

AMERICAN CONSULATE
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AMERICAN CONSULAR BULLETIN

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

2

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No. 4



AMERICAN COTTON AT LIVERPOOL

Photograph, furnished by Consul Horace Lee Washington, showing American cotton on dock at Liverpool awaiting removal to storage warehouse. More than eleven million cents (100 lbs. each) of American cotton were imported at Liverpool during 1919, and the value thereof exceeded \$530,000,000.

EDITOR & PUBLISHER, J. W. YOUNG, TIFFIN BUILDING, Long Island City, N. Y.

Rogers Introduces New Bill

Original Proposals of Massachusetts Representative for Reorganization of Foreign Service Extended to Include Pension System—Hearings This Summer Possibly.

Immediately upon the meeting of Congress in special session, April 11th, Representative John Jacob Rogers of Massachusetts introduced a bill (H. R. 17) "for the reorganization and improvement of the Foreign Service of the United States, and for other purposes." The chief features of the bill, which is a considerably enlarged revision of the bill for the improvement of the Service (H. R. 11058) which Mr. Rogers had before the last session of Congress, are these:

Diplomatic and Consular Services combined in a "Foreign Service of the United States."

Appointment of Ministers to grades and classes, and not to posts.

Appointment of "Foreign Service pupils."

Cumulative leave and payment of travel expenses on home leave under certain conditions.

"Representation allowances" for Ambassadors and Ministers.

Post allowances for Foreign Service officers of all grades.

Age and disability retirement; contributory pension system.

All representatives or agents of the United States Government abroad to be under the Department of State and merged with the diplomatic mission in the country of their functioning.

It is expected that there will be hearings on the bill before the House Committee on Foreign Affairs this spring or summer. The hearings, if held, will precipitate discussion of the most effective kind on all questions of importance to the two Services. The responsible officers of the Department of State are not committed, one way or another, to the solutions projected by Mr. Rogers, and it is, of course, impossible to foresee the attitude of Mr. Rogers' colleagues in Congress. If enacted, the bill may undergo substantial amendment. As now drawn, it embodies the results of a long and very sympathetic study by Mr. Rogers of the needs of the Foreign Service.

Two Services Fitted Into One

The readjustments which Mr. Rogers proposes in his bill, in order to mold the two Services into a single Foreign Service, as well as the structure of this new Service, are shown in the table at the top of page 3. The columns headed "diplomatic" and "consular reclassification" show the grades and classes to which officers commissioned in the two Services, respectively, at the time of the change would be recommissioned in the Foreign Service. Secretaries of Class I in the Diplomatic Service acting as

Counselors of Embassy would be recommissioned Foreign Service officers of Class I, and those acting as Counselors of Legation would be recommissioned Foreign Service officers of Class II. Secretaries of Class I, not Counselors of Embassy or Legation, would be recommissioned Foreign Service officers of Class III, and so on.

On the consular side, Consuls General of Classes I and II would be recommissioned Foreign Service officers of Class I. Consuls of Classes I, II and III would be recommissioned Foreign Service officers of Class IV, and so on; but special provision is made so that Consuls General of Class I and Consuls of Classes I and II, in office at the time of the change, would not suffer a diminution of salary.

The salary status of Vice Consuls of career, Interpreters and Student Interpreters would not be altered by Mr. Rogers' proposals, but these officers would be recommissioned as Foreign Service officers, unclassified. The grade of Consular Assistant would be abolished. The Consular Assistants in the Service would be recommissioned as Foreign Service officers, unclassified, and designated Vice-Consuls of career of Class I, II or III, according to longevity. Vice Consuls not of career and Consular Agents would be appointed when necessary, as heretofore.

The bill provides as many inspectors as may be appropriated for annually by Congress on the recommendation of the Secretary of State. They would be commissioned as Foreign Service officers of Class III (\$5,500) and be designated "Foreign Service inspectors."

Ministers Mobilized

The grade of Minister Plenipotentiary is classified, and it is provided for the future that all appointments of Ministers, as well as Foreign Service officers, shall be to grades and classes, and not by commission to particular posts. Ministers would be transferable from one post to another by order of the President, as the interests of the Service might require, as consular officers and diplomatic secretaries now are. Ministers in office and receiving salaries of \$12,000 and \$10,000 at the time of the change would be recommissioned as Ministers of Classes I and II, respectively. Class III of Minister would be filled by promotion from the grade of Foreign Service officer, Class I, as vacancies might occur in the grade of Minister, Class II.

In order to render the proposed Foreign Service completely mobile in all grades, it is provided, further, that



*Table Showing Reclassification of Diplomatic and Consular Services in a "Foreign Service,"
as Provided for in the New Rogers' Bill*

Proposed grades and classes in Foreign Service	Proposed salaries	Diplomatic reclassification	Consular reclassification
Ambassador	\$17,500	_____	_____
Minister—			
Class I	12,000	_____	_____
Class II	10,000	_____	_____
Class III	8,000	_____	_____
Foreign Service officer—			
Class I	8,000	Counselors of embassy	Consuls General, Cl. I. & II
Class II	6,000	Counselors of legation	Cl. III
Class III	5,500	Secretaries, Cl. I, not Counselors	Cl. IV
Class IV	5,000	Secretaries, Cl. II	Consuls, Cl. I, II & III
Class V	4,500	_____	Cl. IV
Class VI	4,000	Cl. III	Cl. V
Class VII	3,500	_____	Cl. VI
Class VIII	3,000	Cl. IV	Cl. VII
Class IX	2,500	_____	Cl. VIII & IX

Vice Consuls of career, Interpreters and Student Interpreters to be recommissioned as Foreign Service officers, unclassified. Consular Assistants to become Vice Consuls of career.

any Minister or Foreign Service officer may be assigned for duty in the Department of State for a period of not more than three years, or four at the most; that Foreign Service officers of Class I may be appointed, within the discretion of the President, to act as Minister, Resident or Diplomatic Agent for such period as the public interest may require; and that the President may assign to such diplomatic missions or consular offices as he thinks fit such Minister and Foreign Service officers as may be necessary for the proper administration of the offices in question, and may designate any such officers, while so assigned, to discharge whatever functions the interests of the Service require.

Foreign Service Pupils

The grade of Foreign Service pupil is created by section 15 of the bill, which directs the Secretary of State to designate these pupils, as the needs of the Service may require, from candidates, aged 18 to 25, who have successfully passed a preliminary examination. The pupils would follow prescribed courses of study at designated universities for not less than three years, after which, upon passing a final examination, they would be eligible for appointment as Foreign Service officers, unclassified. They would be paid their subsistence and tuition, up to \$1,500 a year, during this three-year period, and in consideration thereof would contract to remain in the Service at least five years after appointment.

