

AMERICAN CONSULAR BULLETIN



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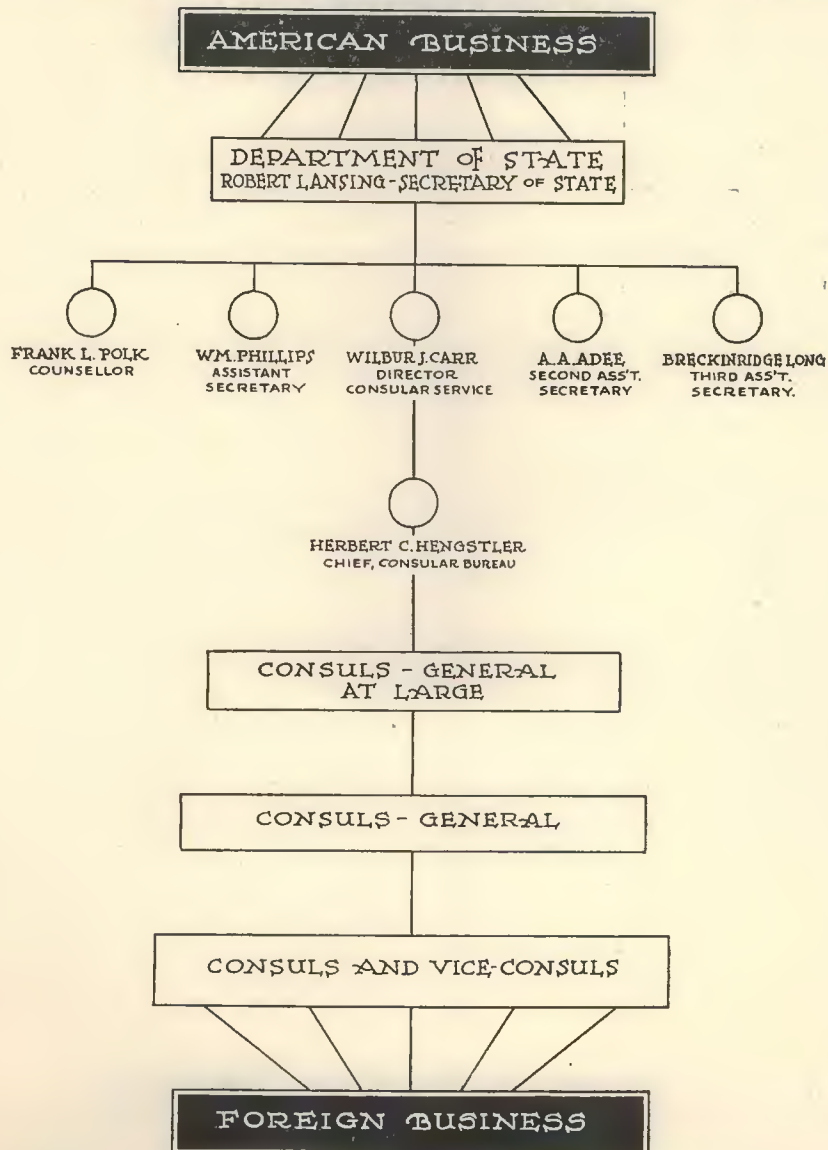
AMERICAN CONSULAR BULLETIN

PUBLISHED MONTHLY WITH THE COOPERATION OF THE AMERICAN CONSULAR ASSOCIATION
TO FURTHER AMERICAN BUSINESS INTERESTS IN FOREIGN LANDS THROUGH THE CONSULAR SERVICE.

VOL. 1

MARCH 15, 1919.

NO. 1



EDITOR AND PUBLISHER, J. W. YOUNG - 141-145 WEST 36th ST., NEW YORK, N. Y.

AMERICAN CONSULAR ASSOCIATION NEWS

FOREWORD

THIS, the first printed bulletin of the American Consular Association, is the result of a feeling on the part of many consular officers that there should be some organ by which information of interest to the Service might be disseminated—an organ which would provide a medium for the exchange of ideas looking to the improvement of the service as well as news of the activities of particular officers.

