THE AMERICAN FOREIGN SERVICE JOURNAL

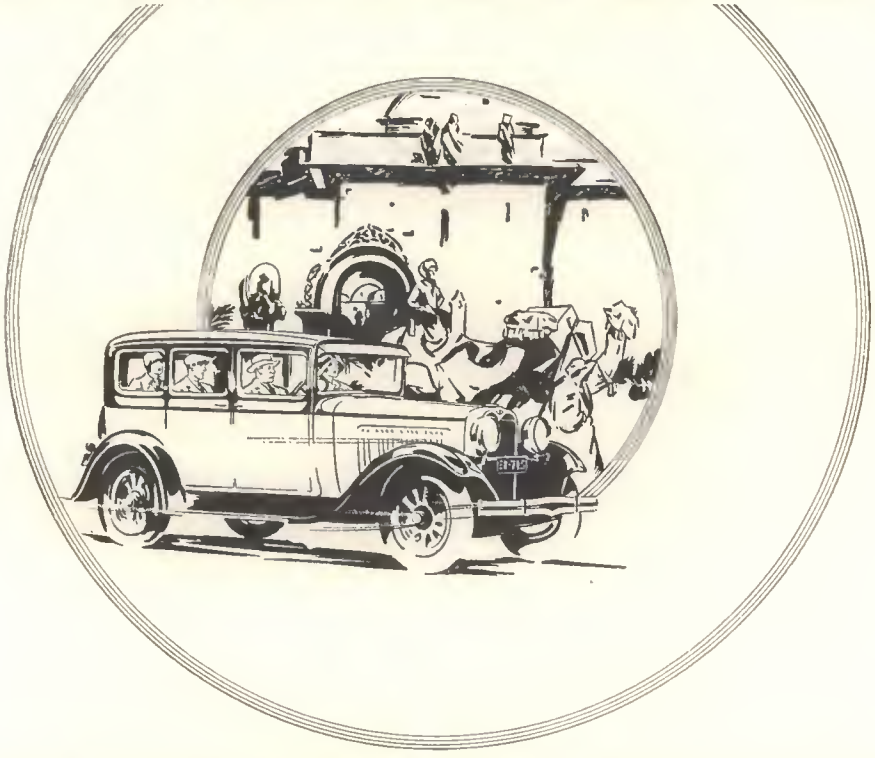


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Vol. V JUNE, 1928 No. 6

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THE AMERICAN FOREIGN SERVICE JOURNAL

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VOL. V, NO. 6 WASHINGTON, D. C. JUNE, 1928

Alcala de Henares

Cradle of Cervantes—Sepulchre of Cisneros

By AUGUSTIN WM. FERRIN, *Consul, Tabriz*

THIRTY kilometers from Madrid by rail or motor lies an ancient but still lively little city of which few Americans probably have heard, although it has at least three claims to fame. It is Alcala de Henares. It pretends to a place in history as the birthplace of Cervantes, creator of the immortal Don Quixote, and of Katharine of Aragon, whose marital difficulties with Henry VIII of England are well known, and as the first site of the Central University of Spain.

The ground once occupied by Cervantes' home is covered now by a cinema theater, the palace in which Katharine uttered her first cry is the depositary of the archives of Spain, and the beautiful buildings of the university were on the point of becoming picturesque ruins when the state stepped in and made them national monuments. Old convents, in which Alcala abounds, have been converted into stables, and the chief functions of the present city are military, as headquarters of the Fourteenth Cavalry Division of the Spanish Army, and commercial, as the center of a large agricultural area producing mainly wheat and wine.

These activities are sufficient to maintain a population of 18,000 persons, including soldiers, and to create a stream of traffic between Alcala and Madrid which keeps the macadamized road full of bone-shaking bumps. The arcaded alleys of the old emporiums are filled with well provided shops, whose masters do not permit the glories of the past to blind them to the opportunities of the present. In fact, the military and commercial position of modern Alcala so far obscure the prestige of old Alcala in the eyes of Madrileños that they frequently forget to tell the tourist its story, and he passes by without knowledge of it other than the name which distinguishes one of the principal streets of Madrid, the Calle de Alcala, whose continuation, rurally, leads to the scent of nine centuries of Spanish history and romance.

Alcalca, on the banks of the humble Henares, was a rich regional capital when bears were roaming in the woods where Madrid now stands. The Romans called it Complutum, hence the "Complutense" which continues to attach to Alcala and to Madrid University. After the Romans and the Goths came the Moors. The Castilians had a hard time chasing them out of Alcala, but they finally did it on May 3, 1114, assisted by supernatural apparitions. From that time an outpost in the seventh century war between the Cross and the Crescent, Alcala was frequently the residence of the Kings of Castile and Fernando and Isabel found it a most satisfactory stopping place. They had no palace there, but the powerful bishop of Alcala had, and in it Katharine of Aragon was born, in a wonderful room recently restored to its pristine Moorish style, gleaming with scarlet and gold.

The bishop's palace, whose battlemented tower recalls the times when the church was literally militant, is not the only relic of the Middle Ages

in Alcala. The church of Santos Justo and Pastor, the "Niños Martyrs," was built on the site of their decapitation in the eleventh century, and many, if not most, of the buildings still occupied by the Complutensians were built before Columbus discovered the Western Hemisphere.

The university, however, is relatively modern. Its main building, which we show, was finished in 1508, 16 years after Christopher's first voyage and about the time Cortes was capturing the City of Mexico. Cardinal Ximienez de Cisneros was its founder. His body lies in the old church near by, with his marble effigy over it, and in the patio stands his statue, with swans all round. "Cisne" means "swan," and these long-necked swimmers seem to have been the cardinal's mascots.

Cisneros was a gentleman and a scholar; he was also a statesman and a warrior; and besides building a university, translating the Bible into four languages, and ruling all Spain as regent when the great Charles V was a babe in arms, he went to Morocco and fought the Moors on horseback and in armour, capturing Oran. Being a bishop in those days was an all-day job.

Before he was a bishop Cisneros was a monk, and when he assumed the regency the rilbald predicted he wouldn't last, but after ruling a mob of students in Alcala the rest of Spain was easy for him. One day in Madrid noble conspirators came to his palace, near the present city hall, and demanded by what right he governed. Opening the windows he pointed to a troop of iron-clad dragoons in the patio and said, "There are my rights." And there were no one who dared dispute them.

Great as churchman and warrior, greater as a man of state, his most enduring monument is the university, and in Madrid, as well as in Alcala, the halls of learning illustrate his name.

In 1836 the university was translated to the capital, leaving its ancient home in Alcala to the spiders, who weave their webs in the cloisters of the grass-grown patios trodden by so many famous feet.

Some hundreds of students followed the professors to Madrid, and their number has grown in the succeeding decades to 8,195 full-time scholars, of whom 448 are women, with some 15,000 more listening intermittently to the lectures, a total attendance of over 25,000.

The Madrid University today is divided into seven faculties—Law, Medicine, Philosophy and Letters, Sciences, Pharmacy, Dentistry and Nursing. The predilections of the present students are shown by the following figures:



MAIN FACADE, ALCALA UNIVERSITY *Photo from A. W. Ferrin*

	Men	Women
Law	1,978	10
Medicine	2,934	91
Philosophy	750	93
Pharmacy	932	100
Dentistry	181	...
Nursing	....	78
Sciences	972	72

The tendency in the last few years has been away from law, among the men, and toward medicine and science. Women students have never cared much for law, perhaps because they get at home all the exercise for their argumentative powers they need. Among both men and women the desire for medical knowledge, in which Spain until recently was not abreast of the times, is increasingly strong, as is the growing preference for pharmacy, which numbers the largest female following. The 972 scientific men students, learning engineering and physics in all their branches, would startle the worthy cardinal founder, for in his time science was not taught, the courses at the beginning of the university consisting only of theology, philosophy and law, to which medicine was the next addition. Theology is not now taught in the university, but in the numerous seminaries supported by the church.

The standard of study in the university is being steadily improved, and pupils come to Madrid from foreign countries, as well as from all the 49 provinces of Spain. The principal lack of the university today is proper buildings, for most of the lectures are given in an old Franciscan convent, which is not of enough architectural merit to permit publishing herewith its picture by the side of the 1508 renaissance main building of the university at Alcala, shown pictorially herewith, which has recently received the compliment of imitation by the University of Texas, one of whose newest edifices is a modified reproduction of the fine hall of the Colegio Mayor de San Ildefonso, as the original structure at Alcala was called.

That building is now occupied by a preparatory school conducted by the Esculaian Fathers, but some of the Madrid newspapers, arguing the crowded condition of the Central University, are advocating its rehabilitation and its use by one of the faculties of the university, also the extension of the Madrid subway above ground to Alcala, through whose marble entrance arch, erected by Charles III, seekers of knowledge may swarm once more, chanting the praises of Cardinal Cisneros.



Photo from A. W. Ferrin

TOMB OF CARDINAL CISNEROS

EXAMINATION ON CITIZENSHIP AND PASSPORTS

Class of 1927-1928.

IMPORTANT: *Answer five, and only five, of the first seven questions.*

Answer all of the last three questions.

1. How may a native-born American expatriate himself?

2. Give five of the rules under which the presumption of expatriation arisen against naturalized American citizens may be overcome.



Photo from A. W. Ferrin

ENTRANCE TO THE UNIVERSITY

3. To whom may a service passport be issued without reference of the application to the Department?

4. What are the essential requirements for naturalization in the United States?

5. When may a passport be issued to be valid for a period of more than two years?

6. What is meant by the term "Fraudulent naturalization"?

7. What is the citizenship status of a native-born American woman who:

(A) Married a German subject in 1912, was divorced in 1927, and is now residing in the United States?

(B) Married an Austrian subject in 1916, and since the death of her husband in 1918 has been residing in the United States?

8. John Smith, an American citizen, was born abroad in 1880 and first came to the United States in 1915. His son, Tom Smith, born abroad in 1906, came to the United States with his father. Tom Smith married a native-born American woman in 1925 and a child was born of the marriage in 1927, while the mother was visiting in Canada? What is the citizenship status of the child? Give reasons for your conclusions.

9. Toni Salerni was born in Italy in 1880, was naturalized in the United States in 1910; and last left the United States in 1916. The Department has held that the presumption of expatriation has arisen against him. He has two sons, Pepe, born in Italy in 1908, and Benito, born in Italy in 1912, neither of whom has even been in the United States. Pepe desires to take up permanent residence in the United States and applies for a passport to the American Consul at Turin. His Brother Benito is included in the application. Draft an appropriate instruction to the Consul at Turin, who has submitted the application to the Department.

10. Mrs. X. was born in the United States of alien parents in 1906; last left the United States in 1909 and has resided since then in Hungary; married a Hungarian subject on June 10, 1925, and now wishes to go to the United States for permanent residence, accompanied by her husband. Write an opinion to accompany Form 213 which has been executed by Mrs. X. in connection with her application for a passport.

Carnegie's Birthplace

Written by Consul H. D. Van Sant before his death

TOWARD the end of 1910 the Carnegie Dunfermline (Scotland) trustees acquired an interesting acquisition to the properties which the trustees held on behalf of the people of Dunfermline. A number of years before this date Mrs. Carnegie acquired the house in which Mr. Carnegie was born on the 25th of November, 1835, the son of a damask weaver. Many hundreds of visitors, attracted largely by the reputation which Mr. Carnegie's benefactions have given his native place, annually visit this humble dwelling, and it is being preserved as much as possible in its original condition.

Mr. Carnegie emigrated to Pittsburgh in 1848, at the age of 13, beginning life there as a weaver's assistant in a cotton factory. Afterwards he was a telegraph messenger, a telegraph operator and superintendent, and then joined Mr. Woodruff, inventor of the Pullman sleeping car, gaining thereby the nucleus of his fortune.

In 1877 Mr. Carnegie was presented with the freedom of Dunfermline, the first "freedom" he received, and which he described as "the greatest honor I ever received." In all, he was presented with the freedom of 53 cities in Great Britain and Ireland, in which he had established libraries and other notable benefactions.

Adjoining his birthplace Mrs. Carnegie is preparing plans for a treasure house, in which the world-wide gifts to Mr. Carnegie will be stored and exhibited to the public.

Pittencrieff Glen

In 1902 Mr. Carnegie presented Pittencrieff Glen or park to the people of Dunfermline, the original purchase price being $300,000, since which time some $700,000 have been expended on this 300-acre park, one of the most beautiful and romantic in Great Britain. The park or glen is

(*Continued on page* 184)



ANDREW CARNEGIE'S BIRTHPLACE

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The purposes of the Journal are (1) to serve as an exchange among American Foreign Service 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 Foreign Service among interested persons in the United States, including business men and others having interests abroad, and young men who may be considering the foreign 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 Foreign Service, or the Department of State, are rigidly excluded from its columns.