The bill proposes to alter the existing statutory provisions with respect to leave in such wise that thirty days of the annual sixty-day allowance, if not availed of at the

officer's post, may accumulate for a period not to exceed three years, to be then availed of solely for leave in the United States, not oftener than every other year. It is provided further that "whenever he deems it to be in the public interest to do so, the Secretary of State is authorized to order to the United States, on his statutory leave of absence, at the expense of the Government, any officer in the Foreign Service who has done three years or more of continuous service abroad, and the immediate family of such officer," provided that "while they are on leave in the United States the services of all officers whose expenses home have been paid by the Government shall be available for trade conference work and for such duties in the Department of State as the Secretary of State may prescribe."

"Representation allowances" and post allowances are dealt with in these *provisos* to section 2, which fixes the salary compensation of Foreign Service officers as shown in the table above.

"That in addition to their statutory salaries the President is hereby authorized to grant to ambassadors and ministers representation allowances out of any money which may be appropriated for such purpose from time to time by Congress, the expenditure of such representation allowances to be accounted for in detail to the Department of State quarterly under such rules and regulations as the President may prescribe: And *provided further*, that whenever it is demonstrated to the satisfaction of the Secretary of State that living conditions or the depreciation of local currency, or adverse rates of inter-



Table Showing Method of Calculating Retirement Annuities as Provided for in the New Rogers Bill

Class	Minimum service period—years	Annuity in percentage of average basic		Minimum annuity
		salary	annuity	
A	35	60%	\$4,800	\$1,500
B	31	55%	4,400	\$1,375
C	27	50%	4,000	1,250
D	23	45%	3,600	1,125
E	19	40%	3,200	1,000
F	15	35%	2,800	875

national exchange at the posts of any Foreign Service officers have created a discrepancy between the values of their statutory salaries and the cost of living on a proper scale at their posts for persons in their positions, the Secretary of State is authorized to grant to such officers, out of any money appropriated by Congress for the purpose, post allowances in amounts sufficient to adjust their compensation to the conditions to which the discrepancy is due."

Retirement and Pensions

The provisions of Mr. Rogers' bill which will no doubt arouse the liveliest interest in the Service are those relating to age and disability retirement and the contributory pension system. These have been drawn with regard to the experience and policies of other governments, in strict accordance with actuarial science and with a view to obtaining practical legislative results. Such a system of pensions as might be most acceptable to the men in the Service would almost certainly fail of enactment. The only possibility of obtaining a workable system, and establishing thereby the *principle* of age and disability retirement on pay, is to put forward a contributory proposal, analogous to that which Congress has already adopted, in the Lehlbach law, for the benefit of the civil service employees of the Government. It is felt that Mr. Rogers' plan meets the practical requirements of the situation in the best possible way, and that its enactment into law would not only provide the Service with a just system of retirement and pensioning, but operate very effectively to insure tenure of office, and to stabilize in general conditions of appointment and promotion.

It is provided that, beginning ninety days after the passage of the act, Foreign Service officers who have then attained, or may thereafter attain, the age of 65, shall be eligible to retirement on an annuity, in accordance with the classification set forth in the table at the top of this page.

Class A includes all Foreign Service officers who have served the United States as career officers for a total

period of 35 years or more. The annuity of such an officer would be 60 per cent. of his average annual basic salary for the ten years next preceding the date of his retirement. In no case might his annuity exceed \$4,800, nor be less than \$1,500. The same applies, with the changes indicated in the table, to each class. Officers who may have reached 65 years of age at the time the act may become effective, but have not yet done 15 years' service would be entitled, according to the provisions of the bill, to the annuities provided in the case of Class F.

"Basic salary" excludes "all post allowances or other compensation in addition to the basic pay of the position as fixed by law or regulation." The period of calculation for determining the average comprises the ten years next preceding retirement. Length of service is computed from the date of the original oath of office as a career officer and excludes any periods of leave without pay.

Retirement for Disability

With respect to disability, it is provided that any Foreign Service officer who has served for at least 15 years and before reaching the age of retirement "becomes totally disabled for useful or efficient service by reason of disease or injury not due to vicious habits, extravagance, or willful misconduct on the part of the officer, shall upon his own application, or upon the request or order of the Secretary of State, be retired on an annuity," in accordance with the provisions summarized in the table on page 4. Provision is made for subsequent medical examinations, and it is stipulated that, if the annuitant recovers before reaching the age of retirement, he shall be restored to service at his former salary.

The retirement age is fixed at 65, but the Secretary of State, according to the provisions of the bill, may certify to the President, at least 60 days before the officer in question reaches that age, that "by reason of his efficiency and willingness to remain in the service of the United States the continuance of such Foreign Service officer therein would be advantageous to the public service." The officer may, then, upon approval by the President,

(Continued on page 14)

The Inevitableness of the Consul

Wesley Frost Explains How Civilized Man Cannot Get Along without Him—Some Cheering Words on Trade Promotion Work.

At the consular luncheon given in his honor, just before he left for his new post, Marseilles, Wesley Frost was presented by his Washington consular colleagues with a silver cigarette case, as a token of their friendly esteem and sincere good wishes for his future success and happiness. In acknowledging the presentation, Mr. Frost made these remarks, which will be of interest and inspiration to all the members of the Service:

"It seems to me that all consular officers, at this time when the organization and direction of the Service seems likely to be somewhat modified, may legitimately bear in mind that the essential functions and nature of the Service can *never* be modified. The consular function is an ineradicable element in human organization wherever international intercourse has sprung up; and antedates the diplomatic function and trade commissioner function, historically, by very many centuries. In reading with regard to the origin of the consular function one cannot but be struck by the fact that consular officers have been created spontaneously in many different parts of the world, wherever at any time or place commerce between peoples has come into being. It cannot be said that the consular function was originated by the Phoenicians, by the Athenians, by the Genoese, or by the Hansa League. It is no more true to say that Alcibiades was the first consular officer (*proxenos* for the Spartans at Athens) than that Esculapius was the first physician. Consular duties, like medical science, or like the police power, meet a fundamental human need. Accordingly, whatever changes in nomenclature may transpire, and whatever experimentation may be undertaken as to the organization or direction of American consular endeavors, the fundamental nature of the work will never be changed; and those elements in the work which have appealed to us all will continue to engage our interest and enthusiasm.

