

REPORT OF THE AMERICAN JEWISH COMMITTEE

NOVEMBER, 1906, TO JUNE 1, 1908

OFFICERS AND EXECUTIVE COMMITTEE

PRESIDENT

MAYER SULZBERGER, Philadelphia

VICE-PRESIDENTS

JULIAN W. MACK, Chicago

ISAAC H. KEMPNER, Galveston

TREASURER

ISAAC W. BERNHEIM, Louisville, Ky.

EXECUTIVE COMMITTEE

CYRUS ADLER, Washington, D. C.

HARRY CUTLER, Providence, R. I.

EMIL G. HIRSCH, Chicago

E. W. LEWIN-EPSTEIN, New York

J. L. MAGNES, New York

LOUIS MARSHALL, New York

JACOB H. SCHIFF, New York

ISADOR SOBEL, Erie

CYRUS L. SULZBERGER, New York

SECRETARY

HERBERT FRIEDENWALD, 356 Second Ave., N. Y. City

MEMBERS AND DISTRICTS

Dist. I: Florida, Georgia, North Carolina, South Carolina. 2 members: Moses H. Cone, Greensboro, N. C. (1911); Montague Triest, Charleston, S. C. (1909).

Dist. II: Alabama, Mississippi, Tennessee. 2 members: Jacques Loeb, Montgomery, Ala. (1908); Nathan Cohn, Nashville, Tenn. (1908).

Dist. III: Arizona, Louisiana, New Mexico, Texas. 2 members: Isidore Newman, New Orleans, La. (1909); Isaac H. Kempner, Galveston, Tex. (1911).

Dist. IV: Arkansas, Colorado, Kansas, Missouri. 3 members: Morris M. Cohn, Little Rock, Ark. (1909); David S. Lehman, Denver, Col. (1911); Elias Michael, St. Louis, Mo. (1910).

Dist. V: California, Idaho, Nevada, Oregon, Utah, Washington. 3 members: Max C. Sloss, San Francisco, Cal. (1911).

Dist. VI: Iowa, Michigan, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Wisconsin, Wyoming. 4 members: Henry M. Butzel, Detroit, Mich. (1909); Victor Rosewater, Omaha, Neb. (1909); Max Landauer, Milwaukee, Wis. (1912).

Dist. VII: Illinois. 7 members: Edwin G. Foreman (1909); Emil G. Hirsch (1908); B. Horwich (1912); Julian W. Mack (1908); Julius Rosenwald (1910); Joseph Stolz (1909), all of Chicago, Ill.; Samuel Woolner, Peoria, Ill. (1911).

Dist. VIII: Indiana, Kentucky, Ohio, West Virginia. 5 members: Louis Newberger, Indianapolis, Ind. (1910); Isaac W. Bernheim, Louisville, Ky. (1912); David Philipson, Cincinnati, O. (1909); J. Walter Freiberg, Cincinnati, O. (1911); E. M. Baker, Cleveland, O. (1908).

Dist. IX: New Jersey, Pennsylvania. 9 members: Louis Hood, Newark, N. J. (1908); Isaac W. Frank, Pittsburg, Pa. (1912); Wm. B. Hackenburg (1909); B. L. Levinthal (1910); M. Rosenbaum (1910), all of Philadelphia, Pa.; Isador Sobel, Erie, Pa. (1911); Mayer Sulzberger, Phila., Pa. (1908); A. Leo Well, Pittsburg, Pa. (1909); Benjamin Wolf, Phila., Pa. (1912).

Dist. X: Delaware, District of Columbia, Maryland, Virginia. 3 members: Cyrus Adler, Washington, D. C. (1910); Harry Friedenwald, Baltimore, Md. (1910); Jacob H. Hollander, Baltimore, Md. (1910).

Dist. XI: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont. 3 members: Isaac M. Ullman, New Haven, Conn. (1911); Lee M. Friedman, Boston, Mass. (1912); Harry Cutler, Providence, R. I. (1911).

Dist. XII: New York. 17 members: Nathan Bijur (1911); Joseph H. Cohen (1912); Daniel Guggenheim (1908); Leon Kamaiky (1908); Edward Lauterbach (1912); E. W. Lewin-Epstein (1908); Adolph Lewisohn (1912); David H. Lieberman (1909); Morris Loeb (1909); J. L. Magnes (1911), all of N. Y.; Louis W. Marcus, Buffalo, N. Y. (1908); Louis Marshall, N. Y. (1908); H. Pereira Mendes, N. Y. (1910); Simon W. Rosendale, Albany, N. Y. (1911); Jacob H. Schiff (1910); Isidor Straus (1912); Cyrus L. Sulzberger (1910), all of N. Y.