Contributions should be addressed to the American Foreign Service Journal, care Department of State, Washington, D. C.

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THREE IMPRESSIONS

By MARY HARNEY SAVAGE, *American Consulate, Southampton*

DEAR OLD LUNNON

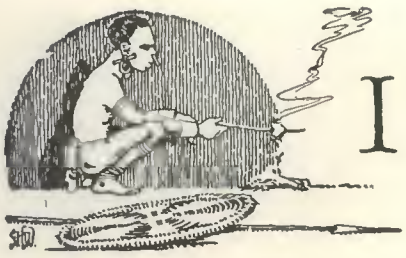
Guardsmen, flappers, bitter beer and stout,
Communists, Beecham's Pills, gin and race-track tout,
Night clubs, "bobbies," eels and marmalade,
Piccadilly, Marble Arch, Horse Guards on Parade.
Limehouse, fish and chips, sweeps and muffin men,
Rotten Row, Prince o' Wales, Oxo and Big Ben,
Monocles, white spats, murky fogs and slush,
Flag days, Leicester Square, Russian boots and gush,
Beef-eaters, bolsheviks and Trafalgar Square,
"London calling, are you there?"

PARIS—LA VILLE LUMIERE

Coffee and crescent rolls, gay Rue de la Paix,
Gendarmes, cocottes, Roger and Gallet,
Montmartre, mackerel, bock and escargots,
Tecla pearls, taxicabs, faces white as dough,
Chow dogs, Berry Wall, legs of Mistinguett,
Foie-gras, garlic, scent of mignonette,
Rouged lips, red heels, lengthy loaves of bread,
"Amurricans," jazz bands (enough to wake the dead)
Pouting lips, Pekinese, naughty postal cards,
Brother Bosche did not march down your Boulevards.

LIL OL' NEW YORK

Bootleggers, billionaires, bell-hops and belles,
Champagne, caviare, gasoline and smells;
Diamonds, dividends, pulchritude and pearls,
Lounge lizards, tango hounds, cold cream and curls.
Shop lifters, face lifters, limbs and limousines,
Shimmy shakers, shingled heads, faggots and screams;
Queer expressions, sex repressions, morons and wops,
Chewing gum, cocaine, he-men and cops.
Celibates, reprobates, succotash and pork,
Pranky pandemonium—little old New York.



ITEMS



Assistant Secretary of State and Mrs. Carr expect to sail for Europe the latter part of June to remain for a month or six weeks. They plan to motor through Germany and France before returning to Washington.

Ambassador Dwight W. Morrow, Mexico City, who was confined to his bed because of a mild attack of influenza, has sufficiently recovered to make a trip to Cuernavaca, a health resort located near Mexico City.

Ambassador Noble Brandon Judah, Habana, accompanied by Mrs. Judah, is on leave of absence in the United States.

Minister Addison E. Southard has informed the Department that he arrived at Addis Ababa and presented his letter of credence on March 2, 1928.

Minister U. Grant-Smith, Montevideo, who is now in the United States on leave, spent several weeks in Washington before proceeding to his home at Washington, Pa.

Minister Charles S. Wilson, Sofia, is dividing his leave between Washington and Boston.

Diplomatic Secretary Stuart E. Grummon, Madrid, who had been on leave of absence in this country, departed for his post on May 19.

Diplomatic Secretary Philander L. Cable, Buenos Aires, is taking a 60-day extension of his leave of absence.

Mr. Robert J. Thompson, former Consul at Aix la Chappelle, was a recent visitor to the Department. Mr. Thompson is now residing in Chicago, Ill.

Consul Egmont C. von Tresckow, Berlin, who had been on leave of absence, sailed for his post on May 19.

Vice Consul Carlos C. Hall reports that he opened the vice consulate at Medellin, Colombia, on May 10.

Consul A. Dana Hodgdon, recently assigned to the Department, reported for duty in the Visa Office on April 26.

Consul W. E. Chapman, who is now spending his leave at Muskogee, Okla., expects to sail from New Orleans en route to Cali, Colombia, where he will open a new consulate.



STAFF AT SYDNEY, AUSTRALIA

Upper row: Misses Beryl Gilroy, Grace Stirling, Pamela Debelle, Joanne Winn, Evelyn Bell, Genevieve Kelley. Lower row: V. C. Walter T. Costello, Consul D. C. McDonough, Con. Gen. E. M. Lawton, V. C. W. Maynard Stapleton, Clell Boyd

Consul Hooker A. Doolittle, Bilbao, is spending his leave of absence with relative in Baltimore, Md.

By a departmental order, dated May 9, 1928, Consul Monnett B. Davis has been appointed Chief of the Visa Office, and Consul John Farr Simmons, Assistant Chief, both effective June 1.

In accordance with a departmental order dated March 27, 1928, Diplomatic Secretary Willys R. Peck was appointed Assistant Chief of the Division of Far Eastern Affairs, effective on the date of the order.

The following officers have been temporarily assigned to the Department: Consul George K. Donald, Consul James P. Moffitt, Consul A. J. McConnico, Consul Francis H. Styles.

Consul General and Mrs. E. J. Norton expect to sail for England on June 2 to remain for about one month.

The American Foreign Service Association announces that the ballots have been counted and the following elected as members of the electoral college: Messrs. Lane, Shaw, Morgan, Marriner, Kirk, Thaw, Norton, Dawson, Johnson, Caldwell, Cole, Dumont, Foster, Merrill, Murphy, Brandt, Buhrman, and Warren.

Consul H. D. Finley, Edinburgh, is spending one month of his leave in Washington.

Vice Consul William Oscar Jones, Rome, spent several days of his leave in Washington before proceeding to his home at Easton, Pa.

Diplomatic Secretary Willard L. Beaulac, recently assigned to the Department, reported for duty in the Division of Latin American Affairs on May 3.

Diplomatic Secretary Laurence E. Salisbury has been temporarily assigned to the Department for duty in the Division of Far Eastern Affairs.

Consul Harry Campbell, assigned to Birmingham, sailed from New York en route to his post on April 25.

Vice Consul Robert M. J. Fellner, Singapore, is spending his leave at his home Maplewood, N. J.



AMERICAN LEGATION, SANTO DOMINGO

Consul A. J. McConnico, temporarily assigned to the Department, reported for duty on May 17.

Consul George A. Makinson, Callao-Lima, spent one week of his leave in Washington.

Mr. Alan T. Hurd, who recently resigned from the Foreign Service, called at the Department en route to his home at Escondido, Calif.

Vice Consul Early B. Christian, Dublin, who is in the United States on his first leave since entering the Service, spent one week in Washington before leaving for his home in Shreveport, La.

Diplomatic Secretary Ellis O. Briggs, Lima, called at the Department en route to his home at Riverdale on Hudson.

Vice Consul Sheridan Talbott, assigned to Kobe, is taking his leave of absence in this country before proceeding to his new post.

Mr. Charles S. Winans, who retired from the Foreign Service on January 25, 1928, called at the Department en route to his home at Chelsea, Mich.

Vice Consul James E. Parks, Luxemburg, is spending his leave at his home in Sanford, N. C.

Mr. Miles M. Shand, in the Office of Foreign Service Personnel, has been for some time confined to his home on account of illness.

Foreign Service Inspectors were last heard from at the following places:

Thomas M. Wilson, Berlin.

James B. Stewart, now at Habana, resuming his tour of inspection upon the termination of his visit to Houston to attend the meeting of the National Foreign Trade Council.



STAFF AT SWATOW

Lower row: Mr. Wu Yuan-hai, V. C. Culver B. Chamberlain, Mr. Hsu Chen-chi, Mr. Yeo Yan-kee. The uniformed men are the Consulate boat crew

Samuel T. Lee, reported to the Department on May 15.

Mrs. Ruth B. Shipley, now Assistant Chief of the Office of Coordination and Review, has been appointed by the Secretary of State as Chief of the Passport Division, effective June 1.

Mrs. Shipley will succeed Consul Parker W. Buhrman, who is to be assigned to the field.

Consul Parker W. Buhrman, upon relinquishing the office of Chief of the Passport Division, expects to take leave of absence for 60 days before proceeding to a post abroad.

Mr. William R. Vallance, an Assistant Solicitor of the Department, has been elected president of the Federal Bar Association.



JOHN WEBER

Clerk in the Legation at Berne for 41 years

The Department of State was represented at the Fifteenth National Foreign Trade Convention, held at Houston, Tex., April 25-27, 1928, by Assistant Secretary of State Castle, Consuls General Weddell, Dumont, and J. B. Stewart, and Consul Chapman. At this convention the National Foreign Trade Council abandoned the policy of holding group sessions and trade advisers' sessions, and had all delegates meet in general sessions only, each of which was planned to deal with certain general phases of foreign trade.

The abandonment of group sessions did not appear to be looked upon with favor, many of the delegates voicing the opinion that it precluded any possibility of the discussion of the trade problems in which they were particularly interested, since few men cared to speak in the general sessions to hundreds of delegates of whom only a few were concerned with the particular problem which might come under consideration. The hope was expressed that the next convention would see a resumption of these sessions. On the other hand, the abandonment of the policy of holding a trade advisers' session on one of the evenings of the convention but making trade advisers' services available throughout the period of the convention were regarded with approval.

The delegates were cordially received and shown every courtesy. The trip down the Houston Ship Channel was particularly interesting, showing the extent to which Houston had profited by its construction, partly at the expense of the old port of Galveston.

The following candidates were successful in the recent Foreign Service entrance examination:

* Garrett G. Ackerson, Jr., of Hackensack, N. J.
* Burton Y. Berry, of Fowler, Ind.
* James E. Brown, Jr., of Sewickley, Pa.
* Robert Y. Brown, of Dothan, Ala.
* William W. Butterworth, Jr., of New Orleans, La.
Warren M. Chase, of Gary, Ind.
Norris B. Chipman, of Washington, D. C.
* Edmund O. Clubb, of South St. Paul, Minn.
* William P. Cochran, Jr., of Wayne, Pa.
* Robert D. Coe, of Cody, Wyo.
* Archibald E. Gray, of Bethlehem, Pa.
* William Edwin Guy, of St. Louis, Mo.
* Monroe Hall, of New York City.
* H. Livingston Hartley, of Boston, Mass.
* Robert P. Joyce, of Pasadena, Calif.
Warren H. Kelchner, of Millville, Pa.

* Bertel E. Kuniholm, of Gardner, Mass.
Frederick P. Latimer, Jr., of New London, Conn.
* John S. Littell, of Yonkers, N. Y.
Ralph Miller, of New York City.
James B. Pilcher, of Dothan, Ala.
R. Borden Reams, of Luthersburg, Pa.
* Charles S. Reed, 2d, of Cleveland, Ohio.
* Arthur R. Ringwalt, of Omaha, Nebr.
* Stanley G. Slavens, of Austin, Tex.
Horace H. Smith, of Xenia, Ohio.
L. Rutherfurd Stuyvesant, of Allamuchy, N. J.
Llewellyn E. Thompson, Jr., of Las Animas, Colo.
* Edward G. Trueblood, of Evanston, Ill.
* Henry S. Villard, of New York City.
* Julius Wadsworth, of Middletown, Conn.
Mannix Wailker, of Washington, D. C.
* Frederick H. Ward, of Mountain View, N. J.
* Carlos J. Warner, of Chagrin Falls, Ohio.

* Have been nominated as Foreign Service Officers and Vice Consuls of Career.

FROM BERLIN

Consul Walter A. Leonard, of Warsaw, spent his Easter holidays in Berlin.

Vice Consul and Mrs. J. Ernets Black, of Bremen, were the guests over the Easter holidays, of Vice Consul and Mrs. Thomas F. Sherman.

Vice Consul George Frost Kennan, recently transferred to Berlin from Hamburg, has assumed his duties at the Consulate-General.

Mrs. George Gregg Fuller, wife of the Ameriran Consul at Kingston, Ontario, spent a few days in Berlin making preparations for transferring their effects from their former home in this city to their new post at Kingston, Ontario.

Vice Consul Phil H. Hubbard, formerly of the Consulate at Breslau, has entered upon his duties at the Consulate-General.

EDDIE SAVOY

Edward Augustine Savoy, 74-year-old hero messenger for Secretary of State Kellogg, has taken a place at the head of the Government service roll.

He began his fifty-eighth year of continuous service, having entered the department as a manual laborer in 1871, during the administration of President Grant.

Despite his advanced years, snowy hair and slightly buckled frame, "Eddie," as he is now known to diplomats the world around, expects to remain in harness at least two years more to establish a new all-time service record.

Savoy served 13 years as general fixer about the cavernous State, War and Navy Building before he attained the rank of "assistant messenger" in 1884. Fourteen years more and he rose to messenger.