Among the suggestions received by the Association from consular officers, perhaps the most generally expressed was that for the issuance of such a bulletin. Acting on this suggestion, correspondence was begun with various printers and estimates of the cost of such a bulletin were obtained and submitted to the members of the Association in Washington who heartily approved of the project. It is believed that the portion of the cost of the bulletin falling to the Association can without difficulty be met from the funds accruing from membership fees, and sufficient left to cover the other necessary expenses of the Association. While the members of the Association in Washington feel that in launching this project they are acting in accord with the wishes of the members in the field, it is desired that all members express their opinions on the subject to the Secretary-Treasurer of the Association since it is only with the hearty support and co-operation of the entire membership of the Association that the bulletin can be made a success. Although in no sense an official publication, the bulletin

like the Association, has the approval of the Department of State and especially of Mr. Carr and Mr. Hengstler, both of whom have been consulted in regard thereto. The present arrangement for the publication of this monthly organ of the Association was made possible through the hearty co-operation of a brother of Consul George W. Young, Mr. J. W. Young, who is publishing the bulletin, which will be forwarded by the Association without additional cost to all members in good standing. Non-career officers (that is, men who did not enter the Service after examination), although not eligible to membership in the Association, may subscribe to the bulletin by forwarding the subscription price to the Secretary-Treasurer of the Association, Consul James B. Young, care of Consular Bureau, Department of State.

While the space of the bulletin is limited, it is desired that as much thereof as possible be devoted to information and suggestions received from the men in the field which it is believed would be of interest to the Service as a whole. Such contributions are especially solicited, and while it will not be possible to use all contributions so received and it will not be practicable to acknowledge individually to the officers such receipts consular officers are assured that all such contributions will be given careful consideration and used whenever possible. Such contributions should be forwarded to the Secretary-Treasurer of the Association.

THE NEW CONSULAR AND DIPLOMATIC BILL

THE estimates which the Department presented to Congress of the needs of the Foreign Service for the ensuing fiscal year (July, 1919-20) call for an increase in appropriations of a little over two million dollars. Among the principal items that pertain to the consular branch of the Service are: the creation of twenty-five new consular posts; the creation of a corps of salaried and career vice consuls graded at \$2,000, \$2,500 and \$3,000, respectively, who shall take the place largely of the feed-consular agents; the raising of the compensation of principal consular officers, making the lowest grade in the future \$3,500 for consuls and \$5,500 for consuls general; the establishment of a corps of twenty-five economic experts to be attached to the consulates general at the capitals for the purpose of studying the industrial and commercial situation of the countries in which stationed; and the payment of the entire expenses of transportation of an officer and his family and household goods when upon transfer or traveling under orders of the Department of State.

In the hearings before the Committees of the House and Senate, Mr. Polk, Mr. Carr and Mr. Hengstler all appeared and presented at length the point of view of the Department in favor of the bill. The members of the Committees were most sympathetic in their appreciation of the needs of the Service and the bill was reported by the Committee of Foreign Affairs of the House of Representatives in substantially the form that it was presented by the Department and was passed by the House on January 22 with only slight changes. Points of order made by members of the House as to the provision for "economic assistants at salaries of not more than \$5,000 each per annum" and for the

appropriation of \$3,000,000 "for the purchase or erection, and the alteration, repair and furnishing of embassy and legation buildings in the principal capitals of the world, and consular buildings at the principal ports in China" were sustained. However, as no reduction was made in the House in the appropriation for salaries of consular officers, in which total the salaries of economic assistants were included, and as the conferees of the two houses agreed upon the amount appropriated by the House, there would seem to be no obstacle to the Department designating consular officers to perform the duties proposed for the economic assistants.

The post allowance system was continued but an amendment was adopted by the House inserting the provision contained in the bill for the existing fiscal year limiting the payment of these allowances to the period "during the pendency of existing war and for six months after its expiration." This amendment of the House was, however, rejected by the Senate and the Senate's action sustained by the conferees of the two houses. The war, of course, was not terminated by the armistice concluded in November. In this connection, it is interesting to note that the Comptroller has decided that it was not the intention of Congress to authorize the payment of post allowances to consular officers stationed in Washington on detail to the Department of State.

The bill as reported by the conferees, containing practically everything asked for by the Department, including the increased appropriations for consular salaries, transportation for consular officers and their families and household effects, and post allowances available throughout the year, was passed by both Houses on March 3, 1919.

