the office of the Committee, appeared several months ago. Its leading special feature is an article on the Jewish Community of Canada by Mr. Martin Wolff of Montreal, a writer who has had unusual opportunities to become conversant with the facts.

The Year Book contains biographical appreciations of one of America's outstanding rabbis, scholars and preachers, the late Doctor Emil G. Hirsch of Chicago, and of a brilliant member of the younger generation of rabbis, Doctor Martin A. Meyer of San Francisco. The Honorable Julius Kahn, who for many years served with great distinction as a representative from the State of California in the United States Congress, is likewise commemorated. His long public life was a notable record of useful, effective and patriotic legislative service and self-sacrifice.

The only other special feature in the present volume is an annotated list of the one hundred best available books on Jewish subjects in the English language.

The course of Jewish life in the various countries of the world during the past year is briefly and lucidly outlined in the Survey of the year 5685 by Doctor Harry S. Linfield.

The Year Book also contains in permanent form the Eighteenth Annual Report of the Committee.
B. CONDITION OF THE JEWS IN FOREIGN COUNTRIES

Though little change has taken place since the last meeting in the condition of our brethren overseas, three events which have recently occurred have in them potentialities for a distinct and lasting betterment. These events, in their chronological order, were (1) the agreement said to have been arrived at in June last between the Polish Cabinet and the Jewish deputies in the Sejm, (2) the determination reached at the conference of representative American Jews held in Philadelphia on September 13, to renew the work of social and economic reconstruction in Eastern Europe which had been prosecuted under the auspices of the American Jewish Joint Distribution Committee since 1916, (3) the various security treaties and arbitration agreements, entered into by the leading European States at Locarno, Switzerland, during October. These three unusually important matters will be treated at greater length in their proper place in the following brief survey of European conditions affecting our brethren during the past year.

1. Western Europe

In England, owing to the anti-Jewish propaganda of 1920–1922 and to the widespread unemployment, an anti-alien psychology, analogous to that noticeable in the United States, prevails to such an extent that Jewish organizations felt called upon to send a delegation to the Home Secretary in order to endeavor to prove to him the injustice of this attitude. The campaign of some extremists among the supporters of humane societies against Shehitah, the Jewish
method of slaughtering animals, was not resumed and two non-Jewish experts, after an exhaustive inquiry, declared the method unexceptionable.

France loomed up, during the past year, as a possible haven for immigrants desiring to engage in agriculture and industry, her man-power having been so tragically depleted by the World War that she welcomes additions to her productive population. Arrangements have been made for the admission of several thousand Jews from Roumania, whose settlement on the land and in certain industrial centers is to be facilitated by the Government.

In Italy, a new school law did not find favor with Jews because it prescribed religious teaching in the elementary schools according to Catholic beliefs. Peril to Jews lurks also in a campaign against Freemasonry, with which, following the myth stimulated a few years ago by the London Morning Post, some Fascisti newspapers charge the Jews to be in alliance.

A movement to collect a fund for the erection of a monument to Moses Maimonides, the great Jewish philosopher, codifier and physician, was launched in Spain, the Government of which also promulgated an interesting decree, offering Spanish citizenship to all those descendants of former Jewish-Spanish subjects who are willing to comply with a few simple formalities. It is not yet known how this invitation has been received by the hundreds of thousands of Jews in the Mediterranean basin who trace their ancestry to Spanish forebears and who still speak the language of Cervantes.

The Jewish community of Lisbon, Portugal, has inaugurated a movement to reclaim for Judaism the children of
the thousands of Marranos, or crypto-Jews, who, though the proclamation of the Portuguese republic and the abolition of a state church has freed them of the necessity of doing so, still are outwardly conforming Christians, though they clandestinely practise certain Jewish rites. A Committee in Lisbon has appealed to the foreign Jewish communities for help in this direction.

2. CENTRAL AND EASTERN EUROPE

Coming now to the countries of Central and Eastern Europe, the picture becomes darker, for in Germany, Austria, Hungary and Roumania the post-bellum anti-Semitic reaction is still in vigorous sway. There were none of those pogroms which have stained so many pages of European history with the blood of the innocent and defenseless, and, except Austria and Roumania, there were no riots.

The saddest feature of the picture is that the younger generation, especially the students at universities, appear to have assumed active leadership in this vicious and brutal movement. In Austria, students rioted against Jewish lecturers, in one case against a professor whose family has been Christian since the middle of the eighteenth century. In Germany, cemetery vandalism was perpetrated, and fanaticism rose to such a pitch that even a monument erected in Potsdam by Emperor Frederick William in 1852, in honor of the gifted French-Jewish actress, Rachel Felix, was pulled down and shattered. Students at the University of Frankfort cavalierly decided to exclude foreign Jewish applicants; in another university the students forced a Jewish teacher to resign; and the Prussian Minister of Educa-
tion ordered school authorities not to appoint Jews as school superintendents. Because the poetic genius Heine was a Jew, his works are banned in many of the high schools and colleges. In both Austria and Germany, a movement is afoot to establish "Aryan" theatres, from which all traces of "Semitic" influences are to be removed like a pestilence. You are all familiar with the disgraceful disorders in Vienna which attended the convening of the Zionist Congress there last summer.

Hungary perhaps is the darkest spot in the Jewish picture of the past year. The Education Law of 1920, embodying the shameful *numerus clausus*, is still in effect. The Government instituted proceedings against the Jewish community of Budapest for appealing to Jews in other countries for funds for the victims of this barbaric device. Though this prosecution was withdrawn, one of those responsible for the appeal, in which the *numerus clausus* was justly called "a mockery of all culture and all human rights," was found guilty of having insulted the Hungarian nation and was sentenced to a year's imprisonment. The Council of the League of Nations has for some time past given consideration to this abuse and it is altogether likely that the Permanent Court of International Justice may ultimately be called upon to pass upon the legality of this violation of the letter and spirit of the Minority Treaties.

In view of the government attitude, it is not surprising that students in one university went on strike against the admission of Jews, that Jews were attacked during divine Worship on the Day of Atonement, and that the Government granted amnesty to sixty-four "Awakening Magyars" who, in 1919, murdered as many Jews of Kecskemet, par-
doning them on the ground that they "acted under patriotic excitement!"

It would be unfair to the vast majority of good men and women in Europe to allow the impression to prevail that these outrages went on without protest. Both the Swiss and German societies of the International Women's League for Peace and Freedom condemned anti-Semitism as "the sin of the civilization of the twentieth century;" a Hungarian Roman Catholic cardinal castigated the anti-Semites; and a Hungarian deputy denounced the *numerus clausus*. But protests were and are likely to continue to be futile so long as the government maintains its present attitude.

In Roumania, the Jews seem to be in the same unhappy state as in Hungary, with the difference that in the former country the Government is not openly on the side of the Jew baiters, although it has refrained from suppressing their pernicious activities and has done nothing to abate the mischief occasioned by the articulation of libelous publications, cartoons and pamphlets inciting hatred and animosity against the Jews.