In 1898 he was sent to France as chief messenger to the Paris Peace Commission, and upon his return in 1901, took up his present post at the inquiry desk outside the office of the Secretary of State. His is the job to survey every person who steps from the private diplomatic elevator into the guarded sanctum of the State Department's business floor. He is famous for an uncanny memory for faces.

Tradition has also conferred upon him the duty of providing new pens for the signing of all treaties and conventions, and of carrying the great seal of the United States when it is taken from its sealed vault for official use.



MR. PETHERICK

EGG-NOG EXPERT

Prior to the era of William Jennings Bryan, Eddie was also frequently pressed into extra-territorial duty as egg-nog mixer plenipotentiary at the New Year receptions of a long list of Secretaries.

The folklore of Washington has it that Eddie has never violated his conscience so far as to reveal the name of any caller in the Secretary's office; but there is also a remarkable story of how close he came to it once in early 1917.

Relations had been severed with Germany and the world awaited breathlessly for the flash from Washington that Ambassador Von Bernstorff had been handed his passports—which meant war.

A rumor swept through newspaper circles early one morning that Von Bernstorff had left the Embassy to call on Secretary Lansing. Thirty-four newspapermen soon were gathered in the corridor outside Lansing's office, but they had come an instant too late. The door was closed.

"Is it the German Ambassador?" Eddie was asked a hundred times by the feverish assemblage.

Questioned a thousand ways, he never weakened. The press begged, cajoled, and begged again without avail.

"What did the caller look like?" asked one reporter in a last desperate stab.

"I dunno, I dunno," he wheezed half frantically. "He was a Teutonic gen'man, and that's all I could say."

That was enough. The corridors shook under the stampede for telephones. And so the news of the break came to America. But not through Eddie.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Commercial Attaché Ronald D. Allen, who for several years has been the head of the Warsaw office, is resigning to accept a position as Assistant to Mr. Charles Dewey, of the American Financial Mission to Poland. Mr. Clayton Lane, who has been a Trade Commissioner assigned to Vienna, will succeed Mr. Allen in Warsaw.

Commercial Attaché Halbert E. Watkins, in charge of the Caracas, Venezuela, office, is now on leave at Berkeley, Calif.

Trade Commissioner Charles M. Ehninger, who has been very ill in a Panama hospital for several months, is returning to the United States.

Trade Commissioner A. Bland Calder, of the Shanghai office, is returning to the United States.

Assistant Trade Commissioner Caspar G. Isaacs, of the London office, is soon to return to the States.

PUBLIC HEALTH SERVICE

Surgeon General Hugh S. Cumming. Directed to proceed to Europe for the purpose of attending the meetings of the Health Section of the League of Nations, and of the International Health Office in Geneva and Paris in April and May, 1928.

Surgeon J. F. Mahoney. Directed to proceed from Bremen, Germany, to Frankfort, Bonn, and Berlin, Germany, to Vienna, Austria, and to such other cities in Germany and Austria as may be necessary, at such times and for such periods as may be possible without interference with operation of present station, to visit laboratories and clinics where syphilis is being studied and treated, to observe the present status of this work at the leading institutions in these countries.

P. A. Surgeon Kenneth F. Maxcy. While in Europe, and upon completion of the meeting of the malarial commission of League of Nations at Geneva, Switzerland, directed to proceed to Marseilles, France; Vienna, Austria; Prague, Czecshoslovakia; Berlin, Germany; London, England; Cobh and Dublin, Irish Free State, for the purpose of securing data to be used in connection with studies being made on endemic typhus fever in the United States.

Surgeon R. W. Hart. Relieved from duty Marine Hospital, San Francisco, Calif., and assigned to duty at Manila, P. I., in charge of the quarantine work in the Philippine Islands.

Surgeon C. R. Eskey. Relieved from duty at Manila, P. I., and assigned to duty at San Pedro, Calif.

Sr. Surgeon Taliaferro Clark. Authorized to proceed from Paris, France, to attend meeting of the Committee of Health Experts on Child Welfare of the Health Section of the League of Nations in London, July 2, 3, 4, 1928.

Sr. Surgeon Taliaferro Clark. Directed to proceed from Paris, France, to Plymouth, England, and return, to attend meeting of the Royal Sanitary Institute, July 16-21, 1928.

FROM LONDON

The following consular officers have recently called at the London office:

Consul General C. S. Winans (Retired), en route to the United States after travel in France and Italy.

Consul Keith Merrill.

Consul and Mrs. A. T. Hurd.

Vice Consul G. A. Abbey, en route to his post at Johannesburg.

Vice Consul and Mrs. W. Quincy Stanton, en route to Durban.

Vice Consul John Randolph Robinson, en route to Calcutta.

FROM MADRID

Vice Consul Gerald Keith, newly appointed to the Consulate at Sevilla, spent a day in Madrid en route to his post and paid his respects to the Embassy and the Consulate.

Vice Consul Raymond O. Richards, of Malaga, has relieved Vice Consul Albion W. Johnson at Alicante during the latter's absence on home leave.

MILITARY ATTACHES

The following are changes in the military attaché and language officer personnel:

Major Welton M. Modisette has been detailed to succeed Major Walter F. Winton as Military Attaché to Peru and Bolivia. Major Winton has recently returned to the United States on account of illness. Major Modisette will leave for Lima early in August.

Major James A. Gillespie will be relieved as Military Attaché to Colombia and Venezuela about June 1. A successor has not yet been appointed.

Major Peter C. Bullard and Lieutenant Joseph M. Glasgow will be relieved as Assistant Military Attachés in Paris about July 1. Major James B. Ord has been appointed Assistant Military Attaché in Paris.

Colonel Arthur L. Conger will be relieved as Military Attaché to Germany and Switzerland about July 1 by Colonel Edward Carpenter.

Major George E. Arneman will relieve Captain Trevor W. Swett as Military Attaché to Latvia, Estonia, Lithuania and Finland about September 1.

Lieutenant Colonel Frederic H. Smith will be relieved as Military Attaché to Turkey, Bulgaria, and Rumania about July 20. A successor has not yet been appointed.

Lieutenant Clarence P. Kane has been relieved as a language officer in Tokyo, Japan, and will be replaced by Lieutenant Chester A. Horne.

FROM SINGAPORE

Consul General and Mrs. Frank C. Lee arrived via Suez at Singapore, their new post, on March 24, on the *Morea*, of the P. & O. Line.

Consul General and Mrs. Coert DuBois, Batavia, have both been in poor health since arriving there last September. Mr. DuBois suffered for a time with an infected arm and finally had a small piece of bone removed. Mrs. DuBois also received hospital treatment for some time. According to last reports they are both improved.

Mr. and Mrs. Eugene A. Gilmore spent a few days in Singapore early in April while on their way back to the United States from the Philippines. Mr. Gilmore was Acting Governor of the Philippines in the interim between Governors Wood and Stimson, and has been Vice-Governor and Secretary of Public Instruction in the Islands since 1922.

Gerald A. Mokma, Vice Consul, Batavia, left that city in March for home leave. Mr. Mokma traveled via Suez, and expects to spend a part of his leave in Washington studying for the Foreign Service examinations. He also plans to spend some time in Michigan and Iowa.

PASSING THROUGH PORT SAID

Vice Consul J. Loder Park arrived March 20, 1928, on the *Steel Age*, and stopped a few hours before continuing to Aden.

Consul Charles Albrecht arrived on March 31, 1928, and remained here a few days awaiting his ship *Aviateur Roland Garros*, on which he sailed for Mombassa en route to his post at Nairobi.

The Hon. Fred Morris Dearing, American Minister to Portugal, disembarked on April 20 from the *Njassa*, and after visiting for a few hours departed for Cairo.

Vice Consul Mokma, of Batavia, and Vice Consul Aldridge, who was in charge of the Consulate at Aden during Vice Consul Park's leave of absence, spent a few hours on shore on April 21, 1928, before continuing the last lap of their journey to the States on the *Steel Seafarer*.

DEPARTMENTAL ORDER 442

A Division is hereby established, to be known as the Treaty Division, to which the following duties are assigned:

1. To draft treaties and other international agreements and correspondence pertaining to the negotiation, construction, and termination of treaties.

2. To collect a complete set of all treaties and other international agreements in force to which the United States is a party, and likewise those to which it is not a party, together with the pertinent Laws, Proclamations, Executive Orders, and Resolutions.

3. To maintain up-to-date lists of all treaties and other international agreements between the United States and foreign Governments which are in process of negotiation or ratification.

4. To collect and keep readily available information regarding the application, interpretation, and status of treaties.

5. To analyze treaties by subject, and assemble, compare and study the provisions on the same subject in different treaties.

6. To examine the texts of all treaties, conventions or international agreements to which the United States is a party with a view to recommending such action as may be required to obtain the fulfillment by the other party of its duties and obligations and to effect the performance of the duties and obligations of the United States by legislative or administrative acts.

7. To maintain up-to-date lists of treaties, conventions or international agreements expiring or subject to extension with a view to considering the renewal or extension thereof.

8. To perform such other duties as may be assigned by the Secretary of State.

The personnel of this Division is as follows:

Chief—Mr. Charles M. Barnes.

Assistant Chief—Mr. Wallace McClure.

Drafting Officer—Mr. Sidney Y. Smith.

Law Officer—Mr. Stephen Latchford.

Archivists—Mr. Thomas Griffin and Mr. John A. Tonner.

The abbreviation TD has been adopted as the office designation of this Division.

FRANK B. KELLOGG.

Department of State, April 21, 1928.

BIRTHS

A daughter, Ludmela, was born on March 18, 1928, at Damascus, Syria, to Clerk and Mrs. Donal Fish McGonigal.

A son, Joseph Lancaster, Jr., was born at Baltimore, Md., on May 9, 1928, to Vice Consul and Mrs. Joseph Lancaster Brent.

A daughter, Cecilia, was born on April 8, 1928, at Puerto Cabello, Venezuela, to Vice Consul and Mrs. George R. Phelan.

NECROLOGY

The Department has received information of the drowning of Vice Consul Walter B. Wilson, Jr., at Shanghai, and that his body had been recovered on the afternoon of May 8, 1928.

The remains have been shipped to the United States for burial at Greenville, N. C., the home of the deceased.

Mrs. Arlene Cundall Hosmer, wife of Consul C. B. Hosmer, died at Danielson, Conn., on May 19, 1928. The funeral was at Danielson on May 22, 1928.

FOREIGN SERVICE CHANGES

The following changes were announced on the dates shown:

April 21, 1928—

Norman Armour, of New Jersey, now Counselor of Embassy at Tokyo, assigned as Counselor of Embassy at Paris.

Willard L. Beaulac, of Rhode Island, now third Secretary, assigned to Port au Prince, detailed to the Department.

Herbert C. Biar, of Indiana, now Vice Consul at Oslo, assigned as Vice Consul at Goteborg.

Pierre de L. Boal, of Pennsylvania, now first Secretary at Lima, assigned to the Department.

James C. H. Bonbright, of New York, now Vice Consul, detailed to the Foreign Service School, assigned as Vice Consul at Nagasaki.

John N. Hamlin, of Oregon, now third Secretary at Madrid, assigned as third Secretary at Buenos Aires.

Alan T. Hurd, of California, recently assigned as Consul at Sao Vincente, Cape Verde Islands, has resigned.

Horatio Mooers, of Maine, now Consul at Turin, detailed as Consul at Quebec.

John H. MacVeagh, of New York, Foreign Service Officer now detailed to the Department, assigned as second Secretary at Bucharest.

Edwin L. Neville, of Ohio, now Consul General at Tokyo, designated Counselor of Embassy and assigned to the Embassy at Tokyo.

Walter H. Schoellkopf, of New York, Foreign Service Officer now detailed to the Department, assigned as second Secretary at Madrid.

April 28, 1928—

John S. Calvert, of North Carolina, now Consul, Barcelona, detailed Consul, Marseille.

William E. DeCourcy, of Texas, now Consul, Marseille, detailed Consul, Paris.

James H. Keeley, Jr., of the District of Columbia, now Consul, Damascus, detailed Consul, Beirut, effective upon closing of the Consulate at Damascus.

May 5, 1928—

Gordon L. Burke, of Georgia, now Vice Consul, Chefoo, assigned as Language Officer, Peking.

Arthur B. Cooke, of South Carolina, Foreign Service Officer, temporarily detailed to the Department, assigned Consul, Plymouth.

May 12, 1928—

Elbridge Gerry Green, of Massachusetts, now First Secretary, Bangkok, assigned First Secretary, Vienna.

Non-Career

April 21, 1928—

Thomas E. Burke, of Connecticut, now Vice Consul at Goteborg, appointed Vice Consul at Oslo.

John T. Garvin, of Ohio, will be addressed as Vice Consul at Magallanes, Chile; that being the name by which Punta Arenas will now be known.