NEW COMPILATION OF LAWS

A compilation of the laws relating to the Department of State, Foreign Affairs and the Diplomatic and Consular Services, annotated, and embracing also the leading decisions of the Courts and those of the Comptroller of the Treasury, has just been finished by Consul Gebhard Willrich under the

instructions of Mr. Wilbur J. Carr, Director of the Consular Service. This book of laws with its index will be in one volume, and when ready for distribution should prove of inestimable value to officers of the Consular Service. It will fill a great need for a reference book of this kind.

ASSOCIATION NOTES

AS members of the Association will be aware from previous news-letters, the Association has not lost sight of the importance of obtaining quarters in Washington to be used as headquarters of the Association as well as by consular officers passing through Washington. The matter was tentatively discussed with the United States Chamber of Commerce in the hope that arrangements might be made with that body for such accommodations. However, the completion of the new Navy Department building made available to the Department of State a number of additional rooms in the State, War and Navy Building and, although the expansion of the State Department and the transfer to the main building of various bureaus previously housed in annexes more than covered all such available space, the Department has agreed in principle to the desirability of setting apart a room for the use of consular and diplomatic officers temporarily in Washington and has selected Room No. 107 near the Consular Bureau for this purpose. This room is being renovated and it is expected that it will be ready for use within a few weeks.

Due to the time required for the mails, an earlier statement of the result of the elections for officers of the Association has not been possible. The Association now, however, takes pleasure in announcing the election of the following officers for the year 1919: President, Consul General Robert P. Skinner; Vice President, Consul General William Coffin; Secretary-Treasurer, Consul James B. Young.

At a meeting of the members of the Association in Washington, held on January 14, it was unanimously decided to authorize the Executive Committee to employ a paid assistant to the Secretary-Treasurer, it being understood that such assistance for the required period of time could be obtained for about \$10 a month. Up to the present time the Secretary-Treasurer of the Association has been discharging his duties, which occupy a considerable portion of his time, without clerical assistance. In the event that editorial duties in connection with this publi-

cation shall fall upon the paid assistant the Executive Committee expects to double the amount of his remuneration. Mr. Harry A. Havens, of the Consular Bureau, who is well known to many members of the Service, has been engaged as assistant.

Consul General William Coffin has been chosen a member of the Executive Committee in place of Consul H. C. von Struve who has been assigned to Habana. Consul General at Large Stuart J. Fuller has taken the place on the Committee formerly filled by Consul Otis A. Glazebrook, and Consular Assistant D. D. Shepard has been co-opted to fill the vacancy caused by the assignment of Consular Assistant J. K. Huddle to the American Mission to Negotiate Peace. Consuls Gebhard Willrich and Wesley Frost complete the Committee.

At recent luncheons of the Association, Consuls General Lay, Eberhardt, Keena and Fuller, as well as Mr. Ransford Miller, Chief of the Division of Far Eastern Affairs, formerly Consul General at Seoul, and Mr. A. H. Putney, Chief of the Division of Near Eastern Affairs, who has been recently appointed a Consul of Class 5, were among the speakers. Mr. Keena emphasized the importance of organizing and consolidating the American "colonies" at consular posts by luncheon clubs or otherwise. At a conference of the principal consular officers in Mexico held at Mexico City on November 15, 1918, Consul Wilbert R. Willson, of Matamoras, spoke on the aims and activities of the American Consular Association.

The financial balance of the Association as of December 31, 1918, is as follows:

Receipts	\$410.78
Received previously.....	790.61
Total	\$1201.39
Disbursements	\$82.38
Balance	1119.01
Total	\$1201.39

NECROLOGY

The Association has learned with deep regret of the recent death of two members of the Consular Service, Consuls McLean and Silliman. Arthur McLean, Consul of Class 8, was formerly stationed at Puerto Plata, D. R., and recently assigned to Cadiz, which assignment was changed to Brussels. He died in New York City December 29, 1918. Though one of the younger members of the Service, Mr. McLean was regarded as an active and capable consular officer. John R. Silliman died at his post at Guadalajara in January. The Association has sent appropriate resolutions of condolence to the mother and wife, respectively, of the deceased officers.

The announcement of the death of Major Willard D. Straight in Paris comes as a shock to his friends and former colleagues in the Consular Service. Although only 38 years of age at the time of his death, Major Straight had had a brilliant career and had achieved success and eminence in several lines of duty, chiefly in the Consular Service, in journalism, in international finance and in the army. Major Straight, at the time of his retirement from the American Consular Service in June, 1909, was Consul General at Mukden.