The Trade Situation

"I think, also, that there may be in existence just now an undue despondency with regard to consular trade work. There is a general feeling that foreign nations are too impoverished to purchase American goods; that American merchants have not the desire or necessity to quote low prices or favorable terms which impel their foreign competitors; and that large American exporting firms know so much about foreign trade that consular help is unnecessary while small exporting firms cannot successfully venture into the foreign field. That these views contain much truth need not be denied; but that they diminish the advisability and utility of consular trade promotion would be a wrong conclusion. Our

foreign trade has never needed consular aid more than at this juncture, when its difficulties are greatest; and our business organizations will appreciate such aid as consuls can give at this time more than ever before. The law of diminishing returns, which forces European exporters to quote low prices, also produces an atonic industrial condition in the European countries; so that their manufacturing operations are handicapped by social disorders and the importunities of radical labor elements. Finally, it is my personal view that there is no reason why comparatively small American firms should not be successful in the export trade, if they possess special patents, or special methods of production or distribution, which give them strength. Moreover, it is to be borne in mind that consular trade work is, in a sense, primarily educative; and that many efforts which do not produce immediate tangible results will nevertheless be ploughed under and assimilated into the commercial consciousness of this country in such wise that results will spring from them perhaps many months or years later on. Altogether it would seem that the opportunities for usefulness by Consuls in trade work have never been greater than they are at the present time."

Frost's Association Work

Mr. Frost has been chairman of the Executive Committee of the Consular Association since September 9, 1918, and has contributed most generously to the work of the Association, especially in connection with the publication of the *Bulletin*, and has taken a leading part in forming the Association's policies. The Executive Committee adopted the following resolution:

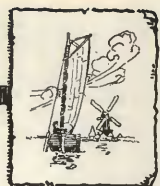
Whereas, Wesley Frost is about to depart for duty abroad, and for that reason has withdrawn from the Executive Committee of the American Consular Association, of which he has been the chairman for two and one-half years; be it

Resolved, That the Executive Committee manifest, by this means, the high personal regard which its members feel for him, as well as its appreciation of the energy, intelligence and good fellowship he has brought to its deliberations, and convey to him its sincere wishes for success and happiness at his new post of duty.

The staff of the Trade Adviser's Office, of which Mr. Frost was the head for more than a year, and with which he has been associated a number of years, presented him, at a farewell party, with a Corona typewriter.



HERE & THERE



Officers calling recently at the Department include Maxwell Blake, Agent and Consul-General at Tangier; Frederick M. Ryder, Consul-General at Vancouver; Francis J. Dyer, Consul at Nogales; John A. Ray, Consul at Lourenco Marques; R. P. Tenney, Consul and Assessor at Shanghai; Robert Harnden, Consul at Seville; C. Ludlow Livingston, Consul at Charlottetown; Parker W. Buhrman, Consul at Soerabaya; William C. Burdett, Consul at Ensenada; George Wadsworth, Vice Consul at Constantinople; Theodore D. Palmer, Jr., Vice Consul at Sofia; John E. Moran, Vice Consul de Carriere; George C. Cobb, Vice Consul at St. Michael's; H. Armistead Smith, Vice Consul at Bristol; Edward R. Pottle, Vice Consul at Bilhau; A. W. Johnson, Vice Consul at Barcelona; John C. Higden, Vice Consul at Tabriz; B. C. Matthews, Vice Consul at Antofagasta.

Ralph J. Totten, Consul-General at Large, has returned from a brief inspection trip in Mexico, and will do a month or so of work in the Department before setting out for Europe again.

Consul Maurice Dunlap has returned to Copenhagen from Malmo, where he was temporarily detailed. Consul James H. Goodier, who has been temporarily detailed to Kingston, Ontario, has now been temporarily detailed to Charlottetown. Albert Halstead, assigned as Vice Consul at Danzig, has resigned. Carlton Hurst, Vice Consul, has been transferred from Cadiz to San Salvador temporarily. John Randolph, Vice Consul, who was formerly at Tiflis, has been temporarily detailed to Constantinople. Robert D. Murphy of Wisconsin, appointed Vice Consul, has received his first assignment at Zurich.

The following appointments of Consular Agents are noted: Henry P. Bridge of Great Britain at Christchurch, New Zealand, in the place of John H. Stringer, resigned; Marc de Verteuil at Brighton, in the place of William E. Daly, resigned; and D. August Muirhead at Whitehorse. Eugenio Choiseiro of Porto Rico, Consular Agent at Azua, died at his post February 23, 1921. Edwin Salz, who was recently made acting Consular Agent at Coquimbo, has now been named Consular Agent there.

John L. Calnan, clerk at Prague, has been appointed Vice Consul there, and Edwin H. Livingston has been similarly promoted at Valparaiso. James H. Hill, Vice Consul and clerk, has been transferred from Prince

Rupert to Kingston, Ontario. Raymond F. Phelan of California has been appointed Vice Consul and clerk at Teneriffe. Mr. Phelan was formerly in the Service but had resigned. William H. Voshell has been made honorary Vice Consul at Iquique.

Vice Consul George G. Fuller, who took charge of the Consulate at Trondhjem on the death recently of Consul Milo A. Jewett, has reported to the Department that "all of the routine work of the office was up to date, as far as the health of Dr. Jewett would permit. All the accounts, records and files were most accurately and neatly maintained."

Mr. Fuller adds: "Consul Jewett seems to have been a man who was constantly thinking, and working, for others. His medical training gave him opportunity to serve many poor people who otherwise would not have received assistance. He and Mrs. Jewett were greatly beloved by the entire community, and leave a host of friends behind."

The vital statistics department furnishes the following for this issue of the *Bulletin*:

Born—December 16, 1920, at Chungking, China, Marian May Josselyn, to Jennie Dudley and Paul R. Josselyn. Mr. Josselyn is Consul at Chungking.

Born—April 10, 1921, at Guatemala City, Joyce Goforth, to Effie D. and Herndon W. Goforth. Mr. Goforth is Vice Consul at Guatemala City.

John W. Davis, late Ambassador to Great Britain, speaking at New York, April 26th, at the annual luncheon of the Associated Press, said in part:

"This leads me to say a word on a subject which lies very near my heart and in which I can no longer be suspected of a personal interest. The Diplomatic and Consular Service is our first line of defense. The trenches, therefore, should be manned with troops which are both well trained and, what is equally important, well equipped and well fed. Nothing is less democratic in our democratic country than our refusal to compensate those who serve us. She should maintain her representatives abroad in such manner as her own dignity requires.

"The average salary, I am told, paid to officers in the Diplomatic Service is \$1,892. If we are to hold these men, three things seem to me to be imperative: First, adequate compensation; second, a retirement system,



which will relieve them of the fear of a useless and dependent old age; and third, a reasonable possibility of promotion for merit to the highest posts."

Mr. Davis has become general counsel for the Associated Press in the place of Frederick B. Jennings of New York, recently deceased. Mr. Davis has joined the law firm of Stetson, Jennings and Russell, of which Frank L. Polk, former Under Secretary of State, has also recently become a member.

Which file number should he use, asks a consul at a Near East seaport apropos of a complaint from a Turkish citizen that the left fielder of an American-destroyer baseball team had trampled in his onion patch. Should it be 340 (litigation between persons), or 861.2 (pests affecting plant life)?