T. Leonard Lilliestrom, of New York, now clerk in the Consulate at Harbin, appointed Vice Consul there.

William P. Shockley, Jr., of Delaware, now clerk in the Consulate at Turin, appointed Vice Consul there.

April 28, 1928—

Alvin E. Moore, of Louisiana, now clerk in the Consulate, Guaymas, appointed Vice Consul there.

William H. DeSavigny, of Minnesota, now Consular Agent, Matagalpa, Nicaragua, has resigned.

May 5, 1928—

Sabin J. Dalferes, of Louisiana, now Vice Consul, Warsaw, appointed Vice Consul, Hamburg.

Clarence P. Harper, of Oregon, now Vice Consul, Edinburgh, has resigned.

William Dalton Henderson, of Massachusetts, now Consular Agent, Ciudad Bolivar, Venezuela, appointed Vice Consul there.

Marshall I. Mays, of Kansas, now Vice Consul, Wellington, has resigned.

Fred N. Mitchell, of Maine, now Vice Consul, St. Stephen, appointed Vice Consul, Windsor.

Reginald B. Zumstein, of Indiana, appointed Vice Consul, Penang.

May 12, 1928—

Robert M. Ott, of Texas, now clerk, Ciudad Juarez, appointed Vice Consul there.

James C. Powell, Jr., of Texas, now Vice Consul, Ciudad Juarez, appointed Vice Consul, Torreon.

GEORGE WASHINGTON OF SWEDISH DESCENT?

The following is a translation of an article on the editorial page of *Dagens Nyheter*, a leading morning daily paper of Stockholm, Sweden, issue of February 23, 1928:

"The American Club of Stockholm, which is a continuation and extension of 'The New York Club' and whose members are Americans domiciled in Stockholm or Swedes of long residence in America, celebrated George Washington's birthday on Wednesday with a stag dinner at the Grand Hotel. There were present about 100 people, including guests. Among those present noteworthy of mention were the American Minister, Mr. Harrison; Consul General Osborne, the president of the Club; Director Charles Melter, Director Börje Brilioth, Director Erik Mjöberg, a number of representatives of the automobile trade, etc.

"Director Melter made the speech of welcome, after which the Minister, Mr. Harrison, in an address dwelt with certain episodes from the life of George Washington.

"Consul-General Osborne then told how the American historian, Professor Hart, himself of Swedish origin, had reason to entertain the belief that Washington himself originally sprung from stock of southern Sweden (via Yorkshire, England).

"Director Briolioth made the last speech, after which there was a lively party.

"Lieutenant Percy Richards contributed to the entertainment with a selection of American songs."

LINTHICUM BILL

(70th Congress, 1st Session—H. R. 13745)
IN THE HOUSE OF REPRESENTATIVES
(May 14, 1928)

Mr. Linthicum introduced the following bill; which was referred to the Committee on Foreign Affairs and ordered to be printed.

A BILL for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therfor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the clerks in the Foreign Service of the United States of America shall be graded and classified as follows, and shall receive, within the limitation of such appropriations as the Congress may make, the basic compensations specified:

Senior clerks. Class 1, $4,000; class 2, $3,750; class 3, $3,500; class 4, $3,250; class 5, $3,000.

Junior clerks. Class 1, $2,750; class 2, $2,500; class 3, all clerks whose compensation as fixed by the Secretary of State is less than $2,500 per annum.

SEC. 2. Appointments to the grade of senior clerks and advancement from class to class in that grade shall hereafter be by promotion for efficient service, and no one shall be promoted to the grade of senior clerk who is not an American citizen and has not served as a clerk in a diplomatic mission or a consulate, or both, or as a clerk in the Department of State for at least five years.

SEC. 3. The Secretary of State is hereby authorized, at posts where in his judgment it is required by the public interest, to grant compensation to clerks assigned there in addition to the basic rates herein specified, within such appropriations for compensation of clerks as Congress may make: *Provided, however,* That all such additional compensation with the reasons therefor shall be reported to Congress with the annual Budget.

SEC. 4. No clerk who is not an American citizen shall hereafter be appointed to serve in a diplomatic mission.

SEC. 5. The President is hereby authorized to prescribe regulations for the administration of the foregoing provisions.

SEC. 6. Section 5 of the Act of April 5, 1906, is hereby repealed.

CARNEGIE'S BIRTHPLACE

(*Continued from page* 173)

a source of delight to the many thousands visiting it weekly during the summer season. Here the finest bands of Great Britain, and occasionally of France and Belgium, discourse the highest class music afternoons and evening for the entertainment of the people of Dunfermline and the surrounding Scottish towns and cities, often drawing audiences of 10,000 or more to special performances. On this day some 5,000 children parade the streets of Dunfermline, led by several bands, and ending in a day's holiday and merry making in the glen, about the famous bandstand and teahouse. The choir of the Dunfermline Trust, along with numerous choirs composed of school children, on this day render delightful songs and choruses.

STORIES OF THE VIKINGS, By Maurice Dunlap, illustrated by G. A. Tenggren; Indianapolis, Bobbs-Merrill Company, ii, 342.

Nowadays when a good adventure story is written the reviewers call it a book for grown-up children. This phase has become a commonplace of the publishers' blurbs, but it is, nevertheless, descriptive, and it is justly applicable to Consul Dunlap's retelling of the old Viking stories. These tales were conceived in the minds of the old skalds to entertain grown men around the evening fires after days spent in struggling with virile enemies or breasting no less dangerous winds and waves. The simplicity and vigor of the Vikings went into their literature. These stories still capture the imagination. Consul Dunlap made no attempt to imitate the old Norse verse form, but has reproduced what must have been the fresh and vigorous form of the originals by adopting a style of English of his own and one which well accomplishes its purpose. His sentences are terse, expressive, although each within itself is smooth and musical. The reviewer supposes that there are in the Foreign Service a great many "grown-up children," and recommends Consul Dunlap's book to them for a late evening's or afternoon's recreation.

EXAMINATION ON SHIPPING AND SEAMEN

Class of 1927-1928.

(1) The American steamship *Kanabec* has been abandoned by its bankrupt owners in your port and the crew appeal to you for relief and transportation to the United States. All have wages due from the vessel, which may later be collected from the proceeds of the judicial sale of the ship. What relief are you authorized to grant in the following circumstances:

(a) Those members of the crew who are clearly American seamen?

(b) Three alien seamen shipped at a foreign port?

(c) An American citizen seaman who deserted from the vessel at a previous port and has made his way to your office?

(2) State briefly the action you will take on the following questions pertaining to the collection of seamen's wages from the master of an American vessel in your port:

(a) A seaman has earned a total of $180 since the voyage commenced; he received an advance of $40 in the last port of call, has had $12 in slops, and has been fined $8 (equal to 4 days' pay) for refusing duty 2 days; what is the maximum advance of wages he may now demand from the master?

(b) You are American Consul at Vigo, Spain. The master of an American vessel desires to deliver to you the wages and effects of a deceased Spaniard who shipped on his vessel at Baltimore and whose widow resides near Vigo. Will you accept delivery? Give the reasons for your decision.

(3) (a) Enumerate five causes which justify consular officers in discharging seamen in foreign ports.

(b) An American master reports to you that he has discharged a seaman at a port at which there was no American consular representative. On what grounds could he properly so have discharged a seaman? What action will you take?

(4) Discuss in detail what action, if any, a consul is authorized to take regarding seamen shipped by an American master without consular intervention in a previous port where there was no consular office.

(5) (a) What vessels are compelled by law to deposit their papers at an American Consulate and in what circumstances?

(b) When is a consular officer authorized to withhold delivery of a ship's papers? Do the same reasons justify refusal to issue a bill of health?

(6) You have investigated a complete breakdown in the discipline on an American vessel in your port and find that there has been serious insubordination in which several seamen are identified as ringleaders; however, the evidence is contradictory on a number of points, and you are somewhat uncertain whether these leaders should be convicted of mutiny. You are nevertheless convinced that the ship should not put to sea again with the same crew. Describe the action you will take and the records you will make of the case.

(7) Explain the distinction between Provisional Certificates of Registry and Consular Forms No. 35, and define very briefly the responsibility of consular officers in issuing these documents.

(8) A number of seamen of an American vessel in your port have been drinking heavily on board the vessel and are now engaged in a general brawl which appears likely to result in fatalities or serious injuries. The harbor police attempt to go on board and arrest the offenders, but are forbidden admission to the vessel by the master, who asserts that he has full authority to deal with the matter and will do so. The Captain of the Port, rather than have his men force their way on board, appeals to you to permit the police to go on board and make the necessary arrests. State what the rights of the local authorities are in such cases and explain the methods you will adopt in your efforts to adjust this matter.

(9) In a country which has no Consular Convention with the United States regarding wrecked vessels, the local authorities take possession of an American vessel (and its cargo) which has been wrecked on the coast of your consular district. The American company which owns the vessel is represented only by a native ships' broker, who merely assists in routine-operating matters on a commission basis. What measures may you properly take for the protection of the American interests involved?

(10) An alien who shipped on an American steamship in San Francisco deserts in your port and you have permitted the master to execute an affidavit of desertion before you as consul. Following the departure of the vessel you learn facts which convince you that the desertion was caused by the cruel treatment of the seaman by the master:

(a) What action can you take to prevent forfeiture of the seaman's wages?

(b) You have an opportunity to send the man to the United States by an American vessel belonging to the same company. Discuss briefly the action to be taken with particular reference to the right of the master to receive a certificate of transportaion.

(c) If you conclude to issue a transportation certificate, what action will you take on the master's complaint that the certificate only calls for the shortest mileage from your port to the United States, whereas the actual route of the vessel will be 30 percent greater?

COMMERCIAL

A total of 1,884 reports, of which 886 were rated miscellaneous, was received during the month of April, 1928, as compared with 2,168 reports, of which 901 were rated miscellaneous, during the month of March, 1928.

There were 462 trade lists transmitted to the Department, for the Bureau of Foreign and Domestic Commerce, during the month of April, 1928, as again 369 during the month of March, 1928.

During the month April, 1928, there were 3,324 trade letters transmitted to the Department as against 3,741 in March, 1928.

RELIEF LEGISLATION

The following amounts have been appropriated, or authorized for appropriation, or relief from accounting authorized:

1. Norton F. Brand	$1,397.25
John K. Davis	46.12
William Roderick Dorsey	1,185.85
Hugh S. Gibson	2,133.65
Joseph C. Grew	6,150.65
Charles H. Heisler	3,532.28
J. Klahr Huddle	120.62
John P. Hurley	3,497.00
Leo J. Keena	3,109.60
Francis B. Keene	95.21
David J. D. Myers	89.25
Frithjof C. Sigmond	819.87
2. Maurice P. Dunlap	300.00
3. Widows of certain Foreign Service Officers:	
Mabel Rees Coffin, widow of William Coffin	9,000.00
Sarah Linard, widow of Drew Linard	3,500.00
Catherine ReQua Johnson, widow of Stewart Johnson	6,000.00
4. Lynn W. Franklin	1,000.00
5. Max D. Kirjassoff (estate of)—Relief from accounting, July 1-Sept. 1, 1923.	
6. Edward S. Lathrop	281.05
7 C. S. Winans	10,000.00

PROMOTIONS

The Senate on May 17, 1928, confirmed the following:

Class III to Class II

T. F. Dumont, W. R. Peck, M. F. Perkins.

Class V to Class IV

W. A. Adams, G. A. Makinson, J. P. Hurley, O. G. Marsh, T. M. Dooman, J. E. Jacobs.

Class VI to V

L. Menminger, F. P. Hibbard, R. E. Cox, P. A. Blair, A. W. Kliefoth, P. W. Buhrman.

Class VII to Class VI.

R. F. Kelley, R. D. Longyear, S. R. Thompson, D. C. Woods, H. F. Matthews, C. B. Hosmer, R. Davis, D. R. Heath, R. S. McNiece, G. P. Shaw.

Class VIII to Class VII

H. M. Collins, L. R. Blohm, J. H. Keeley, Jr., H. J. Anslinger, T. Kodding, C. A. Bay, H. S. Bursley, S. J. Fletcher, L. W. Franklin, R. H. Geist, D. C. Berger, E. P. Lowry, R. P. Butrick, W. I. Jackson, S. E. Grummon, C. H. Heisler, W. H. McKinney, F. Warren.

Unclassified $3,000 *to Class VIII*

W. O. Jones, R. A. Boernstein, L. N. Green, G. R. Hukill, G. Atcheson, Jr., S. Talbott, P. Mayo, E. E. Evans, C. E. Macy, P. Bowerman, F. W. Baldwin, W. A. Smale, Q. F. Roberts, H. L. Milbourne, J. C. Hudson, J. N. Hamlin, J. F. Huddleston, H. E. Stevens.