AMERICAN CONSULAR BULLETIN

THE FOLLOWING IS A LIST OF THE NEW MEMBERS OF THE ASSOCIATION SINCE SEPTEMBER 30, 1918.

Agerton, B. L. Allen, C. E. Allman, N. F. Balch, H. H. Biar, H. C. Bickford, G. F. Bohr, F. Bonney, W. F. Bradford, R. R. Bradley, J. R. Brett, H. Briggs, L. P. Broy, C. C. Buhrman, P. W. Carleton, A. E. Carrigan, C. Carroll, B. H. Carter, J. G. Chamberlain, G. A. Claiborne, H. C. Cole, F. Cooke, A. B. Cookingham, H. N. Cunningham, E. S. Curtice, R. S. Damm, H. C. A. Davis, J. K. Davis, L. A. Dawson, W. Deichman, C. F.	Donaldson, C. Duffee, G. G. Dumont, F. F. F. Dunlap, M. P. Edelman, S. Edwards, C. S. Forman, C. Franklin, L. W. Freeman, C. M. Fuller, S. J. Funk, I. C. Gale, W. H. Gamon, J. A. Garrels, A. Gassett, P. Goding, F. W. Grace, W. J. Grout, J. H. Hanson, G. C. Harnden, R. W. Harris, H. W. Hawley, H. F. Heizer, O. S. Hendrick, M. J. Hitchcock, H. B. Holaday, R. E. Holland, P. Honey, R. Horton, George Ifft, G. N.	Ingram, D. M. Jenkins, W. L. Jewett, M. A. Johnson, N. T. Keena, L. J. Kemp, E. C. Kemper, G. H. Knabenshue, P. Lee, S. T. Leonard, W. A. Lumry, C. C. Lupton, S. K. McCutcheon, J. T. McKay, A. A. Makinson, G. A. Martin, C. W. Masterson, W. W. Maynard, L. Memminger, L. Miller, R. S. Morgan, H. H. Moser, C. K. Murphy, D. I. Murphy, G. H. Murphy, Jr., J. J. Myers, M. S. Nasmith, C. R. Nicholson, V. L. Osborne, J. B. Patton, K. S.	Piekerell, G. H. Pierce, W. A. Pontius, A. W. Putnam, J. R. Putney, A. H. Ray, J. A. Reat, S. C. Robertson, W. H. Sanders, J. O. Savage, J. M. Simpieh, F. Smith, J. A. Snyder, A. G. Sokobin, S. Southard, A. E. Spangler, T. L. Sprague, R. L. Starratt, H. P. Stiles, G. K. Strother, S. F. Swalm, A. W. Thackara, A. M. Tuck, S. P. Voetter, T. W. Willard, C. N. Williamson, A. A. Winans, C. S. Winship, N. Yelverton, E. H.
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RESULT OF FIRST ANNUAL ELECTION OF OFFICERS AMERICAN CONSULAR ASSOCIATION

March 3, 1919.

In accordance with the direction of the Executive Committee I closed the election March 1st. I hereby certify that 183 ballots were received, one being left blank. Votes were cast as follows:

For President

Charles C. Eberhardt, American Consul General at Large	56
Marion Letcher, American Consul General at Christiania	28
Robert P. Skinner, American Consul General at London.....	97

For Vice-President

William Coffin, American Consul General.....	99
Clarence E. Gauss, American Consul, Amoy....	51
Otis A. Glazebrook, American Consul, Jerusalem	29

For Secretary-Treasurer

L. C. Pinkerton, American Consular Assistant	15
Donald D. Shepard, American Consular Assistant	16
James B. Young, American Consul.....	149

Mr. Skinner elected President.

Mr. Coffin elected Vice-President.

Mr. Young elected Secretary-Treasurer.

Respectfully submitted,

JAMES B. YOUNG,

Secretary-Treasurer,

American Consular Association.

PAYMENT OF ADVANCE WAGES TO SEAMEN SHIPPED ON AMERICAN VESSELS IN FOREIGN PORTS

By Consul G. Willrich

THE question of the legality of payment of advance wages to seamen, when shipped in foreign ports before American consular officers, was finally passed upon by the Supreme Court of the United States during the October term and decided in the affirmative.

There were four cases involving this question, but only two of them, the case of Paul Vielson et al. vs. Rhine Shipping Company—referred to as the "Rhine Case," and that of John Hardy et al. vs. Shepard and Morse Lumber Company—referred to as the "Windrush Case"—concerned American vessels.