A university student who assassinated a police prefect for doing his duty and apprehending several students who had murdered two prominent Jews was acquitted by the court and permitted to go up and down the land inciting the populace to perpetrate new outrages. An officer in the Roumanian army who was accused of deliberately killing a number of Jews who were crossing the Dniester, though he confessed on the trial that he had acted at the instance of a superior officer in high command, was likewise acquitted. Several university professors are actually leading the youth
in what they pronounce a "holy" war against the Jews, and quite recently police authorities discovered that these vicious malcontents were laying plans for a modern St. Bartholomew's Night, upon which all Jews were to be exterminated.

The self-confessed inspirer of these outrages is the notorious Cuza, formerly professor of the University of Jassy. After the murder of the police prefect, the Senate of the University held a meeting and adopted a resolution in which it declared that the crime "has shocked the conscience of the body of teachers of this high institution for culture and education," and that "this crime is a result of a definite school of thought which is led by Professor Cuza, a school of thought which under the cloak of religion and of nationalism leads the youth astray." A few months ago a Jewish truck driver, who did not know Cuza, asked him for information as to the location of a mill whither he was bound. Cuza abused him shamelessly and went so far as to assault him for the offense of having accosted so sacred an individual. The Jew naturally struck back in self-defense. An arrest followed and in spite of the testimony of disinterested witnesses the victim of Cuza's malevolence was sentenced to three years' imprisonment. The most horrible libels are perpetrated against the Jews, so savage, so brutal, evincing such an emanation of crass ignorance and virulent and fiendish animosity that one wonders that even the vilest of mankind can stoop to such degradation, yet the government has done nothing to put an end to these appeals to the most primitive passions of bestiality. It is inconceivable that such acts could continue were they not deliberately sanctioned by those in authority. We have gathered a mass of
authentic information on this and other phases of Roumanian abuses which will in due time be made the subject of serious and thorough investigation.

Student anti-Semitism exists also in Poland, but in that country the greatest suffering of the Jews is in the economic field. A number of those political leaders who, before the War, held the view that Poland was not rich enough to afford a living for both Poles and Jews, or that Poles could never compete on equal terms with Jews, have been in power since the foundation of the new republic. The exponents of this theory have sedulously cultivated a trade and professional boycott of the Jews, and have even succeeded in effecting their aim by statutory means, principally by declaring the manufacture of certain articles of commerce and certain branches of trade in which Jews had long been active to be Government monopolies, and by substituting non-Jews for the Jews who had been gaining a livelihood through these channels.

Another abuse from which Jews are suffering is the imposition upon them of burdensome taxation. This has been brought about in two ways, (1) by imposing especially heavy and discriminatory taxes on articles of commerce dealt in by Jews or special license fees on those engaged in industries carried on almost exclusively by Jews, or (2) by appraising the taxable property of the Jews at an extremely high figure, so that at times the taxes have been in excess of the income. These measures have resulted in the financial ruin of many long-established business firms, and have been followed by an epidemic of suicides. Jewish workers and small traders have turned their eyes toward Palestine, and it is from Poland that the Holy Land is
now drawing in large part its middle-class immigration.

This condition has had a deleterious effect upon Poland’s economic life and financial standing, and several of her more enlightened statesmen have come to realize that the enforced migration of upwards of three million people is not a practical possibility, that Jews, too, must live in Poland, that Poland needs them and that no country can prosper in which antagonism is continually fomented as between the various elements of the population. As a result of this realization, it has been announced, a sort of *modus vivendi* has been agreed upon by the government, on the one hand, and the Jewish representatives in the *Sejm* or Parliament, on the other.

The following is an official statement furnished to your President through the secretary of the Polish Delegation at Geneva as to the action which the government has bound itself to take to carry out the arrangement:

1. The Cabinet instructs the Minister of Public Worship and Education to prepare a draft for a law regarding the organization of the recognized Jewish religious communities throughout the country and regarding the *kehillas* of the said communities.

2. The Cabinet authorizes the Minister of Public Worship and Education to submit a draft for a decree by the Cabinet relative to the application of the provisions of the decree concerning the changes to be made in the organization of the Jewish religious communities in the old Congress Kingdom issued on February 7, 1919, to the eastern provinces of what was formerly Russian Poland (Official Gazette, No. 14, p. 175).

3. The Cabinet approves of the communication issued by the Minister of Public Worship and Education relative to the democratization of the organization of the Jewish communities within the boundaries of what was formerly Austrian Poland. This authorization concerns the changes to be made in the statutes regarding re-
religious communities (Parts 28 and 29 of the Law of March 21, 1890, concerning the legal status of the Jewish population in its relations with the Government; Austrian Official Gazette, No. 57).

4. The Cabinet instructs the Minister of Public Worship and Education to prepare a draft for a law concerning the use of Hebrew and Yiddish in the Jewish religious communities, basing his action in the matter on the example of the regulations now in force regarding the use of the Ukrainian and White Russian languages at the meetings of the autonomous representative bodies (of these racial groups).

5. The Cabinet declares itself as being in principle for sanctioning through the regular legislative channels the use of Hebrew and Yiddish at public gatherings.

6. The Cabinet approves of the communication of the Minister of Public Worship and Education which is to authorize in the future the recognition of Saturday as a day of rest and to include Judaism (not to take up more than ten hours a week) in the school curriculum in a certain number of elementary public schools in those localities where there is a considerable percentage of Jews.

7. The Cabinet approves of the communication of the Minister of Public Worship as to the educational duties of the Jewish population. The Minister shall issue a decree in the matter providing that attendance at Jewish religious schools whose organization conforms to the statutes covering public schools shall be regarded as conformance to the law regarding compulsory education.

8. The Cabinet approves the communication of the Minister of Public Worship and Education relative to the subventions to be granted by the said Minister to Jewish occupational schools which shall prove most worthy.

9. The Cabinet approves of the communication of the Minister of Public Worship and Education relative to the rights of Jewish private schools. By virtue of this declaration, a certain number of elementary, secondary and teachers' training schools with Hebrew or Yiddish as the language of instruction shall enjoy the same rights as the public schools, provided the said educational institutions shall prove worthy of this privilege by the grade of instruction they give in conformity with the statutes in force.
10. The Cabinet approves of the communication of the Minister of Public Worship which will exempt Jewish pupils in grade schools from all written work on Saturday.

11. The Cabinet approves of the communications of the Minister of Public Worship and Education and the Minister of War relative to the authorization to grant to children of school age, and to soldiers when off duty, all necessary facilities for the discharge of their religious duties on Saturday.

12. The Cabinet approves of the declaration of the Minister of War which, without infringing upon the fundamental regulations governing military service, will decree that Jewish soldiers desiring to procure food outside the army mess halls, in accordance with the Jewish dietary laws, shall be granted a special allowance of money for victuals.