CONSTITUTION

Adopted November 11, 1906

GENERAL DUTIES OF THE COMMITTEE

The purpose of this committee is to prevent infringement of the civil and religious rights of Jews, and to alleviate the con-

sequences of persecution. In the event of a threatened or actual denial or invasion of such rights, or when conditions calling for relief from calamities affecting Jews exist anywhere, correspondence may be entered into with those familiar with the situation, and if the persons on the spot feel themselves able to cope with the situation, no action need be taken; if, on the other hand, they request aid, steps shall be taken to furnish it.

DISTRICT REPRESENTATION

The members of the committee shall be based on the following districts:

- I. North Carolina, South Carolina, Georgia, Florida. 2 members.
- II. Tennessee, Alabama, Mississippi. 2 members.
- III. Louisiana, Texas, Arizona, New Mexico. 2 members.
- IV. Arkansas, Missouri, Kansas, Colorado. 3 members.
- V. California, Washington, Oregon, Utah, Idaho, Nevada. 3 members.
- VI. Minnesota, Iowa, Wisconsin, Montana, Wyoming, North Dakota, South Dakota, Nebraska, Michigan. 4 members.
- VII. Illinois. 7 members.
- VIII. Indiana, Kentucky, Ohio, West Virginia. 5 members.
- IX. Pennsylvania, New Jersey. 9 members.
- X. Maryland, Virginia, Delaware, District of Columbia. 3 members.
- XI. Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island. 3 members.
- XII. New York. 17 members.

MEMBERS

The committee shall at the first meeting be divided into five groups by lot, which groups shall hold office for one, two, three, four, and five years respectively, their successors to serve five years.

Members whose terms expire shall be succeeded by residents of the same district, and shall be elected by the Advisory Councils of the respective districts. Elections shall be held on or before October 1 of each year, and the Secretary of the Committee shall be notified of the results on or before October 15 of each year.

OFFICERS

The officers of the committee shall be a President, two Vice-Presidents, and a Treasurer, selected from among the members, and a Secretary who need not be a member of the committee, and who shall be elected by the Executive Committee, unless otherwise ordered. The officers shall serve for one year or until their successors are elected.

EXECUTIVE COMMITTEE

The committee shall elect nine members, who, with the four officers, President, Vice-Presidents, and Treasurer, shall constitute an Executive Committee, of which five shall be a quorum for the transaction of business.

The powers of the Executive Committee shall be co-extensive with the powers of the whole committee at all times when the whole committee is not in session. Their action shall be reported, at their discretion, to the members of the committee by mail, or to the whole committee by mail, or to the whole committee at its next meeting. Special committees may be designated by the Executive Committee from the body of the whole committee, which shall report to the Executive Committee from time to time.

MEETINGS

A stated meeting of the whole committee shall be held annually on the second Sunday in November at the City of New York, unless the Executive Committee in their discretion determine otherwise. Special meetings shall be called upon the written request of 25 members of the committee or may be called by the Executive Committee of its own motion. Twenty-one members shall constitute a quorum of the whole committee.

Regular meetings of the Executive Committee shall be held at least once every three months. Special meetings of the Executive Committee may be held at the instance of the chairman or at the request of three members of that committee.

Notice of special meetings of the whole committee or of the Executive Committee shall be given by mail or telegraph to the members, stating as nearly as possible, within the discretion of the Executive Committee, the purpose for which the meeting is called.

VACANCIES

Vacancies caused by death, disability or resignation, shall be filled by the Advisory Council of the district in which the vacancy occurs.

Upon the occurrence of a vacancy the Secretary shall notify the secretary of the district in which the vacancy exists, and an election shall be held by the Advisory Council of such district, within one month from the time of receiving such notification, and the Secretary shall be promptly notified of the result.

OFFICES AND AGENCIES

The principal office of the committee shall be established in the City of New York, and other offices and agencies may be established outside of New York as the whole committee or the Executive Committee may from time to time deem necessary.

AMENDMENTS

This Constitution shall be subject to alteration, revision, or amendment at any regular meeting, or at a meeting called for such purpose, provided that thirty days' notice be given of the proposed change, and that the motion for amendment be carried by a majority of at least 20 votes.

ADVISORY COUNCIL

I. GENERAL POWERS

1. There shall be organized in each district, in the manner hereinafter provided, an Advisory Council for the following purposes:

2. To take such action as shall from time to time be expressly delegated to it by the General or Executive Committees.

3. To report promptly to the General or Executive Committees with respect to any subject that shall be referred to it for information or investigation.