An old lady applying for a visa at Danzig, having left her glasses at home, was regaled by a reading of paragraph 3 of the Immigration Act. She was positive in her assertions that she did not fall within any of the excluded classes, until the description "anarchist" was reached, when she said: "I don't know what an anarchist is, but I am a Baptist." She was considered safe.

The *Bulletin* is indebted to Consul-General Coffin for an envelope, received by him in Berlin and addressed as follows: "To the President King, Esq., of the American Consulate, Berlin." A title, not a name, says Mr. Coffin.

Consul General Francis B. Keene of Rome was, back in the '90s, known all over the golfing world as "The Laureate of the Links," for he wrote more verse about the ancient game, serious, sentimental and humorous, than anyone else.

In the final contest of the season at the Rome Golf Club, during the week ending April 9, for the Club's gold medal and the title of champion, awarded for the lowest aggregate score without handicap, and for the Spanier trophy, custody of which for one year is awarded to the player having the lowest score with handicap, Consul General Keene won both.

According to Consul General at Large Totten, Consul Byington of Naples is the best golfer in the Service, certainly in the European group.

Miss Drouilleaux of the Paris Consulate General has plucked this flower from a letter concerning a power of attorney:

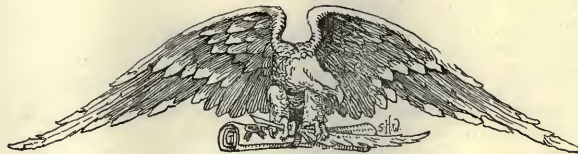
"Will you please write me at what hours the Consul is opened and what is the fee attached to such a duty?"

Index under "post mortem."

"As a retiring president of the American Consular Association," Consul-General Skinner wrote to the Secretary of the Association in October last, "I have a lively sense of my own deficiencies, coupled with an equal appreciation of the power for usefulness of the Association itself. If I had had more frequent opportunity of associating with the Executive Committee in Washington during my term of office, possibly I could have better justified the confidence of my colleagues in electing me in the first instance. This urges me to the point of suggesting that while an absentee president is necessarily precluded from co-operating very actively in the ordinary way with the work of the Executive Committee, it might be possible for the Executive Committee to indicate to future presidents the specific things which, even though absent, they might be able to do to further the work of the Committee and of the Association at large."

At a recent consular luncheon in Washington, the Secretary of the Association was directed by resolution to convey to Mr. Skinner and to Consul-General William Coffin, the retiring vice-president, "an expression of the appreciation and thanks of the members of the organization for their able services which they have so generously contributed to the interests of the Association during the period of their incumbency." It was resolved to be the "sense of the Association that, through the example of their unremitting activities and estimable spirit of co-operation, they have rendered signal service to the advance of the aims of the Association."

In acknowledging the receipt of a copy of these resolutions, Mr. Skinner has written: "I am very much gratified, of course, to find myself thus honored, and I wish very much that I could feel I deserved such generous appreciation. I am feeling the greatest satisfaction in the growth and development of the Association which appears more and more to be playing a real part in our Consular affairs."





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The American Consular Bulletin is published in cooperation with the American Consular Association, which is an unofficial and voluntary association embracing most of the members of the Consular Service of the United States. The Association distributes the Bulletin to its members, and it is also open to private subscription in the United States at the rate of \$1.50 a year, or 15 cents a copy, payable to the publisher.

The purposes of the Bulletin are (1) to serve as an exchange among American consular officers for personal news and for information and opinions respecting the proper discharge of their functions, and to keep them in touch with business and administrative developments which are of moment to them; and (2) to disseminate information respecting the work of the Consular Service among interested persons in the United States, including business men and others having interests abroad, and young men who may be considering the Consular Service as a career.

Propaganda and articles of a tendentious nature, especially such as might be aimed to influence legislative, executive or administrative action with respect to the Consular Service, or the Department of State, are rigidly excluded from its columns.

CURRENCY ADJUSTMENTS

Copies of the Executive Order amending paragraph 541 of the Consular Regulations, which governs the adjustment of consular accounts in countries where the ordinary circulating medium is foreign to the standard currency of the country, or is depreciated with respect to the standard, will probably have reached consular officers, together with a circular instruction on the same subject, before this issue of the *Bulletin* comes from the press.

While this order and the instruction will, of course, be the only authoritative guides, it may be helpful to officers, and not amiss in the *Bulletin*, to publish the following statement which has been prepared by an officer now on duty in the Department and relates to the accounting methods used at the Consulate General at Paris in 1915 and subsequently. These methods are believed to conform to official requirements. The statement follows:

About the middle of 1915, the currency of France had depreciated with respect to the currency of the United States to an extent which made a United States dollar worth, not approximately the normal equivalent of F. 5.1813, but a figure varying between F. 6 and F. 7. The daily variation was a few centimes. The actual figure could be obtained from local bankers.

At the beginning of a quarter, the rate for collecting official consular fees was fixed at a figure slightly in excess of the rate reported by the banks for that day, group

and rounded off to ten centimes. Thus, if the banks reported the rate on April 1st to be F. 6.33, F. 12.80 was collected for a \$2 fee, F. 16 for a \$2.50 fee, and so on.

These rates of collection were maintained until the banks reported that more than F. 6.40 was required to purchase a dollar. Then they were advanced accordingly, always in round figures. Sometimes an advance was delayed a day or two in order to offset a recent rather heavy favorable margin, but a certain margin of safety was always maintained.

At the end of the quarter, an average quarterly rate was obtained by adding together the average daily rates for each working day in the quarter and dividing this by the number of days. On the basis of the arithmetical average thus obtained, salaries were adjusted at the end of the quarter, contingent expense items settled, and so on.

Owing to the margin of safety already mentioned, the total of francs collected during the quarter for fees, when converted into dollars at the average rate for the quarter, yielded slightly more than would have been collected, had it been possible to anticipate this average rate and collect fees on the basis of a precise conversion. The excess was, of course, accounted for and paid into the Treasury under the head of "excess of fees due to the currency."

Such an excess usually exists in any circumstances, because fees must, for practical reasons, be collected in convenient "round" figures in the local currency. The amounts collected in French currency for the several fees were altered by increments or reductions of not less than 10 centimes.

To obtain a current daily average rate is very simple at Paris because of the great volume of American business done there and the presence of a number of American banking institutions. At places less fortunately situated in this regard, the consular officer must employ the best means at his disposal for ascertaining the rate. If a banker's certificate is not to be had, the consul must ascertain by other means and certify himself to the rate used.

DEPARTMENTAL CHANGES

The greater number of the regional economists have been detached, by a Departmental order dated April 25th, from the Office of the Foreign Trade Adviser and assigned to duty in the geographic divisions, as follows:

Frederick Simpich, Consul, Dorsey Richardson, Lawrence Martin and Knute E. Carlson, to the Division of Western European Affairs; Edwin D. Kieth and William R. Manning to Latin American Affairs; Ray O. Hall to New Eastern Affairs; Alfred W. Kliefoth to Russian Affairs; and Walter W. McLaren and John L. Donaldson to Far Eastern Affairs.