This is certainly not as extensive a programme as that which has been quite widely published, during recent months, purporting to be an official summary and which reads as follows:

1. That the Polish Government is ready to annul the ordinance imposing the Polish language as the language of discussion in Councils of the Jewish communities of the Polish Republic, not permitting the use of Yiddish or Hebrew during the discussion.

2. That the Polish Government agrees to widen the sphere of activity and function of the legalized Jewish communal organization in the towns and cities.

3. That public right be granted to Jewish private schools in which the language of instruction may be Polish, Yiddish or Hebrew.

4. That the Polish Government will secure credit for Jewish merchants on an equal footing with non-Jewish merchants.

5. That the Jewish representatives be included on the board of the Polish Bank, the main financial instrument of the Polish Government.

6. That the Polish Government will take the necessary measures for the purpose of postponing for five years the carrying out of the
decision of the Polish Sejm (Parliament) concerning the withdrawal of concessions of monopolized articles, a measure which threatened the economic existence of 30,000 Jewish families.

7. That the Government will repeal the secret orders issued by the respective departments enforcing in actuality 

numerus clausus

for Jewish officers in the Polish Army and for Jewish students in Polish institutions of higher learning.

8. That a number of officials of Jewish faith who served in State offices in Galicia and were dismissed following the reunion of Galicia with the Polish Republic be reinstated.

9. That a list of Jewish jurists who might be candidates for judicial posts be submitted to the Minister of Justice for acceptance.

10. That a department for Jewish affairs will be created in the Ministry of Education.

11. That all those who have resided in Poland since 1910 will not be considered foreigners, but eligible for Polish citizenship.

12. That Jewish merchants and tradesmen will be allowed to open their stores for two hours on Sundays.

Doubtless some of these points were the subject of oral discussion and understanding. It is hoped that they may be made the subject of an official pronouncement.

3. Russia

This country, which is the home of nearly 3,000,000 Jews, deserves special treatment. This is the only land in which the Jews suffer from affirmative religious restrictions. While the Soviet law places no obstacles in the way of the practice of religion in churches or synagogues (although there is an occasional confiscation of a building), and the synagogues in Russia are permitted to remain open and to conduct their usual functions of prayer, the teaching of religion to persons under the age of eighteen is forbidden.
This, of course, means that if this course is persisted in
religion would eventually be practically exterminated. Re-
cently, concessions on this point have been made to Moham-
medans and to Christians, so that while no formal schools
are allowed, groups are permitted to receive religious in-
struction in these two faiths. On this point, however, Jews
have been discriminated against in that the teaching of two
Jewish children as a group has been declared to constitute
a prohibited school. We have reason to believe that this
discrimination against the Jews is due exclusively to the
Jewish section of the Communist Party to which has been
delegated the regulation of Jewish affairs. We thus see a
repetition of what has at various times occurred in our his-
tory, especially in the Middle Ages, when the most virulent
persecutors of Judaism were renegade Jews.

Added to these spiritual sufferings is the precarious eco-

donomic condition of the bulk of Russia's Jews. Only three
categories of people can exist in Russia today—govern-
metal or quasi-governmental employees, factory workers
and peasants. In the various upheavals that have shaken
Russia to its foundations, the agricultural worker has
always been the least affected, and it would seem that under
any form of government which may exist in Russia, the
worker on the land is comparatively secure in his economic
existence. Besides, so long as the present regime remains in
power, Russia will afford no place for the small trader.

Many Jews have found, and more will find their way
into industry, but industry was never highly developed in
Russia, and its extension is likely to be extremely slow.
Agriculture appears to be the only way out for the Jew,
and there is a markedly spontaneous movement of Jews
toward the land. The entire situation has been investigated by representatives of the Joint Distribution Committee, and, with an initial appropriation from that body of $400,000, later increased by an equal amount, the American Jewish Joint Agricultural Corporation (usually referred to as the Agro-Joint) was chartered on July 21, 1924, for the purpose of carrying out in an experimental way a project of settling on the land in Southern Russia a few hundred Jewish families in order to ascertain the possibilities of such settlement on a larger scale. As Dr. Joseph A. Rosen, the representative of the Agro-Joint, who was in charge of the work, in his report on the season 1924–1925, during which, with the help of the Agro-Joint, 4,000 Jewish families, aggregating over 25,000 souls, were settled on the land, says:

Our project has absolutely nothing to do with the ill-famed fable of an autonomous Jewish republic in Russia. It has no political aspects whatever, and was merely an effort to help along a spontaneous movement, a genuine new line of reconstructive rehabilitation originated by the Jewish masses in Russia of their own accord, as a dire necessity brought about by the post-war and post-revolutionary economic conditions of the country.

4. **United Jewish Campaign**

The favorable results of this experiment clearly indicated that an opportunity unique in modern Jewish history is presented for securing for many thousands of our brethren a settled and peaceful status as tillers of the soil of their native land. This conviction, and the knowledge of the fact that in other European countries, Jews still required the help of their American brethren, induced the Joint Distribution
Committee to decide to resume its work and to ask the Jews of America to contribute to a fund of $15,000,000 for these purposes. On September 13, last, a conference of the representatives of the various Jewish organizations and communities was held in Philadelphia, at which the following resolutions were unanimously adopted:

This Conference, called by the Joint Distribution Committee and its constituent organizations, Sunday, September 13, 1925, in Philadelphia, herewith resolves that we call upon the American Jews to initiate and carry through at the earliest possible moment the campaign that has been inaugurated for the securing of the sum of fifteen millions of dollars, to be expended by the Joint Distribution Committee along the lines of relief and reconstruction pursued by it heretofore and up to this time. This conference believes that it is necessary and inevitable to continue the work initiated by the Joint Distribution Committee four years ago in the field of industrial and agricultural settlement. Such work can be extended, and this Conference believes that such necessary political and moral safeguards may be accorded as will guarantee to American Israel the practicable and serviceable extension of these activities.

In addition to the work of continuing, and as far as may be of extending, the work of agricultural settlement, the Joint Distribution Committee is herewith empowered to continue its fruitful work of relief and service in the fields of war-orphan care, medical sanitation and prevention of disease, in the care of our unhappy refugee brothers, especially those stranded in the ports of Europe, in the field of industrial aid to artisans and tradespeople, and in cultural work.

The Conference does not call upon American Israel to undertake any new or untried task in the field of social amelioration and reconstruction. This Conference does no more than urge the men and women of American Israel to face their duty with the same eagerness and generosity with which they made possible the high achievements of the Joint Distribution Committee in other years.

This Conference regards it as self-evident that American Jewry, whenever called upon, is prepared generously to support the work
of Jewish re-settlement in Palestine. It is persuaded that through the Jewish Agency and other instrumentalities the Jews of America will always give adequately and generously of their strength and substance to the performance of this great and historic task.