These cases involved the legality of the payment of advance wages to seamen in foreign ports, shipped before American consular officers, such advance payments having been made by and with the consent of the American consular officers, in accordance with paragraph 237 of the Consular Regulations of 1896, and notwithstanding the Seamen's Act of 1915 prohibiting such advances.

When these vessels reached American ports the seamen were paid the wages earned by them, less the amounts advanced to them in the foreign port and noted on the shipping articles they had signed before the consular officer and for which, in one of the cases, they had also executed proper receipts.

The seamen, on discharge in the home port, sought to recover the sums deducted since they considered such deduction unlawful under the terms of section 10 (a) of the Act of March 4, 1915, entitled "An Act to Promote the Welfare of American Seamen in the Mercantile Marine of the United States" which declares such advances to be unlawful and of no effect.

The United District Court decided these cases in favor of the libelants (244 Fed. 833). The Circuit Court of Appeals reversed this decree (250 Fed.

180) and the Supreme Court has now sustained the latter court by a decision of five to four. The gist of the majority decision, which of course will hereafter govern the actions of American consular officers, is to the effect that it may be conceded that American vessels might be controlled by Congressional legislation as to contracts made in foreign ports; that it appears, however, that only by compliance with the local custom of obtaining seamen through agents can American vessels obtain seamen in certain foreign ports. This, the Court says, is greatly to be deplored and the custom is one which works much hardship to a worthy class.

The Court holds that it is unable to discover that in passing the statute (Seamen's Act of 1915) Congress intended to place American shipping, in the matter of obtaining seamen, at a great disadvantage in comparison with the vessels of other nations, which are manned by compliance with the local usage. The Court held that the statute itself clearly denies papers to vessels violating its terms but that its provisions could only apply to domestic ports, which the Court regards as further evidence of the intent of Congress to legislate only as to advances made in our own ports. The four justices dissenting from the opinion of the Court hold that the words of the act forbidding payment of advance wages are grammatically broad enough to include all seamen, foreign as well as American, and advances and contracts, wherever made—that its provisions are simple and direct, and that there is no confusion in their command, no difficulty in carrying them out. They therefore hold that the District Court was right in refusing to allow advances and the Court of Appeals was wrong in reversing that ruling. The dissenting opinion of these learned jurists is given to show that there was much reason for the difference of opinion on the part of consular officers as to the proper interpretation of the so-called Seamen's Act of 1915 and of the paragraphs 236 and 237 of the Consular Regulations, now removed by the majority decision.

POSTAGE FOR EXPORT TRADE LETTERS

By Consul General at Large Stuart J. Fuller

A COMMON remark among business men abroad used to be, "The American mail is in. I must send down to the postoffice to buy mine out." While this is not heard so frequently as it was four or five years ago, nevertheless, carelessness in the prepayment of postage by American business houses still is met with to such an extent as to cause continued unfavorable comment on American business methods. It should hardly be necessary to call attention to the requirement of the International Postal Union by which the addressee of letters and parcels on which the postage has not been fully prepaid is required to pay a fine of double the amount of the shortage; but experience shows that this necessity exists. The annoyance is such a frequent one that foreign business houses often decline to pay penalty postage on any American mail matter in order to get possession of it. It should be an object with every American firm, for its own good as well as for the benefit of the reputation of American business in general, to overcome the prejudice that has grown up around this trifle.

In the case of commercial inquiries mailed to a Consul without full prepayment of the postage, the American firm will be notified, not for the purpose

of securing reimbursement, but to further the general interests of American trade by relieving foreign firms of the annoyance incident to the receipt of short paid matter from the United States. Every Consul, however, and some business men, who have sent such notifications, can tell you of having been required to send to the post-office and pay six cents to get possession of an abject apology, sent from America in reply. These replies are sometimes made more ridiculous by the enclosure of some American postage stamps, perfectly useless in the country to which they are sent.

Notifications of consular officers, however, are not sufficient to overcome this continued annoyance, which, in many quarters, is regarded as inseparable from American business relations. The difficulty seems to be due entirely to the carelessness of mailing clerks in the United States, something that can only be overcome by the American house itself. One of the most efficacious plans has been to use a distinctive shape and size of envelope for foreign letters, one four and a half or five by six inches, to take a letter folded to a square instead of to an oblong. The use of envelopes of a distinctive color is not only regarded as poor taste in some countries, but has not, in the long run, served to prevent carelessness.