By an order of May 14th, Poland was included in the group of countries assigned to the Western European



Photo by Underwood & Underwood

THREE UNDER SECRETARIES OF STATE

A recent photograph showing (left to right) Norman H. Davis, Under Secretary of State from June 15, 1920, to March 7, 1921; Henry P. Fletcher, now serving; and Frank L. Polk, Counselor of the Department of State from August 30, 1915, to June 29, 1917, and Under Secretary from then until June 26, 1919.

Division. It was previously assigned to Near East. Wm. R. Castle, jr., drafting officer, was named Acting Chief of the Western European Division by an order of March 16th.

DeWitt C. Poole, Consul, was relieved from duty in the Office of the Director of the Consular Service, April 27th, and assigned as Acting Chief of the Division of Russian Affairs.

Frederick Emory, Chief, and T. Q. Beesley, Assistant Chief of the Division of Foreign Intelligence, have resigned. By an order of May 5th this division was abolished and superseded by a Division of Foreign Information, which is charged with all matters pertaining to the relationship between the Department and the press. Henry Suydam, who represented the Committee on Public Information in the Netherlands during the war, has been appointed chief of the new division.

A Division of Publication was established by an order of May 13th. It is charged with the preparation, custody and distribution of all publications issued by the Department. There are incorporated in this division the Office of the Historian of the War, the Office of the Editor of the Laws, the Bureau of Rolls and Library (excepting as to maps), and such portions of the former Division of Foreign Intelligence as pertain to the duties with which the Division of Publications is charged. The Chief of the Division of Publications will be known as the Editor of the Department of State. Gaillard Hunt, the historian and author, who has been with the Department intermit-

tently since 1903 and in October, 1918, was appointed special assistant "to prepare a history of the present war from the standpoint of the Department of State," has become chief of the Division of Publications and Editor of the Department of State.

Frederick D. Dickson was designated, March 19th, Acting Chief of the War Trade Board Section of the State Department.

Roy McElwee has resigned as Director of the Bureau of Foreign and Domestic Commerce of the Department of Commerce, and has joined the faculty of the School of Foreign Commerce of Georgetown University. Charles E. Herring, Assistant Director, is in charge of the Bureau at present.

Montgomery Schuyler, who retired as Minister to Ecuador in 1913, has been appointed Minister to Salvador. He was temporarily in charge of the Division of Russian Affairs after the resignation, early in March, of Arthur Bullard. Mr. Bullard plans to remain in Washington and resume his literary work.

Charles M. Johnston has resigned as Chief of the Division of Mexican Affairs. No appointment has been made. George T. Summerlin, Chargé d'Affaires at Mexico City, has been on duty in the Department for some time and in the Mexican Division.

Diplomatic appointments so far announced include Colonel George Harvey to Great Britain, Myron T. Herrick to France, Richard Washburn Child to Italy and Jacob Gould Schurman, President of Cornell University, to China.



NEW BOOKS ::

The degree to which foreign trade has become, in recent times, a matter of general concern in the United States and a subject of study is revealed in many ways and particularly by the increased output of books and pamphlets relating thereto. For evidence of this it is but necessary to look through the reviews and titles of new books in the general field of economics contained in the last issue of the *American Economic Review*. Under the general head of foreign trade we find (1) Ford: *The Foreign trade of the United States* (New York, Scribner's, 1920, pp. xiv, 325, \$3.00), which the reviewer says "must be described as superficial, though it furnishes an interesting survey for the general reader, while the bibliography at the close of each chapter gives direction to those who wish to go further"; (2) Notz and Harvey: *American foreign trade* (Indianapolis: Bobbs-Merrill, 1920, pp. 425, \$5.00), on which there is no comment; and (3) Pepper: *American foreign trade; The United States as a world power in the new era of international commerce* (New York: Century Co., 1919, pp. ix, 350). This last is of special interest because the author (Charles M. Pepper) was for some years Foreign Trade Adviser of the Department of State. The reviewer notes that "chapters upon the Farm in Foreign Trade, Machinery and National Efficiency, and Raw Materials are followed by five chapters upon commercial policy, emphasizing British and American policies. The second half of the book takes up various market areas, such as continental Europe, Russia, the Near East, and South America, discussing the market possibilities with reference to the resources, trade development, needs, and commercial relations."

The activity of certain American banks in the foreign trade field, their campaign of education and the creation of an acceptance market in the United States—this last one of the most interesting developments of recent years—are revealed by the publication of a number of pamphlets. These include Alexander: *Banking and its relationship to domestic business and export trade* (New York: National Bank of Commerce, 1920, pp. 15); Bean: *Elements of trade acceptance practice* (New York: American Acceptance Council, 111 Broadway, 1920, pp. 16, 5c); *Bankers' acceptances; principles and practice* (New York: American Acceptance Council, 1920, 10c); and *A survey of trade acceptance progress* (New York: Irving National Bank, 1920, pp. 18). We also note Shugrue: *Problems in foreign exchange* (New York: Appleton, 1920, pp. 173, \$2.20), and an address by Eugene Meyer, Jr., of the War Finance Corporation, on *Financing foreign trade*, published by the author (New York, 820 Fifth Avenue), in pamphlet form (pp. 17).

There is also an increased literature relating to trade with or in particular regions of the world or countries. The Guaranty Trust Co., published, in 1920, a 19-page pamphlet entitled *Trading with the Near East, present*

conditions and future prospects, and one of 28 pages called *Essentials of trading with Latin America*. On particular countries the following are noted:

Rowe, L. S.: *Early effects of the war upon the commerce, finance, and industry of Peru*. Carnegie Endowment of International Peace. Division of Economics. Preliminary economic studies of the war, No. 17. (New York: Oxford Univer. Press, 1920, pp. v., 60).

Mexico today. As seen by our representative on a hurried trip completed October 30, 1920. (New York: American Exchange National Bank, 1920, pp. 25.)

Social and industrial conditions in the Germany of today. The Annals, Vol. XCII. (Philadelphia: Am. Acad. Pol. & Soc. Sci., 1920, pp. 166.)

Report on the commercial, industrial and financial situation of Japan, 1914 to 1919. (London: H. M. Stationery Office, 1920.)

Denmark—agriculture, commerce, finance. (New York: Brown Bros. & Co., 1920, pp. 32).

Bryce, James (Viscount): *Modern Democracies*. New York: Macmillan Co., 1921, 2 vol., pp. 508, 676, \$10.50.

These volumes embody Lord Bryce's observations and study of democratic governments in the working during travels of ten years or more prior to the war. "What I desire," he writes in the preface, "is not to impress upon my readers views of my own, but to supply them with facts, and (so far as I can) with explanations of facts on which they can reflect and from which they can draw their own conclusions."