The success of the United Campaign recently inaugurated depends upon the whole-hearted and generous support of every Jew, and the members of this Committee, which, eleven years ago, took the initiative in forming the American Jewish Relief Committee which raised the major part of the funds disbursed by the Joint Distribution Committee, have a solemn duty to perform in aiding this Campaign.

5. THE LEAGUE OF NATIONS AND MINORITY TREATIES

While the Jews of the United States can do much to improve the economic status of their brethren overseas, our work would not be of much avail unless the political and economic conditions of the various countries became secure. The treaties and agreements arrived at recently at Locarno between the principal European powers are a happy augury for a period of continued peace on that continent, and a potent factor in removing political insecurity and economic instability, two forces which are among the most active causes of racial strife and religious intolerance. The opening of a new era of international tranquillity should also tend to the more speedy and amicable solution of those problems, which the so-called minority clauses in the various peace treaties aimed to settle. Such problems are arising continually and are brought to the attention of the League of Nations in accordance with a clause in the treaties that "the stipulations [of the treaties] so far as they affect persons belonging to racial, religious, or linguistic minorities, consti-
tute obligations of international concern and shall be placed under the guarantee of the League of Nations.”

The President of the Committee spent a month in Geneva during the past summer, and there made a full and intensive study of the operation of the several minority treaties, of the various complaints relating to alleged infractions of their provisions, which have been referred to the Council of the League and its committees, the action taken thereon by the Council, and in such cases as have been brought to the attention of the Permanent Court of International Justice, the procedure followed by the League and by the Permanent Court in relation to these questions.

Before leaving Geneva, Mr. Marshall submitted to the Secretariat the following memorandum:

After devoting a month's careful study to the working of the Minority Treaties and their application by the Council of the League of Nations and by the Permanent Court of International Justice, as one largely concerned in framing and advocating the adoption of these Treaties, it is for me a pleasant duty to express my appreciation of what has been done and the belief that the Treaties are receiving that sympathetic consideration which is destined to make of them the medium for securing a better understanding among the peoples of the various nations to which they relate.

The Treaties are not looked upon as mere paper promises. They have become living organisms. It is doubtless true that while much remains to be done to raise them to the highest level of efficiency, they mark a great forward stride. What has been accomplished is an earnest of what will eventually be achieved.

I am conscious of all the difficulties to be overcome. They will vanish in the face of a firm determination to obviate the abuses which the Treaties were designed to cure.

In the administration of the sacred trust reposed by their terms upon the Council of the League of Nations much depends upon procedure. It is gratifying to note that that which has thus far been
evolved is well calculated to simplify the effectuation of the Treaties in accordance with their real essence.

It is, of course, evident that this procedure is in a sense tentative. Experience seems to show that in the interests of justice it may be improved in some respects. I am confident that it will not be taken amiss if I venture to suggest at least one particular in which the present regulations adopted by the Council and acted on by the Assembly may be extended and made more searching. It has necessarily been provided in order to carry out the spirit of the Treaties, that any of the minorities affected may lodge with the Secretariat of the League a petition setting forth an actual or threatened breach of a right conferred upon or guaranteed to the members of such minorities. The Secretariat communicates the petition to the Government affected, and the latter may within a time fixed submit its answer to the complaint made. The petition and answer are then considered by a committee of three members of the Council, which determines whether or not these documents are to be dealt with by the Council itself. At the hearings before the Committee and the Council, the Government against which complaint is made is permitted to appear by its representatives and to supplement its written answer by oral arguments and additional statements as to the charge made.

As a lawyer, it seems to me that in accordance with the fundamental rule applicable to all juridical or quasi juridical proceedings, and especially such as are determinative of rights secured by an instrument like a constitution or a treaty, no one of those concerned in the ultimate decision of a controversy which is the subject-matter of a proceeding shall be placed at a disadvantage in the presentation of the case. Hence an opportunity to be heard in respect to the merits of the controversy is equally essential to the petitioner and to the Government against which complaint has been made. That is the necessary implication derivable from the terms of the Minority Treaties. Under the existing procedure no opportunity is given to the petitioners to reply to the answer of the Government, or to submit their contentions to the Committee of Three or to the Council in the sense that the Government is enabled to do so.

The Government may either (1) deny the allegations of the peti-
tioners, or (2) plead by confession and avoidance, that is, admit the truth of the allegations but contend that in law and in fact the petitioners are not entitled to relief because of other facts that may be pleaded, or (3) set forth an entirely independent state of facts, or (4) contend that the Council does not possess jurisdiction to consider the petition.

Whatever the nature of the Government's answer may be, and it may partake of all of these elements, there is no provision that the petitioners shall (a) be informed of the terms of the answer, or (b) be permitted to reply to it and indicate wherein they agree or disagree with the Government's contentions as to the law or the facts advanced by it, or (c) as to the conclusion reached by the Committee or the Council.

It may be that the allegations of the Government are inaccurate or that they are made under a mistaken conception of the actual facts. It may be that the petitioners are able to explain satisfactorily the allegations of the Government's answer or to present the issues of law or of fact in such form as to elucidate fully their position. Yet the present procedure entirely eliminates the petitioners as soon as their petition has been filed in the Secretariat. Where the welfare of millions of human beings and the peace of nations may be at stake, it would appear not only desirable, but in the interest of complete justice, that the petitioners, who presumably are better acquainted with the facts than any third party can possibly be in what has become a controversy which may affect their most precious interests, should at least be kept informed of the fate of their petition and be enabled to communicate freely to the Committee and the Council such facts and arguments as are germane to the answer submitted by the Government. Otherwise it is easy to conceive that in many instances serious abuses sought to be remedied may be perpetuated and the spirit of the Treaties entirely evaded or disregarded.

I fully recognize the fact that these complaints are made against Sovereign States, and that nothing should be done to impair their dignity or to wound their sensibilities. But it must be remembered that it is the object of these Treaties to protect minorities against an invasion of the rights guaranteed to them by the sovereign states of which they are citizens. The several States executing the Minor-
ity Treaties or making declarations in acceptance of their provisions entered into covenants unchangeable by their own law or acts, which inure to the benefit of the individuals constituting the racial, linguistic or religious minorities sought to be protected. That is demonstrated by the opinions of the Permanent Court of International Justice in the German Settlers and the Polish Citizenship Cases.

It must have been contemplated by the nations entering into these treaties, when they made their observance a matter of international concern and placed them under the guarantee of the League of Nations, that by doing so they waived pro tanto the sovereign power of disregarding complaints of those of their nationals who come within the purview of the Minority Treaties, as to the non-observance of their provisions. On the contrary, these nations consented that cognizance might be taken of such complaints. They surely did not give with one hand and take away with the other when they executed these solemn instruments. It was not within their competence to do so.

It will not be claimed that it was contemplated that the statements contained in the answers submitted by any of these Governments to a document presented on behalf of petitioners complaining of a breach of a treaty guaranteed by the League, were to be conclusive and might not be controverted. If so, these Treaties would merely be words of promise to the ear to be broken in their fulfilment.