4. To consider such matters of Jewish interest as shall be brought to its attention through any agency, and to make such recommendations thereon to the General or Executive Committees as shall be deemed advisable, but in no case to initiate, authorize, or take any action except as specially thereunto delegated as hereinbefore provided.

II. MEMBERSHIP

1. On or before October 1, 1907, the members of the General Committee from each district shall nominate to the Executive Committee ten Jewish residents of such district for every member of the General Committee allotted to said district, and upon confirmation of such nominations by the Executive Committee, the persons so approved, together with the members of the General Committee from said district, shall constitute the Advisory Council thereof. Should the Executive Committee reject any nominee, new nominations shall be submitted for approval until the membership of the Advisory Council shall be complete. The General Committee or the Executive Committee may, by resolution adopted at any meeting, authorize an increase of the membership of the Advisory Council of any district, in which case the additional members shall be chosen in the manner hereinbefore provided, or their election or appointment by such Advisory Council may be authorized.

2. Upon receiving notice of their selection members of the Advisory Council of each district shall organize in the manner designated by the members of the General Committee of each district. Each Council shall elect a chairman and such other

officers as shall be deemed necessary. The members of said Council other than those who are members of the General Committee shall be allotted by the Secretary into five groups, who shall hold office for one, two, three, four, and five years respectively, and thereafter elections shall be held annually by the members of the Council to choose successors to those whose terms shall have expired, for a term of five years. Meetings of each Council shall be held from time to time as it shall by rule provide.

3. All vacancies occurring in the membership of the Advisory Council subsequent to the formation of the original Advisory Council of each district, shall be filled by election by the Advisory Council of each district.

III. ELECTION OF MEMBERS OF GENERAL COMMITTEE

Vacancies in the General Committee shall be filled by the Advisory Councils of the respective districts.

IV. EXPENSES

The expenses of administration of each Advisory Council shall be borne by its district.

SPECIAL AND ANNUAL MEETINGS

Meetings of the whole Committee were held during the year 1907 on May 30, and on November 10. During the year 1906-07 the Executive Committee held eight regular meetings and one special meeting.

REPORTS OF EXECUTIVE COMMITTEE

MAY 30 AND NOVEMBER 10, 1907

ORGANIZATION

At the first meeting of the Executive Committee, Mr. Samuel Woolner, of Peoria, was elected a member from District VII, and Rev. Dr. H. P. Mendes and Judge Samuel Greenbaum were elected members from District XII. At subsequent meetings the following persons recommended by the Executive Committee to fill vacancies, were elected by the members:

Montague Triest, District I.
 Jacques Loeb, District II.
 Isaac D. Adler, District VI.
 Louis Newberger, District VIII.
 Isaac W. Bernheim, District VIII.
 Benjamin Wolf, District IX.
 Isaac W. Frank, District IX.
 Louis Hood, District IX.
 Isaac M. Ullman, District XI.
 Lee M. Friedman, District XI.
 Isidor Straus, District XII.
 Louis W. Marcus, District XII.

FUND FOR SAN FRANCISCO INSTITUTIONS

At the meeting of the General Committee held on November 11, 1906, the needs of the Jewish religious and educational institutions of San Francisco, by reason of the earthquake and fire, were placed before the Committee by Rev. Dr. Jacob Voorsanger. A resolution was adopted to raise the sum of \$100,000, and the Executive Committee were directed to take the necessary steps to carry out the resolution. Early in December an appeal was issued to the members of the Committee. Up to May 30, 1907, it was reported that \$35,940.55 had been subscribed. (Up to June 1, 1908, the total subscriptions amounted to \$37,822.74.)

ADVISORY COUNCIL

A plan for the formation of an Advisory Council was prepared. (Adopted at the meeting held on May 30, as printed in this Report, pp. 241-2.)

RELATIONS WITH OTHER ORGANIZATIONS

The Committee established relations with the Alliance Israélite Universelle, the Jewish Colonization Association, the Russo-Jewish Committee, the London Board of Deputies of British Jews, the Jewish Territorial Organization, the Anglo-Jewish Association, the Hilfsverein der deutschen Juden and the Central Zionist Bureau in Europe, and with a number of national organizations of this country.

IMMIGRATION, LEGISLATION, ETC.

The Committee watched with concern the discussions in Congress respecting immigration legislation, and when, under the act of February, 1907, a commission was selected to investigate the subject of immigration, the President by request of the Executive Committee addressed the following letter to the Commission:

Hon. William P. Dillingham, Chairman of the Immigration Commission, Washington, D. C.