Part I deals with "considerations applicable to democratic government in general," and Part II—the greater part of the work—with "some democracies in the working." These include France, Switzerland, Canada, United States, Australia and New Zealand. Part III embraces a critical analysis and review of the facts stated in the second part, and concludes with "general reflections on the present and future of Democratic Government suggested by a study of the forms it has taken, the changes it has undergone, and the tendencies that are now affecting it."

Edward McChesney Sait: *Government and Politics of France*. World Book Co., Yonkers-on-Hudson, N. Y., pp. xv, 478.

Raymond Leslie Buell: *Contemporary French Politics*. D. Appleton & Co., New York, pp. xxvii, 523. \$3.50.

The American Political Science Review (February, 1921) says: "The dearth of books in English dealing in an acceptable way with the government and politics of France has been remedied in a notable degree by the almost simultaneous appearance of these two volumes. Each book supplements the other, and the two, taken together, give a full and satisfactory account of the republic's governmental system and of its parties and political issues."

The same issue of the Political Science Review notes the publication by the Thomas Law Book Co., of St. Louis of a translation, by Joseph Wheelock of the *Civil Code of Brazil* (pp. xxxvi, 438).

The Origin of the Consular Institution

By G. Bie Ravndal

(Continued from May issue)

While the Levant still held the stage, important consulates had been founded in Constantinople, Salonika, Trebizond, Alexandria, Akka, Famagusta, Tarsus, Aleppo and Damascus. To these were subsequently added other strategic posts, such as Konia and Smyrna and, in what is now South Russia, Caffa and Tana. Less notable consular offices were opened in Rhodes in 1309, in Bulgaria in 1352. There were consuls in Morea, and the Greek archipelago, at Ragusa and other ports of the Adriatic, and in all commercial centers of Italy, Sicily, Spain and North Africa. Ranking high among the consuls in Spain were those in the Saracen kingdoms of Valencia, Murcia and Granada, dating back to about 1150; in the duchy of Catalonia, in the kingdom of Castile and Leon, and in the Balearic Islands.

Towards the end of the 14th century, at which time the existence of America was unknown and Asia and Northern Europe barely divined, Barcelona maintained 55 consuls in foreign lands. This number by the middle of the 16th century had dwindled down to six—those at Marseilles, Messina, Palermo, Naples, Genoa and Cagliari.

Civilization was still largely "Mediterranean," and commercial intercourse in the west and north encountered numberless obstacles in the existing remnants of the ancient principle of immisibility. In Spain, the hatred of the stranger manifested itself in the savage measures pursued against the Jews and the Moors. There, as in the cities and countries which came under the sway of the Hanseatic League, commercial and fiscal legislation was governed by the strictest theories of monopoly. In numerous instances, it was forbidden, under pain of death, to entertain relations with foreigners. This development was but a perpetuation of the Byzantine and Venetian systems.

Spread of the Consular Institution

The policy of monopoly received a fresh impetus from the nationalistic movement, which ultimately created more or less extensive kingdoms at the expense of the independent city states, and at first it hampered the consular institution without, however, destroying it. In most of the marts of central and western Europe, there were Italian colonies paying allegiance to national consuls. Italian, Provençal and Catalanian consuls probably were maintained in a number of the principal interior towns, where periodical international fairs were held, from Kiev, Regensburg and Augsburg in the east, to Bruges and La Rochelle in the west. Florentine consuls are known to have officiated in Bruges and Antwerp in 1426. Capmany tells us of Catalanian consuls in Ghent, Ypres and Bruges as early as 1405.

In 1402 a Florentine consul resided in London. Epstein, in his *The English Levant Company*, says that "already in the 14th century the Venetian merchants in London were sufficiently numerous to be under the government of their own consul." The principle and practice of exterritoriality were by no means unknown in England. Long before the German settlement of merchants in London joined the Hansards, it enjoyed self-government under judges who administered German law. In 1485, at the request of English merchants and shipping agents residing in Pisa, King Richard III appointed Lorenzo Strozzi consul for that city and neighboring countries. Thus the consular institution was introduced into English national life. In Strozzi's commission it is stated that the king, in creating the office of consul, had consulted the experience of other nations with regard to the usefulness of such an institution, and that he delegated to this magistrate the power to adjudicate controversies between his subjects residing in Italy, and also to exercise all the functions attributed to the office of consul by the law and usage of other nations.

Appointment by Henry VIII

King Henry VIII, in 1522, appointed Comio de Balthazari, a merchant of Lucca, residing in the island of Crete, to be "for life, governor, master, protector or consul, of the English nation there, with the usual powers and emoluments which any consul formerly enjoyed there, or anywhere else, either from the said king or any of his predecessors."

The Scots, in 1503, by an act of Parliament, appointed a "conservator" or consul, to reside in the Netherlands, "who had jurisdiction to do justice between merchants being the king's liege subjects in the parts beyond the sea."

The *aldermen* of the Hanseatics were consular officers in everything but the name. In Portugal alone, the representative of the Hanseatic League bore the title of consul. It was, however, late in the 16th century that the office was established, and it would seem that the Germans, then in Portugal, enjoyed the benefit of their own laws and judges only in matters of personal status, *i. e.*, such as concerned *lex familiaris*.

We know less about the consular institution as developed in northern and western Europe than of consulates in the Mediterranean countries. But, allowing for the modifications which difference in civilization naturally imposed, it may be averred that the consular attributes were about the same in both sections. Fundamentally, both in the East and in Europe, jurisdiction in penal cases was held to be vested in the local sovereign. In numerous instances, as already explained, both



in Christian and Moslem lands, this principle was more or less radically modified by treaty. In Venice, foreign jurisdiction was not permitted even in civil matters, and generally the same rule obtained in England, while in the Hanseatic factories the alderman exercised both civil and criminal jurisdiction. As between foreigners and natives, jurisdiction belonged of old to the courts of the defendant's nationality, but in practice this system did not always prevail. Moslems were seldom allowed to appear as plaintiffs in Christian courts. Mixed cases, therefore, in Egypt were tried before a special native judge. On the other hand, Venetian and Genoese consular courts in Constantinople exercised jurisdiction over natives having claims against their nationals, and this practice had the emperor's sanction.

The Consulate Slumps

Towards the end of the Middle Ages, the consular institution experienced a slump. The conquests of the Turks greatly impaired the commerce of the East, and the international relations of the city-states of Italy became more circumscribed. Above all, in the countries of the west and the north, religious differences, as time passed, grew less acute, customs less barbarous and the unwritten law of immisibility which necessitated the application of the principle of exterritoriality, less perceptible.