It is likewise to be considered that when the Treaties were placed under the guarantee of the League, the guarantor's obligation involved theascertaintment by it of all facts bearing upon an alleged breach of their provisions, not merely those set forth in the complaints of the minorities and the answer of the Government, but any facts which the minorities might in an orderly manner bring forward by way of reply to the answers.

When a State appears before a tribunal such as the Council of the League or the Permanent Court of International Justice, it is subject to the same rules as is a private person under like circumstances. In the Federal and State jurisprudence of the United States, the Government proceeded against, once it has consented that complaints against it may be prosecuted by its citizens before designated tribunals, is treated like any other litigant, and its answer may be con-
troverted like that of an individual defendant. A petitioner enjoys exactly the same opportunities as does the Government in the presentation of the case. The reason is obvious. That same reason applies where complaint is made of a breach, actual or threatened, of any of the Minority Treaties.

Without now seeking to elaborate these comments, it is my opinion that the extension of the procedure relative to complaints arising under the Treaties in the direction indicated would give such effect to their true meaning and intent as will carry out their beneficent purposes.

Few complaints of denial of the so-called "Minority Rights" have been registered by or on behalf of Jews. A number of cases involving other minorities have, however, been acted upon by the Council of the League of Nations, or by the Secretariat with satisfactory results. In two instances the Council submitted the records to the Permanent Court of International Justice for advisory opinions. That great tribunal was called upon in the course of the opinions rendered to interpret the minority treaties. Its pronouncements are so momentous and juridically so sound and far-reaching as to merit copious quotation. No judicial tribunal in history has surpassed these utterances in elevation of thought and true statesmanship.

The first case involving an interpretation of the Minority Treaties by the Permanent Court of International Justice is to be found in Advisory Opinion No. 6, with reference to a controversy relating to the rights of settlers of German origin in the territory ceded by Germany to Poland. An interpretation of the Treaty in its entirety was required. The Court, acting unanimously, gave to that instrument the full effect intended by its framers. The following excerpts are of significant importance:
"The preamble of the Treaty, after reciting that the Allied and Associated Powers had by the success of their arms restored the Polish nation to the independence of which it had been unjustly deprived, declares that the Allied and Associated Powers on the one hand are 'anxious to ensure the execution of the provisions of Article 93' of the Peace Treaty, and that Poland, on the other hand, desires 'to conform her institutions to the principles of liberty and justice and to give a sure guarantee to the inhabitants of the territory' over which she has assumed sovereignty. For this purpose, so the preamble declares, the Minorities Treaty was concluded.

"By Article 1 of this Treaty, Poland undertakes that the stipulations contained in Articles 2 to 8 shall be recognized as 'fundamental laws' and that no law, regulation or official action shall conflict or interfere with or prevail over them. By Article 2, Poland further 'undertakes to assure full and complete protection of life and liberty to all inhabitants of Poland without distinction of birth, nationality, language, race or religion.'

"The first paragraph of Article 7 provides:

"'All Polish nationals shall be equal before the law and shall enjoy the same civil and political rights without distinction as to race, language or religion.'

"The first sentence of Article 8 contains the following additional stipulation:

"'Polish nationals who belong to racial, religious or linguistic minorities shall enjoy the same treatment and security in law and in fact as the other Polish nationals.'

"Without quoting further stipulations the Court will proceed at once to the provisions of Article 12 of the Treaty, which reads as follows:

"'Poland agrees that the stipulations in the foregoing Articles, so far as they affect persons belonging to racial, religious or linguistic minorities, constitute obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of a majority of the Council of the League of Nations. The United States, the British Empire, France, Italy and Japan, hereby agree not to withhold their assent from any modification in these Articles which is in due
form assented to by a majority of the Council of the League of Nations.

"'Poland agrees that any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction, or any danger of infraction, of any of these obligations, and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances.

"'Poland further agrees that any differences of opinion as to questions of law or fact arising out of these Articles between the Polish Government and any one of the Principal Allied and Associated Powers or any other Power, a Member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations. The Polish Government hereby consents that any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.'

"It will be observed that by Article 12 the stipulations of the preceding articles, so far as they affect persons belonging to racial, religious or linguistic minorities, constitute 'obligations of international concern' and are placed 'under the guarantee of the League of Nations;' that Poland then agrees that 'any Member of the Council' of the League shall have the right to bring to the attention of the Council 'any infraction, or any danger of infraction, of any of these obligations.'

"When the matter now before the Court was first brought to the notice of the League of Nations, it was dealt with by the Secretariat of the League and by the Council in accordance with the procedure established by the Council for such cases, and it was thus repeatedly brought to the attention of the Council by at least three of its members, the representatives of their respective States. Paragraph 2 of Article 12 provides that any Member of the Council may bring to its attention any infraction or danger of infraction of any of the obligations mentioned, and that the Council may thereupon proceed to act on the subject. The Court does not think it material to inquire
how or by whom the member or members may have been induced to bring the matter to the Council's attention. The Members of the Council are by the terms of the Covenant the representatives of the States by which they are appointed. States can act only by and through their agents and representatives. So far as concerns the procedure of the Council in minority matters, it is for the Council to regulate it.

* * *

"While under the terms of the Minorities Treaty it necessarily rests with the Council in the first instance to determine whether an infraction or danger of infraction exists, the Court is of opinion that upon the facts before it the existence of such a condition clearly appears.

"As has been seen, Article 7 of the treaty provides that all Polish nationals shall be equal before the law and shall enjoy the same civil and political rights without distinction as to race, language or religion. The expression 'civil rights' in the Treaty must include rights acquired under a contract for the possession or use of property, whether such property be immoveable or moveable.

"Article 8 of the Treaty guarantees to racial minorities the same treatment and security 'in law and in fact' as to other Polish nationals. The facts that no racial discrimination appears in the text of the law of July 14th, 1920, and that in a few instances the law applies to non-German Polish nationals who took as purchasers from original holders of German race, make no substantial difference. Article 8 is designed to meet precisely such complaints as are made in the present case. There must be equality in fact as well as ostensible legal equality in the sense of the absence of discrimination in the words of the law."

In Advisory Opinion No. 7, rendered by the Permanent Court of International Justice on the question of the Acquisition of Polish Nationality by the fact of birth within the territory now constituting Poland, the following luminous exposition of the meaning and scope of the Treaty between
the Principal Allied and Associated Powers and Poland was unanimously adopted:

"The first question which arises therefore is what must be understood by a minority—in the present case a German minority—within the meaning of the Polish Minorities Treaty. In order to reply to this question it is necessary to bear in mind the conditions under which the Minorities Treaty was concluded and the relations existing between that Treaty and the Treaty of Peace which was signed on the same day.