To be Consuls

William Oscar Jones, Ralph A. Boernstein, Leonard N. Green, George R. Hukill, George Atcheson, Jr., Sheridan Talbott, Paul Mayo, Ernest E. Evans, Clarence E. Macy, Paul Bowerman, Frederick W. Baldwin, William A. Smale, Quincy F. Roberts, Harvey Lee Milbourne, Joel C. Hudson, John N. Hamlin, John F. Huddleston, Harry E. Stevens, Eldridge D. Rand.

To be Foreign Service Officers, Unclassified

Carlos J. Warner, Burton Y. Berry, John S. Littell, William P. Cochran, Jr., Robert D. Coe, Stanley G. Slavens, Archibald E. Gray, Arthur R. Ringwalt, Morris N. Hughes, Bertel E. Kuniholm, Edmund O. Clubb, Henry S. Villard, William Edwin Guy, Frederick H. Ward, William W. Butterworth, Jr., Julius Wadsworth, Robert Y. Brown, Monroe Hall, H. Livingston Hartley, Edward G. Trueblood, Garret G. Ackerson, Jr., Robert P. Joyce, Charles S. Reed, 2d., James E. Brown, Jr., Archer Woodford, Cavendish W. Cannon, Leo F. Cochran, James L. Park, Phil H. Hubbard.

To be Vice Consuls of Career

Carlos J. Warner, Burton Y. Berry, John S. Littell, William P. Cochran, Jr., Robert D. Coe,

Stanley G. Slavens, Archibald E. Gray, Arthur R. Ringwalt, Morris N. Hughes, Bertel E. Kuniholm, Edmund O. Clubb, Henry S. Villard, William Edwin Guy, Frederick H. Ward, Archer Woodford, Cavendish W. Cannon, Leo F. Cochran, James L. Park, Phil H. Hubbard, William W. Butterworth, Jr., Julius Wadsworth, Robert Y. Brown, Monroe Hall, H. Livingston Hartley, Edward G. Trueblood, Garret G. Ackerson, Jr., Robert P. Joyce, Charles S. Reed, 2d, James E. Brown, Jr.

To be Diplomatic Secretaries

Archer Woodford, Thomas S. Horn, George Wadsworth, S. Pinkney Tuck, Ellis O. Briggs, George H. Butler, Royal R. Jordan.

The following promotions were not announced in the JOURNAL when made:

Unclassified, $2,750 *to* $3,000

G. A. Armstrong, W. H. Beach, P. W. Meyer, J. H. Paxton, C. W. Perkins, J. S. Richardson, Jr., C. L. F. Thiel, R. R. Willey, W. Young.

Unclassified, $2,500 *to* $2,750

J. W. Bailey, W. E. Beitz, E. O. Briggs, E. B. Christian, H. L. Franklin, F. C. Gowen, J. Harrington, E. M. Hinkle, R. H. Lane, Jr., E. P. Lawton, Jr., J. H. Lord, W. H. T. Mackie, D. W. Maher, P. W. Meyer, J. H. Morgan, E. B. Rand, H. L. Smith, E. J. Sparks, W. C. Vyse, M. Werlich, L. D. Yates.

The Senate, on May 26, 1928, confirmed the following:

Class IV to Class III

C. du Bois, Dana G. Munro.

Class V to Class IV

Herschel V. Johnson.

Class VI to Class V

R. A. W. Treat.

EXAMINATION ON VISA WORK

Class of 1927-1928.

IMPORTANT: Answer only *eight* of the following questions.

1. What factors enter into the determination of the quota nationality of an alien?

2. What is an immigrant? A non-quota immigrant?

3. What are the points on which an alien should bring proof to show that he comes within the legal definition of a returning resident alien?

4. Under what conditons may alien students be admitted, in general? Business pupils? Government students?

5. Name the preference and priority classes. As from what date is preference considered as established? How is an alien's status as a preference relative determined?

6. Describe briefly the system adopted by regulation for the distribution of quota visa numbers by the quota control officers.

7. Name 10 classes of aliens specified as inadmissible under Section 3 of the Act of February 5, 1917. Name four diseases which would ren-



STAFF AT NIAGARA FALLS

Left to right: Above, Emily Tragheim, Violet M. Crawford. Below: Georga L. King, Consul W. W. Brunswick, Vice Consul O. H. Massie, Elizabeth C. Kew

der an alien mandatorily excludable, and give an example of another kind of physical defect which could render an alien inadmissible, showing legal grounds of inadmissibility.

8. A Russian woman applies at Berlin for a non-immigrant temporary visitor's visa. Upon examination is it disclosed that her husband is in the United States, and that she has no business or family ties in Germany. The temporary nature of her visit is vouched for by a well-known high officer of the United States Government. Should the Consul General refuse the issuance of a passport visa? If so, state fully the reasons he would give in justification of his action.

2. A rabbi applies for a non-quota visa at Warsaw, presenting a contract from a New York congregation. Upon investigation the Consul finds that the congregation is a duly organized one consisting of 25 families, worships in a rented hall, has a rabbi at present, but desires the alien as an assistant rabbi. How would the Consul decide the case, and why?

10. An alien, aged 18, arrives in Habana from Warsaw and several weeks afterward applies for a student visa. It appears that his parents, who are domiciled in the United States, have furnished him with sufficient funds to take a course in an American college, approved by the Department of Labor, which has accepted him as a law student. He has sufficient scholastic preparation with a fair knowledge of English. How would the Consul General decide the case, and why?

THE PORTER BILL

(70th Congress, 1st Session—H. R. 13179)

IN THE HOUSE OF REPRESENTATIVES

(April 19, 1928)

Mr. Porter introduced the following bill; which was referred to the Committee on Foreign Affairs and ordered to be printed

A BILL To provide for the reorganization of the Department of State, and for other purposes.

Whereas prior to the use of the cable and the radio the responsibility for deciding the important questions relating to the foreign policy of the United States requiring immediate action rested entirely on the representatives of our Government in foreign countries, by reason of the impossibility of prompt communication with the Department of State for instructions; and

Whereas such modern means of rapid international communication have transferred the essential responsibility for such decisions from the foreign service to the home service in the Department of State at Washington; and

Whereas vital decisions of policy—which may ultimately result in peace or war—now depend upon the home service at Washington; and

Whereas the great increase in and the importance of the duties performed by the home service by reason of the radical changes in the methods of international communication have never been recognized; and

Whereas the growth of the population, industry, and trade in the United States and the increase in the number of citizens of the United States interested in foreign trade, together with improved means of international transportation and communication, have thrown large additional duties and responsibilities on the Secretary of State, his assistants, and their subordinates—the home service; and

Whereas the assistants to the Secretary of State and the home service at Washington prepare and issue instructions dealing with the foreign policy of the United States to be received and carried out by the foreign-service officers abroad; and

Whereas the compensation of home-service officers is grossly inadequate in comparison with the compensation paid to officers of the foreign service who receive and carry out such instruction, as witness the recent preparation and delivery of the epoch-making international peace documents exchanged between the United States and France; and

Whereas it is inconsistent with reason and good administrative practices to pay smaller salaries to officers in the home service of the Department of State who prepare and issue instructions than to the officers in the foreign service who receive such instructions; and

Whereas in view of the greatly increased duties at the seat of government there should be one additional Undersecretary of State and two additional Assistant Secretaries of State; and

Whereas since the earliest days of the Republic it has been the custom of the Presidents to choose the heads of the executive departments and their assistants from citizens who have distinguished themselves in civil life rather than from persons holding offices in such departments, thus avoiding the creation of an officialdom; and

Whereas in order to prevent dissatisfaction and promote confidence, appointments and other personnel changes in the positions in the foreign service and home service should be entirely removed from the control of officials who can obtain any personal advancement through such control; and

Whereas one of the most important assistants to the Secretary of State is his legal advisor on the highly specialized problems of international law who is now a low-salaried and subordinate official not of the Department of State but of the Department of Justice; and

Whereas it is desirable in the interests of economy and efficiency that the Department of State should conform with modern business methods by having in it an officer clothed with the authority necessary to properly and economically manage the equipment, funds, and personnel of the department, including its foreign service; and

Whereas the Army and the Navy appropriations for the ensuing fiscal year as a defense against war amount to $675,996,826, and the appropriations for the Department of State for the ensuing year for the prevention of war amount to only $11,099,715, approximately 75 per centum of which will be returned to the Treasury as fees collected by the department: Therefore

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be in the Department of State two Undersecretaries of State and six Assistant Secretaries of State, each of whom shall be appointed by the President, by and with the advice and consent of the

Senate. The compensation of Undersecretaries and Assistant Secretaries of State shall be at the rate of $13,500 and $12,000 per annum, respectively. Not more than one office of Undersecretary of State and not more than two offices of Assistant Secretary of State shall be occupied at any one time by persons who have been Foreign Service officers of the United States within seven years next preceding their appointment. Any person appointed to the office of Undersecretary or Assistant Secretary of State after the date of the enactment of this Act shall thereafter be ineligible for appointment as a diplomatic or consular officer of the United States, except that any such person (except the Assistant Secretary referred to in subsection (a) of section 5 of this Act) may be eligible for appointment to the office of ambassador.

SEC. 2. (a) The functions and duties of the officers and employes of the Department of State employed at the seat of government on the date of the enactment of this Act whose salaries are $3,000 per annum or more, except the Secretary, the Undersecretaries, and the Assistant Secretaries of State, and except also Foreign Service and diplomatic and consular officers on duty in Washington, shall constitute the Home Service of the Department of State; and such officers and employes, together with such persons appointed in pursuance of subsection (b) of this section, shall hereafter be known as Home Service Officers.

(b) Appointments and other changes in personnel in the Home Service shall be made in accordance with the civil-service laws and regulations. Persons so appointed, whether as a result of competitive or noncompetitive examination, to the Home Service, shall be subject to the Civil Service Retirement Act of May 22, 1920 (United States Code, title 5, section 691, and the following), or Acts amendatory thereof or supplementary thereto. Promotions in such service shall be based solely upon merit and efficiency, an accurate and impartial record of which shall be kept in the department.

(c) Officers of the Home Service shall be classified with annual salaries as follows: Class 1, $9,000; class 2, $8,000; class 3, $7,000; class 4, $6,000; class 5, $5,000; class 6, $4,000; and class 7, $3,000. Class 1 shall consist of not more than 12 officers, who shall be chiefs of divisions, and no other class shall exceed 15 per centum of the total personnel of such service.

SEC. 3. One Assistant Secretary shall be designated as Counselor of the Department of State, and his duties, in addition to those assigned by the Secretary, shall be to advise the Secretary and the advisory council created by section 6 of this Act on legal matters relating to the foreign affairs of the United States.

SEC. 4. One Undersecretary shall be designated as Director of Business Administration of the foreign and domestic establishments of the Department of State. There is hereby created in the Department of State a Departmental Board, which shall be composed of the Undersecretaries and Assistant Secretaries of State. The Undersecretary designated as Director of Business Administration shall be the chairman of such board. The board shall meet at least once a month with the chief clerk, the chiefs of divisions, bureaus, and offices of the department, for the purpose of advising the Secretary on problems relating to the business administration of the department.

SEC. 5. (a) The administration of Foreign Service personnel under the Act entitled "An Act for the reorganization and improvement of the Foreign Service of the United States, and for other purposes," approved May 24, 1924, as amended (United States Code, title 22, section 1, and the following), and the administration of the Home Service personnel under this Act shall, subject to the direction of the Secretary, be vested exclusively in one Assistant Secretary of State who has not been a Foreign Service officer of the United States within seven years next preceding his appointment, and who shall perform no other duties except as provided in sections 4 and 6 of this Act.

(b) No person shall perform any duties in connection with the administration of such foreign and home service personnel who has been a Foreign Service officer within five years next preceding his entrance upon such duties, and no such person shall be eligible for appointment as a Foreign Service officer or diplomatic or consular officer within five years after separation as an officer or employe performing duties in the administration of such personnel.

SEC. 6. There is hereby created an Advisory Council in the Department of State, which shall be composed of the Secretary of State, who shall be the chairman thereof, and the Undersecretaries and Assistant Secretaries of State. The Council shall, upon the call of the Secretary of State, meet and consider questions relating to the foreign affairs of the United States. The Secretary may invite the chairmen and ranking minority members of the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives to participate in the meetings of such council.

SEC. 7. No Foreign Service officer, except those who are in classes 1 and 2 of the Foreign Service on the date of the enactment of this Act, shall be eligible for appointment to a diplomatic position unless such officer has served in the consular branch of the Foreign Service for at least five years prior to such appointment.

THE MOSES BILL

(70th Congress, 1st Session, S. 4382, Calendar No. 1112)
(Report No. 1069)

[*This Bill has been introduced into the House of Representatives by Mrs. Edith Nourse Rogers as H. R.* 13625.]