DEAR SIR: At a recent meeting of the Executive Committee of the American Jewish Committee, I was directed to address the Immigration Commission on a matter in which we have a serious interest, in addition to the concern which every citizen of the United States has in all things pertaining to the public welfare.

As the Commission are well aware, the Jews of Russia, who prior to the year 1881 contributed no sensible proportion to our immigration, have since that time been subjected to such harrying persecutions and assassinations that many of the most active and enterprising have sought safety in flight, and have, in considerable numbers, emigrated to this country. The real impulsion to the movement is a dreadful mediæval persecution for conscience sake. On this ground alone all our sympathies would go out to any people so circumstanced, and we should be interested in seeing that no unnecessary obstacles should be put in the way of human beings fleeing from a place where the merest elementary rights of man are disregarded. Our interest is naturally increased by the fact that these are our brethren in race and faith,

and that the persecution is due to the very opinions which, under our happy institutions, are openly professed by two millions of citizens and considerably respected by government and people.

We are keenly alive to the right and duty of every government to protect its people against the incursion of criminals, paupers, lunatics, and other persons who would be public charges, but we deprecate most sincerely any nerveless or unmanly timidity about evils which may be coolly and sanely guarded against, without violating our national traditions and the dictates of common humanity, or depriving our country of a natural and healthy means of increasing its population and prosperity.

As in all public questions, many persons interested are carried away by passion and see things through a magnifying or distorting medium. Sad experience has taught us to observe facts calmly and to present them with moderation. We therefore respectfully urge the following requests: If the Commission shall conclude to hear testimony upon the subject of their investigation at various places here or abroad, we crave the privilege of having notice of such intended meetings from time to time, and the further privilege of presenting evidence wherever we may think that such presentation would tend to increase or to modify the knowledge imparted by others. It is a matter of common knowledge that in many European countries political parties are organized, whose platform contains a plank inculcating hatred of Jews as such. That prejudices so promulgated color the minds of many well-meaning persons in such environment is inevitable, and that these prejudices tend to be reflected in testimony that may be offered before you is highly probable. We deem it our duty to offer you our best services in avoiding this kind of error or indeed any kind of error which may impede the objects of your Commission. Our sole purpose is to enable the Commission to learn the facts most fully and most accurately. In presenting evidence we would exercise the most rigorous care to offer such testimony only as would give facts, without color or prejudice.

As it is possible, or even probable, that the testimony at various places will have reference to conditions more or less local, it would seem important that all sources of trustworthy information should be open to the Commission, and that it should not be in danger of receiving testimony without adequate means of checking its accuracy or truthfulness.

Hoping that our petition may be favorably considered, I have the honor to be

Very truly yours,

(Signed) **MAYER SULZBERGER,**

President.

To which the following reply was received :

April 27, 1907.

SIR: Senator Dillingham, Chairman of the Immigration Commission, directs me to acknowledge the receipt of your communication of the twenty-fourth instant relative to certain features of the question to be investigated, and to assure you that when the feature of the work mentioned by you is taken up he will be pleased to communicate with you as suggested.

Respectfully,

(Signed) W. W. HUSBAND,
Secretary, The Immigration Commission.

HILSNER CASE

The attention of the Committee having been directed to the case of Leopold Hilsner, said to have been convicted in Austria of a ritual murder, an investigation was made and it was found that this Committee was not in position to take any action.

RUSSIA

The Committee followed the situation of the Jews in Russia with great care and took whatever steps might be expected to bring forth good results to alleviate their unhappy condition.

CONSTANTINOPLE

Relief Fund

It having been brought to the attention of the Executive Committee on March 22 that the Jews of Constantinople had suffered greatly by reason of the disastrous fire, the Committee voted to endeavor to raise the sum of \$1000, to be transmitted to Constantinople for the relief of the sufferers. An appeal was accordingly issued, and in response thereto the sum of 5537.60 francs was remitted to the Alliance Israélite Universelle for distribution through their agency in Constantinople.

REV. DR. VOORSANGER

At their meeting, held on May 10, 1908, the Executive Committee adopted the following resolution, prepared by Dr. Magnes, which was transmitted to the family of Dr. Voorsanger:

The Executive Committee of the American Jewish Committee has learned, to its profound regret, of the death of one of the members of the Executive Committee, the Reverend Dr. Jacob Voorsanger, of San Francisco, California.

The Committee acknowledges, with gratitude, the aid given it by Dr. Voorsanger from its inception and mourns the loss to it of his sturdy manhood, his ripe judgment and his loyalty to Judaism.