"The independence of the new State of Poland was finally recognized by the Treaty of Peace. At the same time Poland assumed certain obligations towards the Principal Allied and Associated Powers who were co-signatories with her of the Treaties of Peace and Minorities. According to Article 93 of the Treaty of Peace:

"'Poland accepts and agrees to embody in a Treaty with the Principal Allied and Associated Powers such provisions as may be deemed necessary by the said Powers to protect the interests of inhabitants of Poland who differ from the majority of the population in race, language or religion.'

"Again in the Preamble of the Minorities Treaty Poland declares that she desires:

"'...to conform her institutions to the principles of liberty and justice, and to give a sure guarantee to the inhabitants of the territory over which she has assumed sovereignty.'

"It is to be observed that these two clauses which serve as a basis for the provisions embodied in the Minorities Treaty do not speak restrictively of Polish nationals, that is to say of persons who in their capacity as Polish nationals constitute minorities within the whole body of nationals of the country; these clauses considerably extend the conceptions of minority and population, since they allude on the one hand to the inhabitants of the territory over which Poland has assumed sovereignty and on the other hand to inhabitants who differ from the majority of the population in race, language or religion. The expression 'population' seems thus to include all inhabitants of Polish origin in the territory incorporated in Poland. Again, the term 'minority' seems to include inhabitants who differ from
the population in race, language or religion, that is to say, amongst others, inhabitants of this territory of non-Polish origin, whether they are Polish nationals or not. This conclusion is confirmed by the terms of Article 2 of the Minorities Treaty, according to which the Polish Government undertakes to assure full and complete protection of life and liberty to all inhabitants without distinction of birth, nationality, language, race or religion, and declares that all inhabitants of Poland shall enjoy certain rights which are therein enumerated.

"The terms of Article 12, which fixes the extent of the competence of the League of Nations, are in entire accordance with the wider conception of a minority derived from the Articles above-mentioned since it speaks of 'persons belonging to racial, religious or linguistic minorities,' without attaching any importance to the political allegiance of these persons.

Moreover, the Minorities Treaties in general, and the Polish Treaty in particular, have been concluded with new States, or with States which, as a result of the war, have had their territories considerably enlarged, and whose population was not therefore clearly defined from the standpoint of political allegiance. One of the first problems which presented itself in connection with the protection of the minorities was that of preventing these States from refusing their nationality on racial, religious or linguistic grounds, to certain categories of persons, in spite of the link which effectively attached them to the territory allocated to one or other of these States. It is clearly not a purely fortuitous circumstance that the Treaties for the protection of minorities contain provisions relating to the acquisition of nationality. Again, the fact that in some cases these provisions merely repeat, either in their entirety or in part, principles laid down in the Peace Treaties, would appear to be explained by the intention to extend to these principles the guarantee of the League of Nations no matter what points of difference or resemblance there may be between these treaties.

"Poland therefore, at the moment of her final recognition as an independent State and of the delimitation of her frontiers, signed provisions which establish a right to Polish nationality, and these provisions, in so far as they are inserted in the Minorities Treaty, are
recognized by Poland as fundamental laws with which no law, reg-
ulation or official action may conflict or interfere (Article I of the
Treaty of Minorities). Though, generally speaking, it is true that
a sovereign State has the right to decide what persons shall be re-
garded as its nationals, it is no less true that this principle is applicable
only subject to the Treaty obligations referred to above.

"The observance by Poland of the provisions regarding the acquisi-
tion of Polish nationality, which she accepted in signing the Treaty
of Peace, is of supreme importance to persons of non-Polish origin
who are entitled to avail themselves of the provisions in question
in order to become Polish nationals.

"In view of the importance of this matter, the Principal Allied and
Associated Powers desired to create a sure guarantee in favour of
these persons; with this object in view they inserted stipulations on
the subject in the Minorities Treaty, thus indicating their intention
that these persons should benefit by the protection provided for under
Article 12. The very fact that Articles 3 to 6 are included in the
Minorities Treaty seems to show that, in so far as these Articles
establish a right on the part of persons of German origin to Polish
nationality, this right is placed under the guarantee of the League
of Nations, which is specially fitted to undertake the protection of
the persons of German origin referred to in the Minorities Treaty,
to which Germany was not a signatory.

"It seems therefore evident that since the Minorities Treaty in
general, and Article 4 in particular, does not exclusively contemplate
minorities composed of Polish nationals or of inhabitants of Polish
territory, Poland, by consenting, in Article 12 of the Treaty, to the
preceding Articles being placed under the guarantee of the League
of Nations in so far as they concern persons belonging to racial or
linguistic minorities, also consents to the extension of this protection
to the application of Articles 3 to 6.

"If this were not the case, the value and sphere of application of
the Treaty would be greatly diminished. But in the Advisory Opin-
ion given with regard to the questions put concerning the German
colonists in Poland, the Court has already expressed the view that
an interpretation which would deprive the Minorities Treaty of a
great part of its value is inadmissible. In the present case it would
be still less admissible, since it would be contrary to the actual terms of the Treaty, which lays down in Article 12 that the clauses preceding this Article, including therefore those contained in Article 4, are placed under the guarantee of the League of Nations."

It was the intention of your Committee to arrange to have a permanent representative at Geneva, to act on its behalf whenever the occasion should arise. But in the course of his visit, the President was convinced that such a step is unnecessary. Arrangements have, however, been made, for the regular and systematic transmission to the Committee of information, reports, memorials, etc., which have any bearing on matters in which the Committee may desire to interest itself, and a mass of valuable material has been collected.

6. **PALESTINE**

Jewish work in Palestine continues to progress rapidly. The achievements of the past five years, in the rehabilitation of the land, were succinctly summed up in the following words by Sir Herbert Samuel, upon relinquishing his post upon the expiration of his term as British High Commissioner:

The population is rapidly increasing. There is an accumulated balance of revenue over expenditure of more than 600,000 pounds. It has been possible to reduce the taxation that lay heavily upon the cultivator. The railway and postal services are efficient and remunerative to the state. Nearly a thousand kilometers of new roads have been built. Public security is completely maintained. Progress has been made in the elimination of malaria, and other diseases that affected the population. Nearly two hundred new village schools have been opened. The antiquities of the country, of the deepest interest to the world at large, have been carefully safeguarded. The
Government has taken every opportunity to promote a greater spirit of harmony between the many religious communities which are comprised within this varied population, and those efforts had results.

The adjourned meeting of the Non-Partisan Conference which met for the first time on February 17, 1924, was held on March 1, 1925. At this meeting, the formation of the Palestine Economic Corporation, to which reference was made in our report last year, was ratified, and the following resolution on the Jewish Agency for Palestine was adopted.