IN THE SENATE OF THE UNITED STATES
May 3 (calendar day, May 8), 1928

Mr. Moses introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

May 3 (calendar day, May 9), 1928
Reported by Mr. Moses, with amendments

A BILL To amend the act (Public, Numbered 135, Sixty-eighth Congress) approved May 24, 1924, entitled "An act for the reorganization and improvement of the Foreign Service of the United States, and for other purposes."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act (Public, Numbered 135, Sixty-eighth Congress) approved May 24, 1924, entitled "An act for the reorganization and improvement of the Foreign Service of the United States, and for other purposes," be, and the same is hereby, amended to read as follows:

"SECTION 1. That hereafter the Diplomatic and Consular Service of the United States shall be known as the Foreign Service of the United States.

"SEC. 2. That the official designation 'Foreign Service officer,' as employed throughout this act, shall be deemed to denote permanent officers in the Foreign Service below the grade of minister, all of whom are subject to promotion on merit and who may be appointed to either diplomatic or consular positions or asigned to serve in the Department of State subject to section 14 of this act, at the discretion of the President.

"SEC. 3. That the officers in the Foreign Service shall hereafter be graded and classified as follows with the salaries of each class herein affixed thereto, but not exceeding in number for each class a proportion of the total number of officers in the service represented in the following percentage limitations:

"Ambassadors and ministers as now or hereafter provided; Foreign Service officers as follows: Class I (13 percentum), $8,000 to $9,000; Class II (17 percentum), $7,000 to $8,000; Class III (24 percentum), $5,000 to $7,000; Class IV, $4,000 to $5,000; unclassified, $2,500 to $4,000: *Provided, however,* That as many Foreign Service officers above Class III as may be required for the purpose of inspection may be detailed by the Secretary of State for that purpose.

"On the date this act takes effect officers shall be reclassified as follows:

"Officers in Classes I and II, as officers in Class I; officers in Classes III and IV, as officers in Class II; officers in Classes V and VI, as officers in Class III; officers in Classes VII and VIII, as officers in Class IV; and officers in Class IX, as unclassified officers; but no officer shall receive less salary through such classification than he is now receiving nor shall he receive any increase of salary through such classification except such periodic increase as may accrue to him under section 18 of this act.

"SEC. 4. That Foreign Service officers may be commissioned as diplomatic or consular officers or both: *Provided,* That any officer who entered the Foreign Service subsequent to July 1, 1924, shall serve five years as a consular officer before promotion to Class I except that he may be excused from not more than two years of such service if, in the opinion of the Secretary of State on the recommendation of the Assistant Secretary in charge of the Foreign Service, the completion of such term of five years as Consul will not be in the interest of the Government: *Provided further,* That all such appointments shall be made by and with the advice and consent of the Senate: *And provided further,* That all official acts of such officers while serving under diplomatic or consular commissions in the Foreign Service shall be performed under their respective commissions as secretaries or as consular officers.

"SEC. 5. That hereafter appointments to the position of Foreign Service officer shall be made after examination and a suitable period of probation or after five years of continuous service in the Department of State, by transfer therefrom under such rules and regulations as

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the President may prescribe, or after ten years of satisfactory service as clerk in a mission or consulate: *Provided*, That no candidate shall be eligible for examination for Foreign Service officer who is not an American citizen and who shall not have been such at least fifteen years: *Provided further*, That reinstatement of Foreign Service officers separated from the classified service by reason of appointment to some other position in the Government service may be made by Executive order of the President under such rules and regulations as he may prescribe.

"All appointments of Foreign Service officers shall be by commission to a class and not by commission to a particular post, and such officers shall be assigned to posts and may be transferred from one post to another by order of the President as the interests of the service may require: *Provided*, That the classification of secretaries in the Diplomatic Service and of consular officers is hereby abolished without, however, in any wise impairing the validity of the present commissions of secretaries and consular officers.

"SEC. 6. That section 5 of the act of February 5, 1915 (Public, Numbered 242), is hereby repealed.

"SEC. 7. That the Secretary of State is directed to report from time to time to the President, along with his recommendations, the names of those Foreign Service officers who by reason of efficient service have demonstrated special capacity for promotion to the grade of minister and the names of those Foreign Service officers and employes and officers and employes in the Department of State and clerks at missions and consulates who by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency, and also the names of persons found upon taking the prescribed examination to have fitness for appointment to the service.

"That the grade of consular assistant is hereby abolished.

"SEC. 8. That section 1697 and 1698 of the Revised Statutes are hereby repealed.

"SEC. 9. Every secretary, consul general, consul, vice consul of career, or Foreign Service officer, before he receives his commission or enters upon the duties of his office, shall give to the United States a bond, in such form as the President shall prescribe, with such sureties, who shall be permanent residents of the United States, as the Secretary of State shall approve, in a penal sum not less than the annual compensation allowed to such officer, conditioned for the true and faithful accounting for, paying over, and delivering up of all fees, moneys, goods, effects, books, records, papers, and other property which shall come to his hands or to the hands of any other person to his use as such officer under any law now or hereafter enacted, and for the true and faithful performance of all other duties now or hereafter lawfuly imposed upon him as such officer: *Provided*, That the operation of no existing bond shall in any wise be impaired by the provisions of this act: *Provided further*, That such bond shall cover by its stipulations all official acts of such officer, whether commissioned as diplomatic or consular officer. The bonds herein mentioned shall be deposited with the Secretary of the Treasury.

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"SEC. 10. That the provisions of section 4 of the act of April 5, 1906, relative to the powers, duties, and prerogatives of consuls general at large are hereby made applicable to the Foreign Service officers detailed for the purpose of inspection, who shall, under the direction of the Secretary of State, inspect in a substantially uniform manner the work of diplomatic and consular offices.

"SEC. 11. That the provisions of sections 8 and 10 of the act of April 5, 1906, relative to official fees and the method of accounting therefor shall apply to diplomatic officers below the grade of minister, and consular officers.

"SEC. 12. That the President is hereby authorized to grant to diplomatic and consular officers representation allowances and rent or post allowances wherever the cost of living may be proportionately so high that, in the opinion of the Secretary of State, such allowances are necessary to enable such diplomatic or consular officers to carry on their work efficiently, out of any money which may be appropriated for such purpose from time to time by Congress, the expenditure of such representation allowances or rent allowances to be accounted for in detail to the Department of State quarterly under such rules and regulations as the President may prescribe, and by the Secretary to be reported annually to Congress.

"SEC. 13. Appropriations are authorized for the salary of a private secretary to each ambassador who shall be appointed by the ambassador and hold office at his pleasure.

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"SEC. 14. That any Foreign Service officer may be assigned for duty in the Department of State without loss of class or salary, such assignment to be for a period of not more than three years, unless the public interests demand further service, when such assignment may be extended for a period not to exceed one year. Any Foreign Service officer of whatever class detailed for special duty not at his post or in the Department of State shall be paid his actual and necessary expenses for travel and not exceeding an average of $8 per day for subsistence during such special detail: *Provided,* That such special duty shall not continue for more than sixty days, unless in the case of trade conferences or international gatherings, congresses, or conferences, when such subsistence expenses shall run only during the period thereof and the necessary period of transit to and from the place of gathering: *Provided further,* That the Secretary of State is authorized to prescribe a per diem allowance not exceeding $6, in lieu of subsistence for Foreign Service officers on special duty or Foreign Service inspectors.

"SEC. 15. That the Secretary of State is authorized, whenever he deems it to be in the public interest, to order to the United States on his statutory leave of absence any Foreign Service officer or vice consul of career who has performed three years or more of continuous service abroad: *Provided,* That the expenses of transportation and subsistence of such officers and their immediate families, in traveling from their posts to their homes in the United States and return, shall be paid under the same rules and regulations applicable in the case of officers going to and returning from their posts under orders of the Secretary of State when not on leave: *And provided further,* That while in the United States the services of such officers shall be available for trade conference work or for such duties in the Department of State as the Secretary of State may prescribe, but the time of such work or duties shall not be counted as leave.

"Leave with pay shall be of two kinds: (1) Leave as granted together with an additional allowance of a reasonable transit time between the officer's posts and his residence in the United States, and (2) simple leave without such allowance.

"Simple leave with pay may be taken annually, if no other leave is taken in that year, for not more than thirty days in any one year, except, in the discretion of the President, in the case of illness of an officer or of a member of his immediate family or other exceptional circumstances.

"Simple leave not taken when due may be accumulated and taken not to exceed sixty days in any one year, but leave with transit time allowance may not be accumulated with simple leave and the whole taken as simple leave.

"Leave with pay with a transit time allowance may be taken biennially, if no other leave is taken in that year, for not more than sixty days in any one year, except, in the discretion of the Secretary of State, in the case of (1) officers at remote posts, and (2) illness of an officer or of a member of his immediate family, or other exceptional circumstances.

"Leave with transit time allowance not taken when due may be accumulated separately, when it may be taken not to exceed one hundred and twenty days in the fourth calendar year, or it may be accumulated, together with simple leave, and the two taken together as leave with transit time allowance not to exceed one hundred and twenty days in the third calendar year, after two years without any leave of either sort, or not to exceed one

hundred and eighty days in the fourth calendar year, after three years without any leave of either sort.

"No Foreign Service officer shall be absent from his post with pay for more than forty-eight hours without permission, except as provided herein.

"All rules and regulations governing the leaves of Foreign Service officers shall be uniform.

"Section 1742 of the Revised Statutes is hereby repealed.

"SEC. 16. That the part of the act of July 1, 1916 (Public, Numbered 131), which authorizes the President to designate and assign any secretary of Class 1 as counselor of embassy or legation, is hereby amended to read as follows:

"'*Provided*, That the President may, whenever he considers it advisable so to do, designate and assign any Foreign Service officer as counselor of embassy or legation.'

"SEC. 17. That within the discretion of the President, any Foreign Service officer may be assigned to act as commissioner, chargé d'affaires, minister resident, or diplomatic agent for such period as the public interests may require without loss of grade, class, or salary: *Provided, however*, That no such officer shall receive more than one salary.

"SEC. 18. That for such time as any Foreign Service officer shall be lawfully authorized to act as chargé d'affaires ad interim or to assume charge of a consulate general or consulate during the absence of the principal officer at the post to which he shall have been assigned, he shall, if his salary is less than one-half that of such principal officer, receive in addition to his salary as Foreign Service officer compensation equal to the difference between such salary and one-half of the salary provided by law for the ambassador, minister, or principal consular officer, as the case may be.

"SEC. 19. The President is authorized to prescribe rules and regulations for the establishment of a Foreign Service retirement and disability system to be administered under the direction of the Secretary of State and in accordance with the following principles, to wit:

"(a) The Secretary of State shall submit annually a comparative report showing all receipts and disbursements on account of refunds, allowances, and annuities, together with the total number of persons receiving annuities and the amounts paid them, and shall submit annually estimates of appropriations necessary to continue this section in full force and such appropriations are hereby authorized: *Provided*, That in no event shall the aggregate total appropriations exceed the aggregate total of the contributions of the Foreign Service officers theretofore made, and accumulated interest thereon.

"(b) There is hereby created a special fund to be known as the Foreign Service retirement and disability fund.

"(c) Five percentum of the basic salary of all Foreign Service officers eligible to retirement shall be contributed to the Foreign Service retirement and disability fund, and the Secretary of the Treasury is directed on the date on which this act takes effect to cause such deductions to be made and the sums transferred on the books of the Treasury Department to the credit of the Foreign Service retirement and disability fund for the payment of annuities, refunds, and allowances: *Provided*, That all basic salaries in excess of $9,000 per annum shall be treated as $9,000.

"(d) When any Foreign Service officer has reached the age of sixty-five years and rendered at least fifteen years of service he shall be retired: *Provided*, That the President may, in his discretion, retain any such officer

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on active duty for such period not exceeding five years as he may deem for the interests of the United States: *Provided further,* That if any such officer shall have served thirty years he may be retired at his own request.

"(e) Annuities shall be paid to retired Foreign Service officers under the following classification, based upon length of service and at the following percentages of the average annual basic salary for the ten years next preceding the date of retirement: Class A, thirty years or more, 60 percentum; Class B, from twenty-seven to thirty years, 54 percentum; Class C, from twenty-four to twenty-seven years, 48 percentum; Class D, from twenty-one to twenty-four years, 42 percentum; Class E, from eighteen to twenty-one years, 36 percentum; Class F, from fifteen to eighteen years, 30 per centum.

"(f) Those officers who retire before having contributed for each year of service shall have withheld from their annuities to the credit of the Foreign Service retirement and disability fund such proportion of 5 percentum as the number of years in which they did not contribute bears to the total length of service.