The members of the Committee would record also their sense of personal loss in his death and they desire to extend to their colleague's bereaved family, the expression of their sincere sympathy.

CONFERENCE WITH THE INDEPENDENT ORDER OF B'NAI B'RITH
AND THE UNION OF AMERICAN HEBREW
CONGREGATIONS

At the invitation of Mr. Adolph Kraus a Committee of three were appointed to confer with similar Committees of the B'nai B'rith and the Union of American Hebrew Congregations for the purpose of coming to some amicable understanding with regard to the work which each should undertake. A conference was held in New York City on the evening of April 20, 1907, but had no practical result.

ROUMANIA

At the time of the outbreaks against the Jews in Roumania in March, 1907, the National Committee for the Relief of Sufferers by Russian Massacres, at the request of this Committee, voted to expend the sum of \$10,000 for the relief of the sufferers. Information as to the extent of the damage and

of the relief measures proposed was received from the Hilfsverein of Berlin, the Alliance Israélite Universelle of Paris, the Anglo-Jewish Association, and the Board of Deputies of London, and the Israelite Alliance of Vienna.

THE AMERICAN PASSPORT IN RUSSIA

In January last, it was discovered that the Department of State was issuing to applicants for passports, who formerly were Russian subjects, the following circulars:

CITIZENSHIP

DEPARTMENT OF STATE, WASHINGTON, ———, 190—.

SIR: The Department is in receipt of an application for a passport of _____, from which it appears that _____ born in _____. Your attention is invited to the enclosed notice to former subjects of Russia who contemplate returning to that country from which you will perceive that it is a punishable offense under Russian law for a Russian subject to obtain naturalization in any other country without the consent of the Russian Government. While this Government dissents from this requirement, it cannot encourage American citizens whom it is likely to affect to place themselves within the sphere of its operation. *Upon receiving satisfactory information that _____ not intend to go to Russian territory, or that _____ permission from the Russian Government to return, the application for a passport will be reconsidered immediately.*

Returning the application, the certificate of naturalization, and the sum of \$1 (_____),

I am, sir,

Your obedient servant,

_____,
Chief, Bureau of Citizenship.

(Inclosure)

RUSSIA

NOTICE TO AMERICAN CITIZENS FORMERLY SUBJECTS OF RUSSIA WHO CONTEMPLATE RETURNING TO THAT COUNTRY

A Russian subject who becomes a citizen of another country without the consent of the Russian Government commits an

offense against Russian law, for which he is liable to arrest and punishment, if he returns without previously obtaining the permission of the Russian Government.

This Government dissents from this provision of Russian law, but an American citizen formerly a subject of Russia who returns to that country places himself within the jurisdiction of Russian law and can not expect immunity from its operations.

Jews, whether they were formerly Russian subjects or not, are not admitted to Russia unless they obtain special permission in advance from the Russian Government, and this Department will not issue passports to former Russian subjects or to Jews who intend going to Russian territory, unless it has assurance that the Russian Government will consent to their admission.

No one is admitted to Russia without a passport, which must be viséed, or indorsed, by a Russian diplomatic or consular representative.

ELIHU ROOT.

Department of State, Washington, May 28, 1907.

The matter was taken up in Congress by Representatives Goldfogle and Harrison (see pp. 76, 77-8, of this volume), and the following correspondence took place between Messrs. Louis Marshall and Edward Lauterbach on behalf of this Committee and the Department of State:

NEW YORK, February 1, 1908.

To the Honorable Elihu Root, Secretary of State, Washington, D. C.

SIR: In a circular letter, dated May 28, 1907, issued by the Department of State over your signature, appears the following paragraph:

"Jews, whether they were formerly Russian subjects or not, are not admitted to Russia, unless they obtain special permission in advance from the Russian Government, and this Department will not issue passports to former Russian subjects, or to Jews who intend going into Russian Territory, unless it has assurance that the Russian Government will consent to their admission."

The meaning of this announcement cannot be misunderstood. It segregates from the mass of American citizens those of the Jewish faith, whether naturalized or native-born, and withholds from them one of the privileges of citizenship if they harbor the

intention of visiting Russia without having first secured the consent of the Russian Government. All other citizens, of whatever race or creed, are assured an unlimited passport, and are guaranteed the absolute protection of our flag. They encounter no discrimination at the hands of our Government. They are subjected to no humiliation. They are not compelled to submit to any inquisitorial intrusion into their private purposes; nor are they forced to conform to any religious test.

Under the plain implication of this regulation, however, an American citizen applying to the State Department, for a passport, who is suspected of being a Jew, is for the first time in our history obliged to disclose his faith, and must, if he be a Jew, satisfy the Department that he does not intend to avail himself of the privilege of going to Russia, secured to him, in common with all of his fellow-citizens, under the treaty solemnized between the United States and Russia in 1832.