On the 22nd day of November, 1497, Vasco da Gama rounded the Cape of Good Hope, and on the 20th of May, 1498, he reached Calicut. The bright lands of the rising sun were thenceforth open to European enterprise. On the 12th of October, 1492, Christopher Columbus, in the name of Jesus Christ, took possession for the crown of Castile of the island of San Salvador. He had just discovered a whole world. Thenceforth, the Italian cities fell into the background, and the direction of affairs passed to the peoples of the Atlantic coasts. While thus the nations which had particularly fostered the consular institution retired from the position of leadership, the nationalistic impulse which produced the monarchies of England, France and Spain and the beginnings of other national kingdoms, engendered a commercial policy under which trade, in its wider bearings, fell into the hands of ambitious exclusive "trusts" which carried on foreign commerce by favor of royal license and required soldiers rather than consuls.

Consuls and the Trading Companies

As a rule these trading companies possessed the right to appoint consuls within their special sphere of influence. The great Dutch East India Company, which was the pattern of all subsequent enterprises of the kind, was invested with authority to make peace or war with

ALLOWANCES TO COMMERCE

The legislative, executive and judicial appropriation bill, as passed at the last session of Congress, provides the Bureau of Foreign and Domestic Commerce with \$956,510 with which to carry on its work for the ensuing fiscal year. This is \$50,000 more than the amount allowed last year. It is \$526,760 less than the amount requested by the Bureau. The entire increase is assigned to a lump sum appropriation for promoting commerce in the Far East, making that appropriation \$150,000 instead of \$100,000, which was the sum allowed last year.

The appropriations for 1921, the estimates for 1922, and the amounts actually allowed, are shown in the accompanying table.

The appropriation for "salaries" is available for the payment of salaries in Washington. That for "promoting commerce" is available for the maintenance of district offices in the United States, and for certain printing and other general expenses.

Extensive extracts from the last annual report of the Bureau of Foreign and Domestic Commerce were published in the March (1921) issue of the *Bulletin*.

eastern princes, to erect forts, establish garrisons and appoint judicial and administrative officers.

As political representatives of the nations in foreign lands, diplomatic officers, after the peace of Westphalia in 1648, took the place of consuls. Soon after (1688), the consular service received its modern form through the example set by Colbert. From that time on consuls were appointed directly by the king.

The consular institution was born of needs created by the increased commercial and shipping relations which were introduced by the Crusades. It suffered an obscuration when international trade shifted from the Mediterranean to the oceans, and the free cities surrendered their liberties to the national monarchs. In modern times, with improved means of communication and commercial freedom, was ushered in the heyday of the consular institution.

In the words of Martens, "the stronger the ties are which bind the nations together, the more the common cultural and material interests and aspirations which unite them branch out, the more fruitful and many-sided will be the usefulness of the consuls."

In recent years it has become evident, that there is a natural tendency at work towards a fusion of the diplomatic and consular services. Thus we may possibly be reverting to the mediæval system of one undivided foreign service, but one vastly superior in equipment to that of the days of the Crusades.



Appropriations for Bureau of Foreign and Domestic Commerce

Object of Expenditure	Appropriation	Estimates	Appropriation
	1921	1922	1922
Salaries	\$220,510	\$315,270	\$220,510
Commercial Attachés	171,000	300,000	171,000
Promoting Commerce	325,000	500,000	325,000
Promoting Commerce, South and Central America.....	100,000	150,000	100,000
Promoting Commerce, Far East	100,000	150,000	150,000
Post Allowances .....	.....	25,000	.....
Transporting of Families and Effects.....	.....	50,000	.....
Transporting of Remains.....	.....	3,000	.....
Total	\$916,510	\$1,493,270	\$966,510
Increase requested .....	.....	576,760	.....
Increase received .....	.....	50,000	.....

HOW THEY USED TO DO IT

Referring to the mention of a marriage ceremony performed by an American Consul in Paris, in the December number of the *Bulletin*, writes Consul Henry C. A. Damm, I have thought it might be of interest to our colleagues to learn of another instance of this kind which took place at the American Consulate in Malaga in 1826. Below is the record of the marriage as it appears in the book in which the Consul, George G. Barrell, inscribed notarial acts and similar documents. It might be well to suppress the names of the contracting parties, however. The bridegroom was a captain of one of the many American vessels that frequented this port during the first sixty years of the nineteenth century. The bride was an English woman, presumably residing in Malaga. The witnesses were officers from American ships. The record reads as follows:

I, George C. Barrell, etc., do hereby make known to all whom it may concern that _____, master of the American Bg _____, a native of _____, New Hampshire in the U. S. of America, and _____, a native of _____, England, requested me to bind them in the Holy bonds of Wedlock, and that no opposition being made by any person, I did marry the said _____ and the said _____ according to the law and rules prescribed in the church of England service and in the presence of [names of witnesses], with several female Witnesses—and I further declare that they having been married in a lawful manner and agreeable to what is supposed to be both the Law of God and man, I pronounce them man and wife, and cursed be that person who shall wish to part them.

Given under my hand and seal of office in Malaga this 31st of August in the year of Christ one thousand eight hundred and twenty six, and of the independence of the United States of America the fifty first.

FRENCH MOBILIZE MERCHANTS

By a presidential decree of March 6, 1921, the French Government has revived the position of foreign trade adviser (*conseiller du commerce exterieur*), which was first created in 1898 and fell into inactivity at the beginning of the war.

According to the provisions of the decree, the foreign trade advisers are chosen from among French manufacturers, merchants, and others directly concerned with foreign trade, resident in France, the colonies, and abroad. Those residing in France are charged with advising the Minister of Commerce and the National Office of Foreign Commerce respecting industrial, maritime and commercial questions arising in the regions of their residence, or in the branches of foreign trade with which they are individually concerned.

The advisers who reside abroad are placed under the authority of the diplomatic and consular officers of France. They work in co-operation with the French Commercial Attachés and Agents who may issue instructions to them. They advise the chiefs of diplomatic and consular missions, as well as the Commercial Attachés and Agents, on economic matters. They study market conditions and sources of raw material, and seek outlets for French products.

Foreign trade advisers are appointed by the Minister of Commerce on the advice of a large commission comprising the representatives of a number of government offices concerned in foreign trade. They are appointed for five years and may be reappointed. The maximum to be appointed in France is fixed at one thousand. The number in each colony will be determined with the advice of the diplomatic mission. Those residing in France must have had at least fifteen years' practical experience of business.



Consular Question Box

EDITORIAL NOTE: Questions arise frequently in consular practice which are not of a character to be referred to the Department for official decision. They have to do with the more informal aspects of consular duty. Officers are invited to refer questions of this kind to the Bulletin, which will endeavor to obtain answers from the most authoritative available sources. The information furnished will, of course, have no official sanction, and readers are requested to submit any additions to or suggested revisions of answers which their knowledge and experience may prompt them to make. Questions, and all other communications relating to the Questions Box, should be addressed to the American Consular Association, care of the Department of State, Washington. The envelope should be marked "Question."