PUBLICATIONS

Notable among recent publications is a volume by Consul Wesley Frost, formerly stationed at Queenstown, entitled "German Submarine Warfare," (D. Appleton and Company; \$1.50 net.) Mr. Frost's experiences in the cases of the Lusitania and many other passenger and cargo vessels, torpedoed off the Irish coast, have given him unusual sources of first hand information and he has written an exceptionally interesting book. Mr. Frost is chairman of the Executive Committee of the American Consular Association.

Mr. Robert W. Imbrie, who was until recently American Vice Consul at Petrograd, Russia, has written a book which has just been published, entitled "Behind the Wheel of a War Ambulance." This is an interesting recital of some experiences of Mr. Imbrie when he was in the French army motor transport service on the Western and Balkan fronts prior to his entry into the American Consular Service. (McBride is the publisher; price, \$1.50.)

NEW ASSIGNMENTS, MARCH 15, 1919,

WALLACE J. YOUNG,	Prague	J. B. RAVNDAL,	Constantinople
JOHN L. BOUCHAL,	Prague	L. B. MORRIS,	Constantinople
CHARLES FORMAN,	Curacao	R. CHESBOROUGH,	Constantinople
E. H. DENISON,	Quebec	G. W. YOUNG,	Constantinople
W. T. GRACEY,	Birmingham	CHARLES E. ALLEN,	Constantinople
B. GOTLIEB,	Cairo	J. B. JACKSON,	Aleppo
H. C. A. DAMM,	Stavanger	I. Q. WOOD,	Tiflis
JOHN A. RAY,	Lorenco Marquez	W. L. JENKINS,	Odessa
A. C. BRADY,	Punta Arenas	R. L. KEISER,	St. Michaels
THEODORE JAECKEL,	Bordeaux	W. SHOLES,	Goteborg
		F. J. DYER,	Nogales

EDITORIAL NOTE

In publishing the "AMERICAN CONSULAR BULLETIN" in cooperation with the AMERICAN CONSULAR ASSOCIATION, there is a real desire to further the closer relations between the United States Consular Service and American Business, to the end that the latter may benefit to the full from the Commercial activities of the Consular representatives of our Government abroad and to act as a medium for the interchange of views between Consuls. The inspiration for such a publication was therefore born of this desire. Its furtherance and ultimate results will be obtained only through the proper cooperation and understanding of each.

When it is realized that the Consular Service was organized by our Government for the purpose of furthering the interests of American business abroad, it remains only to devise a means by which the American Consular Service, which stands ready to aid America's foreign trade, on the one hand, and American Business seeking foreign markets on the other, may better understand and appreciate the purposes and desires of each. For such closer relations and understanding, this publication is dedicated.

The average American business man is not aware to what extent the Consular representative can help him. This is especially true of those firms desiring to enter, or who are in, the export field. Too often the Consular representative is looked upon, more or less, as a part of the diplomatic service, and his duties it is supposed consist chiefly of vizing passports or advising Americans traveling abroad. While this is a part of the Consul's duty, it is only a part and a very small part. The main reason for the Consular Service is to unite more closely and mutually to benefit the Government and American Commerce, generally.

While the Consul may not, because of well advised consular regulations, act as an individual representative or agent of a particular business interest, he may and is always ready to aid Americans' business and trade to the full extent of his ability, according to the regulations. So that American firms entering the commercial foreign field, may have as complete information as possible, as to the many ways Consular representatives can be of assistance, it is our purpose to devote, from time to time, a part of this book to this subject as well as to have departments that will treat of the customs, shipping regulations, credits, principal import, etc., of all countries where our Consular representatives are stationed.

Suggestions as to the policy and make-up of this book, from Consuls and from American firms, that will tend to bring about such closer relations between the Consular Service and American business desiring foreign markets, will be duly appreciated and in each case, wherever practicable, acted upon.

It is our purpose to make this a publication of such merit, substance and circulation, that Consular Representatives will have pride in their magazine.

This, the preliminary issue for Consuls, deals almost entirely with Association News. Next month it is our intention to issue the first number, which will deal completely, not only with Consular News, but with subjects of vital interest to American business firms.

Consular representatives are especially invited to contribute news items, stories and photographs which have to do with their particular field that will be of interest to American business firms.