Hitherto Russia alone has violated that treaty openly and notoriously. Hitherto our Government has consistently remonstrated against such breach, and against the practice of Russian officials, of making examinations into the religious faith of American citizens. Heretofore our State Department has declared to Russia again and again the principle formulated in the following terms by Mr. Adee, in his note to the Legation at St. Petersburg on July 5, 1895:

“The Russian Government cannot expect that its course in asserting inquisitorial authority in the United States over citizens of the United States, as to their religious or civil status, can ever be acceptable or even tolerable to such a government as ours, and continuance in such a course after our views have been clearly and considerably made known may trench upon the just limits of consideration.”

Now, however, there seems to have occurred a reversal of a time-honored policy and it is our Government that seeks to indulge in these inquisitorial practices and to apply an unconstitutional religious test to upwards of a million of our own citizens, not only naturalized but native-born, thus practically justifying Russia in the violation of her treaty obligations and condoning her contemptuous disregard of the American passport.

Believing that the promulgation to which your attention has been directed is the result of inadvertence, you are respectfully requested to reconsider the subject and to cause the circular letter to be withdrawn.

Very truly yours,
LOUIS MARSHALL,
EDWARD LAUTERBACH.

DEPARTMENT OF STATE, WASHINGTON, February 11, 1908.

Messrs. Louis Marshall and Edward Lauterbach, New York, N. Y.

DEAR SIR: I have received your letter of February 1, 1908, in which you quote from a Department Circular of May 28, 1907, relating to the issue of passports to Jews intending to enter Russian territory, and in which you request that the subject of this circular be reconsidered and the circular be withdrawn.

The circular had its origin in the fact that there is no naturalization treaty between the United States and Russia, so that a naturalized citizen of the United States going to Russia is subjected to Russian laws which treat the naturalization and return of a native as a criminal offense; that under these circumstances the effect of United States passports has been, not to protect the persons returning to Russia, but rather to mislead them into ignorantly subjecting themselves to hardship and imprisonment in reliance upon a document which does not really protect them.

In the meantime the Department has been endeavoring and is endeavoring to secure from Russia a naturalization treaty which will practically dispose of the difficulty.

Before your letter was written, however, my attention was called to the fact that this reference to the discrimination made by Russia was deemed to be objectionable by those to whom it referred, and the circular was accordingly withdrawn and another substituted in its place, a copy of which I enclose.

Should you see anything objectionable in the circular, which is now in use, I should be very glad to be advised of it.

Very truly yours,

ELIHU ROOT.

(Inclosure)

NOTICE TO AMERICAN CITIZENS FORMERLY SUBJECTS OF RUSSIA WHO
CONTEMPLATE RETURNING TO THAT COUNTRY

Under Russian law a Russian subject who becomes a citizen of another country without the consent of the Russian Government is deemed to have committed an offense for which he is liable to arrest and punishment if he returns without previously obtaining the permission of the Russian Government.

This Government dissents from this provision of Russian law, but an American citizen formerly a subject of Russia who returns to that country places himself within the jurisdiction of Russian law and cannot expect immunity from its operations.

No one is admitted to Russia unless his passport has been viséed, or endorsed, by a Russian diplomatic or consular representative.

ELIHU ROOT.

Department of State, Washington, January 25, 1908.

NEW YORK, February 13, 1908.

To the Honorable Elihu Root, Secretary of State, Washington, D. C.

DEAR SIR: We are in receipt of yours of the 11th inst., enclosing a circular, bearing date January 25, 1908, issued by the Department of State as a substitute for the objectionable circular of May 28, 1907, which you inform us, to our great satisfaction, has been withdrawn.

Availing ourselves of your courteous suggestion, that if we should see anything objectionable in the circular, which is now in use, you would be very glad to be advised of it, it occurs to us that the cautionary and humane objects of the circular would be fully subserved, without at the same time militating against the historic policy of our Government, if the words "and cannot expect immunity from its operations," were stricken from the second paragraph.

You are of course thoroughly familiar with the provisions of Chapter 249 of the Act of July 27, 1868, which are embodied in Sections 1999 to 2001 of the United States Revised Statutes, which we nevertheless deem it desirable to quote, in order to give point to our remarks in favor of the proposed amendment of the new circular.

"Section 1999. 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 the recognition of this principle this Government has freely received emigrants 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 all 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."

"Section 2000. All naturalized citizens of the United States while in foreign countries, are entitled to and shall receive from this Government the same protection of persons and property which is accorded to native-born citizens."