"(g) The Secretary of the Treasury is directed to invest from time to time in interest-bearing securities of the United States such portions of the Foreign Service retirements and disability fund as, in his judgment, may not be immediately required for the payment of annuities, refunds, and allowances, and the income derived from such investments shall constitute a part of said fund.

"(h) None of the moneys mentioned in this section shall be assignable either in law or equity, or be subject to execution, levy, or attachment, garnishment, or other legal process.

"(i) In case an annuitant dies without having received in annuities an amount equal to the total amount of his contributions from salary with interest thereon at 4 percentum per annum compounded annually up to the time of his death, the excess of said accumulated contributions over the said annuity payments shall be paid to his or her legal representatives; and in case a Foreign Service officer shall die without having reached the retirement age the total amount of his contribution with accrued interest shall be paid to his legal representatives.

"(j) That any Foreign Service officer who before reaching the age of retirement becomes totally disabled for useful and efficient service by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on his part, shall, upon his own application or upon order of the President, be retired on an annuity under paragraph (e) of this section: *Provided, however,* That in each case such disability shall be determined by the report of a duly qualified physician or surgeon designated by the Secretary of State to conduct the examination: *Provided further,* That unless the disability be permanent, a like examination shall be made annually in order to determine the degree of disability, and the payment of annuity shall cease from the date of the medical examination showing recovery.

"Fees for examinations under this provision, together with reasonable traveling and other expenses incurred in order to submit to examination, shall be paid out of the Foreign Service retirement and disability fund.

"When the annuity is discontinued under this provision, before the annuitant has received a sum equal to the total amount of his contributions with accrued interest, the difference shall be paid to him or to his legal representatives.

"(k) The President is authorized from time to time to establish, by Executive order, a list of places which by reason of climatic or other extreme conditions are to be classed as unhealthful posts, and each year of duty subsequent to January 1, 1900, at such posts, while so classed, inclusive of regular leaves of absences, shall be counted as one year and a half, and so on in line proportion in reckoning the length of service for the purpose of retirement.

"(l) Whenever a Foreign Service officer becomes separated from the service except for disability before reaching the age of retirement the total amount of contribution from his salary with interest shall be returned to him.

"(m) The Secretary of State is authorized to expend from surplus money to the credit of the Foreign Service retirement and disability fund an amount not exceeding $5,000 for the expenses necessary in carrying out the provisions of this section, including actuarial advice.

"(n) Any diplomatic secretary or consular officer who has been or any Foreign Service officer who may hereafter be promoted from the classified service to the grade of ambassador or minister, or appointed to a position in the Department of State, shall be entitled to all the benefits of this section in the same manner and under the same conditions as Foreign Service officers.

"(o) For the purposes of this act the period of service shall be computed from the date of original oath of office as diplomatic secretary, consul general, consul, vice con-

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sul, deputy consul, consular assistant, consular agent, commercial agent, interpreter, or student interpreter, and shall include periods of service at different times as either a diplomatic or consular officer, or while on assignment to the Department of State, or on special duty, or service in another department or establishment of the Government, but all periods of separation from the service and so much of any period of leave of absence without pay as may exceed six months shall be excluded: *Provided*, That service in the Department of State or as clerk in a mission or consulate prior to appointment as a Foreign Service officer may be included in the period of service, in which case the officer shall pay into the Foreign Service retirement and disability fund a special contribution equal to 5 percentum of his annual salary for each year of such employment, with interest thereon to date of payment compounded annually at 4 percentum.

"SEC. 20. In the event of public emergency any retired Foreign Service officer may be recalled temporarily to active service by the President, and while so serving he shall be entitled in lieu of his retirement allowance to the full pay of the class in which he is temporarily serving.

"SEC. 21. That all provisions of law heretofore enacted relating to diplomatic secretaries and to consular officers, which are not inconsistent with the provisions of this act, are hereby made applicable to Foreign Service officers when they are designated for service as diplomatic or consular officers, and that all acts or parts of acts inconsistent with this act are hereby repealed.

"SEC. 22. That the appropriations contained in Title I of the act entitled 'An act making appropriations for the Departments of State and Justice and for the Judiciary and for the Departments of Commerce and Labor for the fiscal year ending June 30, 1929, and for other purposes,' for such compensation and expenses as are affected by the provisions of this act are made available and may be applied toward the payment of the compensation and expenses herein provided for, except that no part of such appropriations shall be available for the payment of annuities to retired Foreign Service officers: *Provided*, That thereafter all estimates and requests for appropriations for the Foreign Service and appropriations therefor shall be made for Foreign Service establishments in countries or geographical or political areas, but upon necessity therefor arising sums appropriated may be transferred from establishment to establishment within the country or geographical or political area for which appropriated.

"SEC. 23. That there is hereby established in the Department of State a Bureau of Personnel to be under the supervision of an additional Assistant Secretary of State, to be appointed by the President by and with the advice and consent of the Senate, who shall not be when appointed or for two years prior thereto a Foreign Service officer. Such Assistant Secretary of State shall have no other duties assigned to him. The salary of such Assistant Secretary of State, as well as that of the Undersecretary of State, the four Assistant Secretaries of State and the Legal Adviser of the Department of State shall be at the rate of $10,000 per annum.

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"SEC. 24. (a) That the Secretary of State is authorized (1) in accordance with the civil service laws to appoint, and, in accordance with the Classification Act of 1923, and later amendments thereto, to fix the compensation of, such officers and employes in the Bureau of Personnel, as may be necessary for the administration of this act, or (2) to assign to the Bureau of Personnel from other bureaus or divisions in the Department of State such officers and employes as he deems advisable: *Provided*, That no person in an executive position in the bureau shall be of lower classification than Grade 5—senior professional or Grade 12—chief administrative, or in corresponding grades of later acts or amendments. No officer in the Foreign Service of the United States shall be appointed or assigned to the Bureau of Personnel nor shall any person be appointed or assigned thereto within two years following service as a Foreign Service officer, nor shall service in the Bureau of Personnel be accounted service in the Department of State for the purposes of appointment to the position of Foreign Service officer, or as service in some other position in the Government for reinstatement in the Foreign Service, as provided in section 5 of this act.

"(b) The Secretary of State is authorized to make such expenditures (including expenditures for personnel services and rent at the seat of government and elsewhere, and for law books, books of reference, and periodicals) as may be necessary for the administration of this act.

"(c) There shall be a board of selection for Foreign Service officers composed of the Assistant Secretary, who shall be chairman, one member of the Personnel Office, who shall be secretary, and three other competent persons to be appointed annually by the Secretary of State, not more than one of whom may be a Foreign Service officer. It shall be the duty of the Board of Selection to recommend promotions in the Foreign Service and to furnish to the Secretary of State a list of Foreign Service officers of Class I who have demonstrated special capacity for promotion to the grade of minister. To perform the duties hereinbefore set forth the Board of Selection shall be convened not later than December 1 of each year.

"SEC. 24. The Bureau of Personnel shall assemble and be the custodian of all information in regard to the character, ability, efficiency, experience, and general availability of Foreign Service officers. The Assistant Secretary of State supervising the Personnel Bureau shall be solely responsible for the accuracy and impartiality of the efficiency records of Foreign Service officers. Such records shall be kept so that no alterations, erasures, withdrawals, or additions can be made without being apparent and every Foreign Service officer shall be entitled to see his own record upon request by him. No unfavorable entry shall be made on an officer's record except together with the officer's reply thereto and the conclusion thereon of the Assistant Secretary supervising the Personnel Bureau. Not later than November 1 of each year the Personnel Office shall, under the supervision of the Assistant Secretary of State, prepare a list in which all Foreign Service officers shall be graded in accordance with their relative efficiency and value to the service. In this list officers shall be graded as excellent, high average, average or poor, with such further subclassification as the Assistant Secretary shall find necessary: *Provided*, That this list shall not become effective in so far as it effects promotion until it has been considered by and has the approval of the Board of Selection hereinbefore provided for: *Provided further*, That this list shall not be changed within a year after it has been prepared in so far as it effects promotion except for unusual cause. From this list of all Foreign Service officers, in the order of their ascertained merit within classes, recommendations for promotion shall be made. Recommendations shall also be made, in order of merit, for the unclassified grade as vice consuls, candidates who have successfully passed the examinations. All such recommendations shall be submitted to the Secretary of State, who shall transmit them to the President for submission to the Senate, if he see fit.

"The correspondence and records of the Bureau of Personnel shall be confidential except to the President, the Secretary of State, the Assistant Secretary of State supervising the bureau, such of its employes as may be assigned to work on such correspondence and records, and the individual Foreign Service officers concerned, and except to proper administrative officers of the Department of State, concerning the abilities and capacities of officers for special work or specific posts.

"SEC. 25. That notwithstanding the provisions of section 3 of this act all Foreign Service officers shall, at the expiration of each year of service in any class after this act takes effect, receive an increase of salary of $100, except that no officer shall receive a salary above the maximum of his class. Foreign Service officers on the date this act takes effect shall receive an increase in salary of $100 for each full year served continuously in any class, effective on the date this act takes effect, except that no officer shall receive a salary greater than the maximum salary for his class. Except under extraordinary circumstances which shall be reported to the Presi-

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dent by the Secretary of State, no Foreign Service officer shall be promoted from one class to another until he shall have served four years in the class to which he was admitted.

"If after ten years of continuous service in the unclassified grade or eight years' continuous service in any other class below Class I any officer is not recommended for promotion to the next higher class, such officer, without regard to age or length of service shall be retired from the service, after a hearing by the Secretary of State, upon an annuity equal to 25 percentum of his salary at the time of retirement, in the case of officers over forty-five years of age or in the case of officers under forty-five years of age with a bonus of one year's salary at the time of his retirement, either annuity or one year's salary to be payable out of the Foreign Service officers' retirement and disability fund and except as herein provided, subject to the same provisions and limitations as other annuities payable out of such fund; but no return of contributions shall be made under paragraphs (i) or (1) of section 19 of this act in the case of any Foreign Service officer retired under the provisions of this act. Whenever it is determined by the Assistant Secretary supervising the Bureau of Personnel that the efficiency rating of an officer is poor, thereby meaning below the standard required for the service, and such determination has been confirmed by the Secretary of State, the officer shall be notified thereof, and if, after a reasonable period of not less than one year, the rating of such officer continues to be found poor by the Assistant Secretary and such finding is confirmed by the Secretary of State after a hearing accorded the officer, such officer shall be separated from the service with the annuity or bonus provided in this section, but no officer so separated from the service shall receive the said annuity or bonus unless at the time of separation he shall have served at least fifteen years. He shall, however, have returned to him the full sum of his contribution to the annuity fund, with interest thereon at 4 percentum.

"SEC. 26. That nothing in this act shall be construed to reduce the salary of any Foreign Service officer upon promotion to a higher class.

"SEC. 27. That this act shall take effect July 1, 1928."

Introduced into the Senate, May 8, 1928.

Passed the Senate, May 10, 1928.

REPORT ON S. 4382

Calendar No. 1112

(70th Congress, 1st Session—Senate—Report No. 1069)

REORGANIZATION AND IMPROVEMENT OF THE FOREIGN SERVICE

May 3 (calendar day, May 9), 1928—Ordered to be printed

Mr. MOSES, from the Committee on Foreign Relations, submitted the following

REPORT

(To accompany S. 4382)

On the 17th of December, 1927, the senior Senator from Mississippi submitted the following resolution,



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which was referred to the Committee on Foreign Relations:

Resolved, That the Committee on Foreign Relations is authorized and directed (1) to investigate the administration of the act entitled "An act for the reorganization and improvement of the Foreign Service of the United States, and for other purposes," approved May 24, 1924, as amended, and particularly for the work of the Foreign Service personnel board, for the purpose of determining what results have been obtained under the provisions of such act, and (2) to report to the Senate, as soon as practicable, the results of its investigation, with such recommendations as it deems advisable.

By action of the committee consideration of the resolution was referred to a subcommittee consisting of the senior Senator from New Hampshire (Mr. Moses), the senior Senator from Pennsylvania (Mr. Reed), and the senior Senator from Mississippi (Mr. Harrison).

The subcommittee, acting as its members believe, in the interest of an economy of time because of their feeling that the resolution as presented should be favorably acted upon, proceeded not only to consider the resolution in this light but also to take testimony with a view to drafting legislation if such a course should prove to be necessary.

The subcommittee is unanimously of the opinion that further legislation is required in order to bring about the operation of the act of May 24, 1924, in the manner in which the projectors of the legislation designed to be applied. Accordingly there is herewith submitted a draft of a bill intended to produce this result; and the subcommittee recommends that this bill be reported to the Senate.

It should be remarked at the outset that the passage of the act of May 24, 1924, nor, indeed, the enactment of any legislation of similar character and with similar purpose, could bring about a complete realization of the high expectations which every members of the Foreign Service had thought to see fulfilled in connection with his own position in the service; and the subcommittee has not been inclined to attach undue importance to the testimony presented to it by members of the service who have felt themselves aggrieved.