5. Q. Is the master of an American merchant vessel ever entitled to relief as an American destitute seaman, particularly in the case of shipwreck, or illness, or injury?

A. The master of an American merchant vessel is entitled to relief under the same circumstances as any other member of the crew of a vessel. Paragraph 203 of the Consular Regulations provides that a "master of an American vessel is a mariner, or seaman, within the intent of the laws relating to discharge, wages, extra wages, relief and transportation." However, there is no authority for incurring greater expense for the relief of a master than for the relief of an ordinary seaman, and in no case should a consular officer advance money to a master to be reimbursed by the Government.

The owner may take control of the vessel from the master at any time and place, or may break up or change the voyage, or may dismiss the master without a cause; but if there is a particular voyage agreed on, he cannot dismiss him without a cause (*Woodbury v. Brazier*, 48 Me. 302; *Hoffman v. Yarrington*, 1 Low. 171; *S. C. Bee*, 388; *Higgins v. Jenks*, 3 Ware, 26). In other words, the master of a vessel is appointed by the owner, and holds during his pleasure (*Ward v. Ruckman*, 34 Barb. 419).

The master is a seaman for the purposes of the collection of wages and extra wages, but he has no valid claim for wages till he has rendered a full account of receipts, disbursements, and expenditures (*Robinson v. Hinckley*, 2 Paine, 457).

NEW ROGERS' BILL

(Continued from page 4)

be retained, first, for a period of three years, and then, upon similar certification, for a further period of two years. But, the bill stipulates, no Foreign Service officer may continue in office after he has reached the age of 70.

The contributory feature of the system is embraced in section 35 of the bill, which reads, in part, as follows:

That beginning on the date this Act becomes effective there shall be deducted and withheld quarterly thereafter from the basic salary of each Foreign Service officer to whom this Act applies, until he reaches the age of retirement, a sum equal to 5 per centum of such officer's basic salary, and the Secretary of the Treasury shall cause the said deductions to be withheld from the appropriations for payment of such salaries for each fiscal year. The said deductions shall be transferred on the books of the Treasury Department to the credit of a special fund to be known as the Foreign Service Retirement and Disability Fund, and said fund is hereby appropriated for the payment of annuities, refunds, and allowances as provided in this Act.

Officer Contributes 20 Percent

Actuarial calculations on the basis of Mr. Rogers' proposed system of pensioning show that, after the system is established, an officer of an average expectancy of life would contribute a total of not more than 20 per cent. of the amount which he would eventually receive from the Government in the way of pension. The Government would contribute about 56 per cent. The remainder would be made up by the accumulation of compound interest on the officer's quarterly contributions.

Section 37 of the bill makes these provisions with respect to the possible separation from the Service, or death, of a contributing officer before he becomes entitled to an annuity:

That in the case of a Foreign Service officer to whom this Act applies who shall become absolutely separated from the service before becoming eligible for retirement on an annuity, the total amount of deductions of salary, with accrued interest computed at the rate of 4 per centum per annum, compounded on June 30 of each fiscal year, shall, upon application, be returned to such officer; and in case a Foreign Service officer shall die without having established a valid claim for an annuity, or, having established such valid claim, shall die before he has received in annuities the total amount of the deductions made from his salary, with accrued interest thereon computed as stated in this section, the amount of such deductions, or such part of it as the annuitant has not received, with accrued interest thereon to the date of payment as herein provided, shall be paid to the legal representative of such officer.

The administration of the pension features of the bill is entrusted to the Commissioner of Pensions. An appeal

DECISIONS CONCERNING RELIEF OF SEAMEN

In two decisions dated January 14 and 29, 1921, respectively, the Comptroller of the Treasury holds that seamen of foreign nationality who have shipped on American vessels in foreign ports are not entitled to relief at the expense of the Government when discharged because of illness or injury incapacitating them for service, as provided by section 4581 of the Revised Statutes,

is provided from his decisions to the Secretary of the Interior in administrative matters.

Mr. Rogers' bill embraces in all 46 sections, covering 36 printed pages. It proposes to re-enact, with the necessary changes, existing provisions of statute regarding bonds required of officers, the collection of fees and their payment into the Treasury, the performance of notarial acts, and so on. Interesting minor changes are an increase from \$5 to \$8 as the maximum daily allowance for subsistence while an officer is detailed for special duty outside the city of Washington, and an increase from \$1,000 to \$1,500 is the maximum permissible compensation for foreign clerks. It is provided that "all clerks in embassies, legations, consulates general, consulates, and vice consulates, except those employed abroad by the said offices, shall be appointed under the provisions of the civil-service laws and regulations."

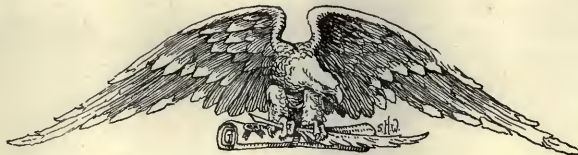
With the purpose of co-ordinating all governmental activities in the foreign field, it is provided in section 44, as follows:

That all representatives or agents of the United States Government abroad shall be under the direction of the Department of State, and shall be merged with the diplomatic mission having jurisdiction over the territory in which their work is carried on. All reports of such representatives or agents shall be forwarded through the Department of State in such manner as the Secretary of State may prescribe.

as amended by the Act of December 21, 1898. The Comptroller holds that, inasmuch as the statute provides for the return to the United States of seamen discharged under its provisions, and as the seamen in question are shipped in foreign ports and therefore cannot be "returned" to the United States, they cannot be furnished transportation. In the decision of January 29, it was held that relief in cases of seamen of foreign nationality shipped in foreign ports and discharged in foreign ports, because of illness or injury incapacitating them for service, is incidental to return to the United States, and since the seamen cannot be returned to the United States, they cannot be relieved at the expense of the Government.

The following is an extract from an opinion of the Comptroller of the Treasury rendered under date of January 27, 1921:

Generally speaking a vessel is not to be regarded as a wreck unless she is at least constructively a total loss to the owner, that is to say, is rendered, by reason of an injury, absolutely un navigable or unable to pursue her voyage without repairs exceeding the half of her value. *Pecle v. Merchants' Insurance Company*, 19 Fed. Cas., 98; *Wood v. Lincoln and Kennebeck Insurance Company*, 6 Mass., 479. While the term "wreck" as used in the provision now under consideration (Section 4526 of the Revised Statutes, as amended) may sometimes be given a broader meaning than as defined herein, *The Charles D. Lane*, 106 Fed. Rep., 746, I am of the opinion that the facts presented in the case of the ZACA are not sufficient to establish a loss or wreck within the meaning of said law and that in no case can a vessel be considered a loss or wreck in so far as the rights of seamen are concerned when the injury occasions only a temporary delay in the voyage and renders only a portion of the crew supernumerary.



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