"Section 2001. Whenever it is made known to the President that any citizen of the United States has been unjustly deprived of his liberty by or under the authority of any foreign government, it shall be the duty of the President forthwith to demand

of that government the reasons of such imprisonment; and if it appears to be wrongful and in violation of the rights of American citizenship, the President shall forthwith demand the release of such citizen, and if the release so demanded is unreasonably delayed or refused, the President shall use such means, not amounting to acts of war, as he may think necessary and proper to obtain or effectuate the release; and all the facts and proceedings relative thereto shall as soon as practicable be communicated by the President to Congress."

These sections proclaim to all the world, the American doctrine of the right of expatriation; the right of all naturalized citizens of the United States, while in foreign countries, to receive from our Government the same protection which is accorded to native-born citizens; the duty of the President, to demand the release of any American citizen unjustly deprived of his liberty by or under the authority of any foreign government, in violation of the rights of American citizenship as defined in these sections, and they denounce any declaration, instruction, or opinion by any officer of the United States, which questions the right of expatriation, as inconsistent with the fundamental principles of our Government.

Although the circular of January 25, 1908, announces that our Government dissents from the Russian claim, which denies the right of expatriation, it nevertheless adds, that an American citizen, formerly a subject of Russia, who returns to that country, cannot expect immunity from the operation of the Russian law. This, it seems to us, is a declaration which questions the right of expatriation, and which restricts the scope and meaning of Sections 2000 and 2001 of the United States Revised Statutes. These sections clearly declare, that any interference by a foreign government with the liberty of a naturalized citizen, based on his exercise of the right of expatriation, imposes upon our Government the obligation, of securing to such citizen immunity from the operations of the law of a foreign government, which is "inconsistent with the fundamental principles of the Republic."

To declare that immunity cannot be expected by an American citizen formerly a subject of Russia, under these circumstances, is a tacit recognition of the contention of the Russian Government, which is at war with our fundamental principles, and is an implied invitation to that government, not only to violate the rights of American citizenship, but also to disregard the obligations of the treaty of 1832 solemnized between the United States and Russia.

The least that our citizens can expect from our Government is, that it shall continue to assert the principles embodied in this statute, and that it shall not, directly or indirectly, give sanction to a contrary contention on the part of any foreign power, or relax

to the slightest degree, in the vigor of its assertion and protection of the rights of American citizenship, as thus defined.

Very truly yours,
 LOUIS MARSHALL,
 EDWARD LAUTERBACH.

DEPARTMENT OF STATE, WASHINGTON, February 18, 1908.

*Messrs. Louis Marshall and Edward Lauterbach, 37 Wall Street,
 New York, N. Y.*

DEAR SIR: I have your letter of February 13, in which you suggest that that part of the Department's notice to American citizens, formerly subjects of Russia, who contemplate returning, which states that they cannot expect immunity from the operation of Russian law, has a tendency to militate against the historic policy of this Government, and inform you that I have directed that the words which you think objectionable shall be withdrawn and a new edition of the circular issued.

Very truly yours,
 ROBERT BACON,
Acting Secretary.

MISCELLANEOUS ACTIVITIES

Numerous other affairs were considered, and in many cases acted upon by the Executive Committee, but owing to their confidential nature or the fact that the matters involved have not yet been brought to a conclusion, the Committee deem it inadvisable to refer to them further at this time.

SPECIAL MEETING OF THE COMMITTEE

MAY 30, 1907

The resignations of Messrs. Max Senior, Adolf Kraus, Simon Wolf and Milton L. Anfenger were accepted with regret.

Mr. E. G. Foreman, of Chicago, was elected to fill the vacancy in District VII, and Mr. Samuel Grabfelder to fill that in District IX. Dr. Cyrus Adler was transferred from

District IX to District X. Dr. Emil G. Hirsch was elected to fill the vacancy on the Executive Committee occasioned by the resignation of Mr. Adolf Kraus.

It was resolved to send the sum of \$25,000 subscribed for relief of Jewish institutions of San Francisco to the Hon. M. C. Sloss as agent of the Committee, to be distributed by him and his associates of the Committee in District V, among the institutions in proportion to their needs.

It was resolved that the traveling expenses of every member of the Executive and General Committee in going to and from places of meeting should hereafter be defrayed out of the general fund of the Committee.

Resolutions were passed expressive of the sense of the Committee that the continuance of the American Jewish Year Book was necessary for the work of the Committee, and authorizing the Executive Committee to make arrangements to prepare the manuscript, the publication to be issued by the Jewish Publication Society of America as heretofore.