"WHEREAS, by Article 132 of the Treaty of Peace signed at Sèvres on August 10, 1920, Turkey renounced, in favor of the Allied Powers, all rights and title over Palestine, and in accordance with Article 95 of the Treaty, it was agreed to entrust the administration of Palestine to Great Britain as the Mandatory responsible for putting into effect the Balfour Declaration, recognition having been given in the Treaty to the historical connection of the Jewish people with Palestine; and

"WHEREAS, in accordance with Article 4 of the Palestine Mandate subsequently issued by the League of Nations, provision has been made for the recognition of an appropriate Jewish Agency as a public body for the purpose of advising and co-operating with the Administration of Palestine in such economic, social and other matters as may effect the establishment of a Jewish National Home and the interests of the Jewish population in Palestine, and subject always to the control of the Administration to assist and take part in the development of the country, and the Zionist Organization was recognized as such Agency, with directions to take steps, in consultation with the Mandatory Government, to secure the co-operation of all Jews who are willing to assist in the establishment of the Jewish National Home; and

"WHEREAS, in accordance with Article 4 of the Palestine Mandate the Zionist Organization has heretofore proposed the establishment of an enlarged Jewish Agency, in which adequate representation shall be given to non-Zionists to participate with the Zionist organization in the privileges and responsibilities of the Jewish Agency, and thereupon on February 17, 1924, at a Non-Partisan Conference of Amer-
ican Jews convened in the City of New York it was concluded to be desirable that an appropriate plan be formulated whereby American Jewry might become a part of the Jewish Agency, and a committee was designed to confer with the Zionist Organization and other bodies for the purpose of effectuating this object and in the meantime the principal Jewish communities of Europe, through representative organizations, have taken steps looking to the accomplishment of the same end; and

"WHEREAS, the Non-Partisan conference has now reconvened to receive the report of its Committee, which has been submitted and fully considered,

"BE IT RESOLVED—

"FIRST: That the Report of the Committee and its several recommendations be, and the same are in principle accepted and approved.

"SECOND: That in order to carry out the plan embodied in such report this Conference appoint an Organization Committee to consist of twelve members who are not members of the Zionist Organization, for the purpose of bringing about full participation of American Jewry in the Jewish Agency, and that such committee be instructed to proceed with its activities in accordance with the following directions:

"(a) That it shall proceed to bring about the creation and recognition of a Jewish Agency pursuant to the Mandate which shall consist of a Council and of an Executive Committee in both of which bodies there shall be non-Zionist representatives of responsible American Jewish organizations in the ratio hereinafter specified;

"(b) That on the Council of the Jewish Agency to be formed, 50 per cent. of the membership shall be selected by the World Zionist Organization, and 50 per cent. by non-Zionist bodies willing in the spirit of the Mandate to co-operate actively in the Jewish Agency;

"(c) That of the non-Zionist members of the Council of the Jewish Agency, 40 per cent shall be representative of American Jewry, exclusive of such American representative as may be selected by the Zionist Organization;

"(d) That 50 per cent. of such Executive Committee as may be selected to administer the affairs of the Jewish Agency, shall be appointed by the World Zionist Organization, and 50 per cent. shall be
appointed by the Council composed of the non-Zionist bodies participating in the responsibilities of the Jewish Agency;

"(e) That the right of the members of the Council and in the Executive Committee of the Jewish Agency to vote by proxy shall be recognized;

"THIRD: That upon the receipt of the acceptance by a majority of those chosen for membership in the Council representing non-Zionist bodies, of their designation as such members, an assembly of the American members of the Council of the Jewish Agency shall be summoned by the Organizing Committee appointed by this Conference.

"FOURTH: That due consideration be given at such assembly to the desirability of making the Keren Hayesod (Palestine Foundation Fund) an instrumentality of the Jewish Agency in respect to such financial matters as properly come within the jurisdiction of the Agency and for the unification of the various public efforts as distinguished from economic undertakings, directed to the upbuilding of Palestine."

The chairman of the Conference in whom was vested this power has appointed the following organization committee:

Dr. Cyrus Adler, Philadelphia; Marcus Aron, Pittsburgh; James H. Becker, Chicago; Henry J. Bernheim, New York; David M. Bressler, New York; David A. Brown, Detroit; Hon. Alfred M. Cohen, Cincinnati; Dr. Lee K. Frankel, New York; Felix Fuld, Newark; Dr. Leo Jung, New York; Dr. Samuel Schulman, New York; Dr. Abram Simon, Washington; Felix M. Warburg, New York.

It is hoped that the execution of these plans will bring about unity among Jews in the work of rendering Palestine a happy home for many thousands of Jews, who, in the language of the resolution adopted by this Committee on April 28, 1918, "attracted by religious or historic associations,
shall seek to establish in Palestine a center for Judaism, for the stimulation of our faith, for the pursuit and development of literature, science and art in a Jewish environment, and for the rehabilitation of the land."

C. ORGANIZATION MATTERS

1. DEATHS

Your Committee reports with great sorrow the death on January 5, 1925, of Sigmund Eisner of Red Bank, New Jersey, a member from District XIV; and on September 11, 1925, of Ephraim Lederer of Philadelphia, a member from District IX. Your Executive Committee adopted the following resolutions expressive of its sentiments:

The Committee has learned with sorrow of the death of SIGMUND EISNER of Red Bank, New Jersey, a member of the Committee since 1920. The Committee extends to the family of the deceased its heartfelt sympathy and condolence at their bereavement.

The Committee records its sense of loss on the death of EPHRAIM LEDERER of Philadelphia, who was a member since 1912. Mr. Lederer's learning, experience and co-operation as one of the most respected members of the Bar of his State and as a talented journalist were always at the call of the Committee and his interest in its work was active and sympathetic. His loss has deprived the Committee of an energetic co-worker and devoted friend.

Your Committee reports with sorrow the death of Abraham G. Becker and Max Pam of Chicago, who, though not
members of the Committee, were generous contributors to its funds and responded promptly whenever called upon for cooperation.

2. Membership

Your Committee is pleased to state that all the gentlemen who were elected to membership at the last Annual Meeting and whose names are listed in the Eighteenth Annual Report on pages 10, 11 and 12, have agreed to serve.

In accordance with the provisions of the By-Laws, the President appointed the following Nominating Committee, which was asked to make nominations for representatives to succeed those members whose terms expire today and to fill vacancies wherever they exist.

District I. Leonard Haas, Atlanta.
District II. Nathan Cohn, Nashville.
District III. Rabbi Max Heller, New Orleans.
District IV. Aaron Waldheim, St. Louis.
District V. M. C. Sloss, San Francisco.
District VI. Nat Stone, Milwaukee.
District VII. Abel Davis, Chicago.
District VIII. David Philipson, Cincinnati.
District IX. Ephraim Lederer, Philadelphia.
District X. Julius Levy, Baltimore.
District XI. Isaac M. Ullman, New Haven.
District XII. Cyrus L. Sulzberger, New York City (Chairman).
District XIII. Rabbi Horace J. Wolf, Rochester.
District XIV. Felix Fuld, Newark.

Following is a list of the nominees suggested by this committee, and who agreed to serve if elected:
Ben H. Stein, Vicksburg, Miss., to succeed Levi Rothenberg, Meridian, Miss.