The subcommittee listened in the first instance to executive officers of the State Department who have had to do with the administration of the act under scrutiny; and in the circumstances it was unavoidable that a considerable share of the testimony taken should be derived from men whose promotion had not been as rapid as they had expected.

However, after making due allowance for the unavoidable human element which tinctured so much of the testimony which was heard, the subcommittee came early and unanimously to the opinion that the application of the act of May 24, 1924, had been approached in a manner far at variance from the purpose of the legislation.

The passage of the act of May 24, 1924, was clearly foreseen, though it failed of enactment in the Sixty-seventh Congress. In view of this it is fairly deducible that the legislation was anticipated, and that no inconsiderable number of members of the Foreign Service took advantage of the opportunity to put themselves in posture to benefit immediately by the reclassification, the promotion, and the consequent increase in salary which the act was sure to bring about. To no other reason can the subcommittee suitably ascribe many of the promotions to the highest classifications which took place automatically when the act went into effect.

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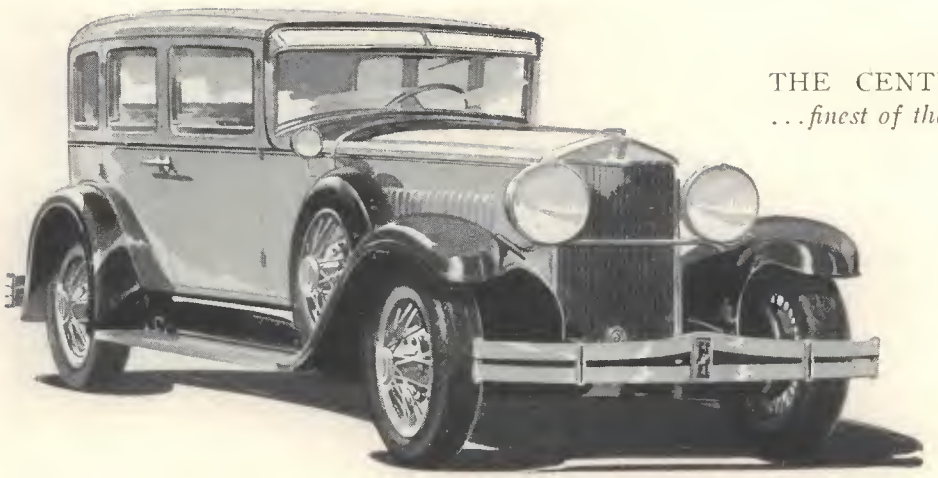
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legislation is found, as the subcommittee believes, in the manner in which the machinery was set up in the State Department for administering the act. Under Executive order a personnel board was established which, as experience has shown, was too numerous and too cumbersome to function easily, or perhaps even justly. This board comprised three separate units:

First, the personnel board proper, which was made up of the Undersecretary of State, two Assistant Secretaries of State, and three officers of the Foreign Service detailed to a bureau of personnel. This board, it will be seen, was composed of two separate components, the officers detailed to the bureau of the personnel were substantially independent, taking their final recommendations to their colleagues of the board, who were the executives referred to, and there acting in concert in passing upon recommendations which they themselves had made. Before taking this step, however, the preliminary work conducted by the Foreign Service officers detailed to the bureau of personnel was scrutinized by another body specially constituted each year from high ranking officers in the Foreign Service who were brought home to the State Department for this purpose.

This system presents manifest disadvantages. In the first place, the high executives of the State Department who hold membership on the personnel board were and are too busy with matters of policy or of other large concern to the successful workings of the Department to give adequate attention to the manner in which a body of several hundred men in the field of the Foreign Service should be dealt with. The subordinate members of the board of review found themselves hampered by lack of sufficiently detailed and accurate efficiency records for the individuals comprising the service; and the officers brought in annually to act as a board of review for the findings afforded by the bureau of personnel must of necessity have brought with them also certain preconceived opinions which necessarily would color their conclusions.

From time out of mind there has existed in our Foreign Service a feeling of settled distinction between those who were engaged in diplomatic functions and those who were engaged in the consular field; and because of the superior position—both in the Department and in the service—which has been claimed for and yielded to a diplomatic officer it is not strange that the diplomatic branch of the service should have exercised so large an influence in the operation of the act of May 24, 1924, and should have secured for themselves so great a measure of its benefits.

To such an extent did this operate, as the testimony shows, that in the first two and one-half years of the operation of the new legislation there was a total of 214 promotions in the entire Foreign Service, of which not less than 76 were awarded to officers who ranked in the diplomatic branch, or 63 percent of all diplomatic officers, whereas only 37 percent of the consular officers were so favored.

The act itself did not contemplate the separation of the Foreign Service into branches; and the initial injustice in the application of the act arose from the use of a double list—one diplomatic and one consular—in making promotions. Under the use of this double list it is found that 43 officers who were exercised as members of the diplomatic branch were improperly promoted; and this inequity was not remedied until a radical change took place in the composition of the personnel board when the double list was abolished and "reparation promotions" were made among Foreign Service officers who have

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exercised consular functions only. It is worth noting that this abolishment of the double list was not secured and that these "reparation promotions" were not brought about except after a considerable struggle, in the course of which a legal opinion had been procured from the Solicitor of the State Department. And even with this there still remains the problem of the officers on the consular side of the Foreign Service other than those who received the "reparation promotions" and who have found themselves delayed in their approach to a higher class.

The testimony taken by the subcommittee was received in executive session, and it has not been printed. The subcommittee felt that it could produce the best results by sitting in private and by assuring each witness complete protection in whatever he might wish to say. Under these circumstances each witness spoke with complete frankness; and it should be noted that even among the witnesses who deemed themselves most deeply aggrieved by the action of the personnel board the testimony never descended to personal accusation or recrimination. Nevertheless, there were intimations of favoritism in plenty; and the subcommittee can not avoid recording the fact that every member of the Foreign Service or of the department staff—with one exception—who has served upon the personnel board in any one of its units since July 1, 1924, has received a promotion and some of them more than once. Under these circumstances it is not unnatural that expressions of grievances should have been brought to our attention; and at times we have wondered at the restraint with which these grievances were expressed.

Even had the subcommittee taken no oral testimony whatever and had confined itself to the documentary evidence available to everyone the conclusion would still have been inevitable that there is something wrong with our Foreign Service.

For instance, in a study of the State Department publication "Foreign Service of the United States," corrected to October 1, 1927, it is discovered that Foreign Service officers are grouped in eight classes; class 1 being the highest and carrying a salary of $9,000, while class 8, the lowest, carries a salary of $3,500. Setting the arbitrary date of 1915 for entry into the service it is to be found that 1 officer of class 1; 6 officers of class 2 (salary, $8,000); 20 officers of class 3 (salary, $7,000); and 21 officers of class 4 (salary, $6,000) have begun their career since that date. These comprise the highest classes in the Foreign Service.

Turning to the 4 lowest classes in the service, it will be found that 16 officers of class 5 (salary, $5,000); 5 officers of class 6 (salary, $4,500); 8 officers of class 7 (salary, $4,000), and 6 officers of class 8 (salary, $3,500) entered the service in 1910 or earlier.

In other words, 35 officers, with at least 17 years of service to their credit, are found to be lagging in the 4 lower classes, while 48 officers, with 5 years less of service each, have been promoted to the 4 upper classes.

Instances of individual disparity as based upon length of service are not lacking in any class. For example, in class 1 the officer with the longest term of service began his career in 1885, whereas the youngest entered the service as late as 1916; in class 2 the senior officer in length of service began his career in 1889 and the youngest entered the service in 1917; in class 3 the senior dates from 1889, the junior from 1919; in class 4 the senior dates from 1889, the junior from 1921; in class 5 the senior dates from 1899 and the junior from 1922; in class 6 the senior dates from 1893 and the junior from 1922; in class 7 the senior dates from 1899 and the

junior from 1923; and in class 8, the lowest of the grades, the senior dates from 1904 and the junior from 1923.

Instances are not infrequent where no promotion has been had since a little after the present act took effect, and out of the 158 men in the 4 upper classes of the Foreign Service 70 have remained stationary since July 1, 1924.

This perhaps raises the question of the average man, and in the recommendations which are made in the bill accompanying this report an attempt will be found to deal with this problem. It is clear that there is a stagnation in the Foreign Service which should be eliminated; but the problem of dealing with it is rendered more difficult by reason of the manner in which promotions have been distributed among the service heretofore.

For example, there are now pending before the Senate 51 promotions in the Foreign Service, the names for which were sent here on February 8, 1928. In this list will be found names of two officers who were first appointed in September, 1919; one officer first appointed in April, 1920; one officer first appointed in August, 1921.

The three first referred to have been named to be Foreign Service officers in class 3 at a salary of $7,000. One of these officers was promoted in less than two years after his entrance into the service; in less than 2½ years later he was again promoted; and in less than 6 months another promotion. His present promotion is the fourth which he has received in a little more than 8 years.

The second officer referred to was promoted in a little more than 2 years after his entrance into the service; was again promoted in less than 1 year and 4 months; was again promoted within 1 year and 3 months; was again promoted after a little more than 3 weeks; and in less than 2 years was promoted again. His present promotion is the sixth which he has received in a little more than 8 years.

The third officer referred to received his promotion in 2 years and 8 months after his entrance into the service; his second promotion in less than 2 years afterward; his third promotion in a little more than a month; and his fourth promotion a little later. His present promotion is the fifth which he has received in less than 8 years.

The fourth officer referred to was promoted within less than three years after his first appointment; was again promoted after 2 months; was again promoted in less than 2 years; and is now receiving his fourth promotion in less than 7 years.

It is to be hoped that there is no implication in the fact that one of these four officers happens to be a connection of a prominent and active member of the personnel board during the early years of its functioning. If these promotions are to stand, it means that these officers will be enabled to advance into the highest class in the Foreign Service at a time when they can look forward to 25 years before retirement, thus blocking the advance of men older and of likely service and probably of equal ability at least.

In this connection it should be pointed out that a marked feature in all of the promotions which have taken place since July 1, 1924, there have appeared preeminently the names of officers who have served upon or with or under the bureau of the personnel; no less than 11 officers of the 3 higher classes having been chosen from this group.

As already indicated, the subcommittee is of the opinion that much of the complaint which has come to it (and in addition to the oral testimony we have received many and lengthy letters from Foreign Service officers in the field who could not be brought here to testify) is

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properly based upon the machinery through which the existing law has functioned. We believe that the handling of the Foreign Service personnel should be wholly divorced from the personnel itself. We believe it to be bad practice for Foreign Service officers to be passing upon the qualifications of their colleagues. We especially believe it to be harmful that a new set of officers is brought annually from the field with the opportunity to learn everything contained in their colleagues' records on file at the State Department, and then go back into the field laden with this knowledge.

Accordingly, we recommend the establishment of a distinct bureau of personnel in the Department of State, which shall be in charge of an additional Assistant Secretary of State, and which shall be manned by officials wholly disconnected from the Foreign Service. We would make no change in the manner in which candidates for the Foreign Service shall be admitted—except to place all of the details of this in the hands of the new bureau of personnel. We would provide for a first retirement in the lower grades in a manner similar to the age-in-grade retirement regulations which obtain in the Navy. We would provide for an automatic promotion as indicated by salary advances within all grades, so that no officer should feel himself stagnating as is the case so often at present. And we would provide for a liberalization of the present conditions of retirement, so that no Foreign Service officer retiring under any condition while he is still capable should be penalized for the exercise of his capabilities.

All of these provisions are contained in the draft measure which accompanies this report.

The subcommittee is of the opinion that a complete fluidity between the two branches of the Foreign Service as they existed prior to July, 1924, can not be brought about by legislation alone. Legislation may provide the means for producing this result; and it is our hope that the bill which we herewith present may be thus effective, but it will require several years of transition—perhaps long enough to bring about a complete change in the Foreign Service personnel—before this can be entirely brought about. The subcommittee also is of the opinion that complete fluidity can not be wholly attained at any time. There are many section of the world, it is true, where consular offices are charged with much work of a diplomatic and political character. In such sections the finest ingenuity of officers exercising the two functions is highly desirable. But there are other sections of the world where the two functions are essentially separated and can not be brought together except under extreme cases. The problems therefore arising through the use of a single list for the Foreign Service must necessarily be met as they arise and solved through the tact and experience of those who will comprise the new bureau of personnel.

The members of the Foreign Service as they have come before us have almost without exception been moderate in the suggestions which they have made. Their requests may be summarized in an appeal that the act of May 24, 1924, shall be given real application. The suggestions which we have made in this report, and which we have embodied in the accompanying bill, are, in our opinion, an adequate response to this appeal.

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