A minute on the death of Dr. Lewis N. Dembitz was adopted in which tribute was paid to his character as citizen and his services to American Judaism.

ANNUAL MEETING

NOVEMBER 10, 1907

The Executive Committee reported to the annual meeting upon the work carried on since the special meeting was held.

On August 8, 1907, the sum of \$20,000 was forwarded to Judge Sloss for distribution among the San Francisco institutions, and on November 9, the further sum of \$5000 was authorized to be sent. A sub-committee consisting of J. L.

Magnes, Chairman, Judge Sloss, and Joseph H. Cohen, were appointed on October 6, 1907, to further the raising of the sum determined on.

In the uprisings at Casablanca, Morocco, in August, a number of Jews lost their lives, many were wounded, and some 250 women and children were carried off by the Kabyles. On August 29, a resolution was adopted requesting the National Committee for the Relief of Sufferers by Russian Massacres to appropriate 5000 francs for the relief of the sufferers and to make a further appropriation of 20,000 francs in case similar amounts were appropriated by the Alliance Israélite Universelle and the Anglo-Jewish Association, and that sum was required. On September 6, the sum of 5000 francs was forwarded by the National Relief Committee to Paris. The Committee authorized the President in his discretion to seek the aid of the Department of State should an emergency arise requiring such action.

The Executive Committee expressed their thanks to Mr. Albert M. Friedenbergh, of New York, for his courtesy in preparing, for the use of the Committee, a Digest of the Sunday Laws of the United States.

The Executive Committee recommended the adoption of a plan for organizing Advisory Councils, prepared by a subcommittee consisting of Isador Sobel, Chairman, Emil G. Hirsch, and the Secretary.

The following recommendations made by the Executive Committee were adopted by the Committee:

That \$2200 be apportioned for the expense of the statistical Bureau and that the additional sum of \$1800 be appropriated for keeping up the American Jewish Year Book, provided that the last mentioned sum be raised.

That for the ensuing year the sum of \$12,500 be raised for the expenses of the Committee, this sum to be apportioned as follows, among the respective districts:

District	No.	1	\$250	District	No.	7	\$1500
"	"	2	250	"	"	8	625
"	"	3	375	"	"	9	1250
"	"	4	375	"	"	10	500
"	"	5	250	"	"	11	625
"	"	6	250	"	"	12	6250

The Executive Committee were authorized to forward to Judge Sloss any contributions made toward the San Francisco fund.

It was resolved that during any hearings held by the United States Immigration Commission it shall be the duty of the Executive Committee to see that the interests of the Jews were safeguarded.

The report of the Committee on the Revision of the Constitution was adopted as printed above.

It was resolved that the Executive Committee have power to make the necessary rules governing the election of members by the Advisory Councils.

It was resolved that each member of the Executive Committee may in contemplation of absence, depute a member of the General Committee to act in his stead.

The following officers were elected:

Pres., Mayer Sulzberger, Phila., Pa.; Vice-Pres., Julian W. Mack, Chicago, Ill., Isaac H. Kempner, Galveston, Tex.; Treas., Isaac W. Bernheim, Louisville, Ky.

The following were re-elected members of the Executive Committee:

Cyrus Adler, Washington, D. C.; Harry Cutler, Providence, R. I.; Emil G. Hirsch, Chicago, Ill.; E. W. Lewin-Epstein,

Morris Loeb, J. L. Magnes, Louis Marshall, Cyrus L. Sulzberger, all of New York City; Jacob Voorsanger,* San Francisco, Cal.

The following were elected members of the Committee to fill vacancies:

District IV, Morris M. Cohn, Little Rock, 1909.

District IV, David S. Lehman, Denver, 1911.

District VIII, J. Walter Freiberg, Cincinnati, 1911; E. M. Baker, Cleveland, 1908.

District IX, Wm. B. Hackenburg, Philadelphia, 1909.

The following were re-elected members of the Committee for the term ending 1912:

District V, Jacob Voorsanger,* San Francisco, Cal.; Sigmund Sichel, Portland, Ore.

District VI, Max Landauer, Milwaukee, Wis., to succeed I. D. Adler.

District VII, B. Horwich, Chicago, Ill.

District VIII, I. W. Bernheim, Louisville, Ky.

District IX, I. W. Frank, Pittsburg, Pa.; Benj. Wolf, Philadelphia, Pa.

District XI, Lee M. Friedman, Boston, Mass.

District XII, Joseph H. Cohen, Edward Lauterbach, Adolph Lewisohn and Isidor Straus, New York City.

* Deceased.