Joseph H. Schanfeld, Minneapolis, Minn., to be re-elected for term expiring 1930.

Julius Rosenwald, Chicago, Ill., to be re-elected for term expiring 1930.

Samuel E. Rauh, Indianapolis, Ind., and Louis Horkheimer, Wheeling, W. Va., to be re-elected for term expiring 1930.

B. L. Levinthal, and Morris Rosenbaum, Philadelphia, Pa., to be re-elected for term expiring 1930.

Fulton Brylawski, Washington, D. C., Jacob H. Hollander, and Siegmund B. Sonneborn, Baltimore, Md., to be re-elected for term expiring 1930.


Simon Fleischmann, Buffalo, N. Y., to be re-elected for term expiring 1930.
District XXIV. David Holzner, Trenton, N. J., William Harris, Allentown, Pa., to be re-elected for term expiring 1930.

These nominations were submitted to the Sustaining Members, who were asked to make independent nominations if they chose to do so. The list of independent nominees who agreed to serve if elected follows:

District XI. Jacob B. Klein, Bridgeport, Conn., to succeed Philip N. Bernstein, whose term expires today.

District XII. David N. Mosessohn, New York City, to succeed William Fischman, whose term expires today.

District XIV. B. S. Pollak, Laurel Hill, N. J., to fill existing vacancy in New Jersey.

Ballots were prepared and issued, which will be canvassed today and the results reported by the tellers appointed by the President, in accordance with the provisions of the By-Laws.

Your Committee recommends the election of the following to membership at large: James Becker, Chicago; Leo M. Brown, Mobile; Abel Davis, Chicago; S. Marcus Fechheimer, Cincinnati; Eli Frank, Baltimore; Herbert Friedenwald, Washington; Louis E. Kirstein, Boston; Albert D. Lasker, Chicago; Jacob M. Loeb, Chicago; Jules E. Mastbaum, Philadelphia; Nathan J. Miller, New York City; Milton J. Rosenau, Boston; Victor Rosewater, Omaha; Henry Sachs, Colorado Springs; Horace Stern, Philadelphia; Solomon M. Stroock, New York City; Frederick W. Wile, Washington.
Your Committee begs leave to report that during the past year Mr. A. Leo resigned as a member of the Executive Committee and his resignation was accepted.

3. Representation of National Organizations

During the past year the following national organizations announced their willingness to be represented in the Committee and elected the delegates named:

Federation of Hungarian Jews in America—Dr. Samuel Büchler, Mr. Samuel Bettelheim.


The United Roumanian Jews of America—Solomon Sufrin.

With the addition of these three bodies, the Committee now represents seventeen national Jewish organizations, namely:

American Jewish Historical Society.
Council of Jewish Women.
Federation of Hungarian Jews in America.
Hadassah.
Hebrew Sheltering and Immigrant Aid Society.
Independent Order Brith Abraham.
Independent Order Brith Sholom.
Independent Order Free Sons of Israel.
Independent Western Star Order.
Order Brith Abraham.
Order of the United Hebrew Brothers.
Progressive Order of the West.
Rabbinical Assembly of the Jewish Theological Seminary.
United Roumanian Jews of America.
United Synagogue of America.
Women's League of the United Synagogue of America.

4. FINANCES

A statement of the receipts from the various districts follows:

<table>
<thead>
<tr>
<th>District</th>
<th>Territory</th>
<th>Contributions Received for Fiscal Year Ended Oct. 31, 1924</th>
<th>Contributions Received for Current Fiscal Year Ended Oct. 31, 1925</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>Florida, Georgia, North Carolina, South Carolina</td>
<td>$303.00</td>
<td>$305.50</td>
</tr>
<tr>
<td>II</td>
<td>Alabama, Mississippi, Tennessee</td>
<td>359.00</td>
<td>335.00</td>
</tr>
<tr>
<td>III</td>
<td>Arizona, Louisiana, New Mexico, Oklahoma, Texas</td>
<td>526.00</td>
<td>538.00</td>
</tr>
<tr>
<td>IV</td>
<td>Arkansas, Colorado, Kansas, Missouri</td>
<td>1,058.00</td>
<td>1,013.50</td>
</tr>
<tr>
<td>V</td>
<td>California, Idaho, Nevada, Oregon, Utah, Washington</td>
<td>1,107.00</td>
<td>901.50</td>
</tr>
<tr>
<td>VI</td>
<td>Iowa, Michigan, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, Wyoming</td>
<td>898.00</td>
<td>806.00</td>
</tr>
<tr>
<td>VII</td>
<td>Illinois</td>
<td>4,602.00</td>
<td>3,825.00</td>
</tr>
<tr>
<td>VIII</td>
<td>Indiana, Kentucky, Ohio, West Virginia</td>
<td>1,187.00</td>
<td>1,422.00</td>
</tr>
<tr>
<td>IX</td>
<td>City of Philadelphia</td>
<td>1,927.00</td>
<td>2,219.00</td>
</tr>
<tr>
<td>X</td>
<td>Delaware, District of Columbia, Maryland, Virginia</td>
<td>789.50</td>
<td>866.50</td>
</tr>
<tr>
<td>XI</td>
<td>Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont</td>
<td>1,496.50</td>
<td>1,199.50</td>
</tr>
<tr>
<td>XII</td>
<td>New York City</td>
<td>8,789.72</td>
<td>9,139.72</td>
</tr>
</tbody>
</table>
The report of the auditor of the Committee's accounts is appended to this report. It shows that the Committee's income from Sustaining and Contributing Members was $25,304.72, and from interest on bank balances $132.80, making a total of $25,437.52. Of this amount $16,388.93 was expended for the maintenance of the Committee's office; $8,500 was contributed to the support of the Bureau of Jewish Social Research; $737.05 was the cost of the compilation of the American Jewish Year Book; $3,489.94 was expended for special purposes. The total expenses were, therefore, $29,115.92, which was $3,678.40 in excess of the receipts for the year.

Your Committee is again compelled to call attention to the small fund at its disposal for special purposes outside of the maintenance of the Committee's office. The Committee has, therefore, determined to ask you for your full support in raising for the coming year the sum of $50,000. It has been suggested that those members who are in position to do so, agree to raise definite proportions of the difference between this amount and the sum now being collected from Sustaining Members and Annual Contributors.

5. Standing Committees

The Executive Committee has determined that the best interests of the Committee would be served by the appoint-
ment of a number of Standing Committees to consist of members of the general body, the chairmen to be drawn from the Executive Committee or to be members ex officio of the Executive Committee. To these standing committees are to be referred for preliminary study and report, such matters within their purview as are submitted to the Committee for consideration. In accordance with this plan standing committees on finances, immigration and naturalization, publications, Year Book, rights of minorities, and others will be appointed by the President at or subsequent to this Annual Meeting.

Respectfully submitted,

THE EXECUTIVE COMMITTEE.