

**RATIFICATION AND CONFIRMATION OF NATURALIZATION OF
CERTAIN PERSONS OF THE HINDU RACE**

HEARINGS

BEFORE

**THE COMMITTEE ON IMMIGRATION
UNITED STATES SENATE**

SIXTY-NINTH CONGRESS

SECOND SESSION

ON

S. J. Res. 128

**PROVIDING FOR THE RATIFICATION AND CONFIRMATION
OF THE NATURALIZATION OF CERTAIN PERSONS
OF THE HINDU RACE**

—
DECEMBER 9, 1926
—

PART 1

Printed for the use of the Committee on Immigration



WASHINGTON
GOVERNMENT PRINTING OFFICE

1926

COMMITTEE ON IMMIGRATION

HIRAM W. JOHNSON, California, *Chairman*

HENRY W. KEYES, New Hampshire.

FRANK B. WILLIS, Ohio.

DAVID A. REED, Pennsylvania.

RICE W. MEANS, Colorado.

GERALD P. NYE, North Dakota.

WILLIAM H. KING, Utah.

WILLIAM J. HARRIS, Georgia.

PAT HARRISON, Mississippi.

ROYAL S. COPELAND, New York.

COLE. L. BLEASE, South Carolina.

WALTER H. KILLAM, *Clerk*

RATIFICATION AND CONFIRMATION OF NATURALIZATION OF CERTAIN PERSONS OF THE HINDU RACE

THURSDAY, DECEMBER 9, 1926

UNITED STATES SENATE,
COMMITTEE ON IMMIGRATION,
Washington, D. C.

The committee met, pursuant to call, at 10 o'clock a. m., in the committee room, Capitol, Senator Hiram W. Johnson presiding.

Present: Senators Johnson (chairman), Willis, Reed, King, and Copeland.

The committee thereupon proceeded to the consideration of Senate Joint Resolution 128, which is here printed in full as follows:

[S. J. Res. 128, Sixty-ninth Congress, second session]

JOINT RESOLUTION Providing for the ratification and confirmation of the naturalizations of certain persons of the Hindu race

Whereas on February 19, 1923, the Supreme Court of the United States in the case of United States versus Bhagat Singh Thind decided that persons of the Hindu race are ineligible for naturalization in the United States; and

Whereas prior to such decision naturalization was completed by the following persons of the Hindu race in the following courts:

Name	Court admitting	Date
Abdul, Hassan.....	U. S. District, New Orleans.....	June 13, 1916
Ali, John Mohammed.....	U. S. District, Detroit, Mich.....	June 27, 1921
Bagai, Vaishno Das.....	U. S. District, San Francisco.....	Mar. 7, 1921
Bahatta, William.....	Common Pleas, Comersct County, Pa.....	Apr. 10, 1916
Chand, Deir.....	U. S. District, Los Angeles.....	Aug. 8, 1919
Dev, Jagat Bondhu.....	U. S. District, Tampa.....	Feb. 14, 1916
Dolla, Abba.....	U. S. District, Savannah.....	May 14, 1909
Fieldbrave, Theodore.....	U. S. District, Philadelphia.....	May 5, 1919
Gandhi, Jaswant Rai.....	U. S. District, Detroit.....	June 29, 1917
Gherwal, Rakha Singh.....	U. S. District, Portland, Oreg.....	June 19, 1922
Gokhale, Shankar Laxman.....	Superior, Schenectady.....	Nov. 18, 1919
Hamid, Abdul.....	U. S. District, New Orleans.....	Mar. 20, 1908
Hesh, Sasi Kumar.....	U. S. District, Pittsburgh.....	June 15, 1920
Houssain, Bellal.....	U. S. District, New Orleans.....	Mar. 20, 1908
Huck, Noorul.....	U. S. District, Houston, Tex.....	Nov. 6, 1917
Khan, John Bazater.....	U. S. District, Pittsburgh.....	Jan. 17, 1922
Mainee, Diwan Singh.....	U. S. District, San Francisco.....	Mar. 6, 1916
Mandal, Tulsa Ram.....	Supreme, Fresno County, Calif.....	Dec. 29, 1921
Mandel, Sant Ram.....	U. S. District, San Francisco.....	June 10, 1920
Mattu, Bisben Singh.....	U. S. District, San Francisco.....	Aug. 1, 1921
Mondul, Abdul Goffor.....	District, Galveston, Tex.....	Feb. 9, 1909
Mondul, Abdul Motlib.....	District, Galveston, Tex.....	June 5, 1912
Mondul, Abdul Ganie.....	District, Galveston, Tex.....	Dec. 6, 1916
Mondul, Boksh Bohman.....	U. S. District, New Orleans.....	Oct. 3, 1916
Mozumdar, Akhay Kumar.....	U. S. District, Spokane, Wash.....	June 30, 1913
Puri, Ram Nath.....	Supreme, San Francisco.....	Sept. 7, 1916
Sarkar, Dhirendos Kumar.....	Supreme, New York County, N. Y.....	Feb. 9, 1923
Singh, Amer.....	District, Boxelder County, Utah.....	May 21, 1921
Singh, Baden.....	District, Cassia County, Idaho.....	Mar. 27, 1922
Singh, Ghan.....	District, Boxelder County, Utah.....	Mar. 13, 1922
Singh, Charley Sher.....	District, Boxelder County, Utah.....	July 5, 1918
Singh, Didar.....	District, Boxelder County, Utah.....	Jan. 8, 1923
Singh, Dusanndha.....	U. S. District, Portland, Oreg.....	Sept. 15, 1921
Singh, Ganga.....	U. S. District, Los Angeles.....	Jan. 9, 1920
Singh, Jiwan.....	U. S. District, Portland, Oreg.....	Dec. 10, 1920
Singh, Mohan.....	U. S. District, Los Angeles.....	Apr. 21, 1919

NATURALIZATION OF CERTAIN PERSONS

Name	Court admitting	Date
Singh, Narain	District, Cassia County, Idaho	Mar. 27, 1922
Singh, Puna	District, Boxelder County, Utah	Dec. 27, 1920
Singha, Baxi Kishan	Supreme, Cook County, Ill.	June 14, 1918
Sucheron, Walter James	Supreme, New York Co., N. Y.	Mar. 10, 1914
Sud, Nawak Chad	Supreme, San Francisco	Jan. 27, 1921
Sulaiman, Mohamed	U. S. District, Chicago, Ill.	Dec. 5, 1919
Thind, Bhagat	U. S. District, Portland, Oreg.	Nov. 18, 1920
Tom, C. S. (Channon Singh)	District, Boxelder County, Utah	Mar. 13, 1922
Willis, John	U. S. District, Pittsburgh	Sept. 12, 1922
Alexander, Qamr-Ud-Din	Common Pleas, Atalntic County, N. J.	May 31, 1916
Bains, Unrao Singh	U. S. District, San Francisco	Mar. 5, 1917
Bose, Sudhindra	District, Johnson County, Iowa	Feb. 19, 1917
Das, Rajani Kanta	U. S. District, Chicago, Ill.	Dec. 1, 1920
Das, Taraknath J.	U. S. District, San Francisco	June 9, 1914
Mahamad, Amirbaidas	Supreme, New York County, N. Y.	Aug. 25, 1921
Mollah, Abdul Rub	Circuit, Orange County, Ind.	Sept. 26, 1918
Mukerji, Prafulla C.	U. S. District, Pittsburgh, Pa.	Nov. 4, 1920
Pal, Darbari Ram	Common Pleas, Paterson, N. J.	Sept. 27, 1916
Pandit, Sakharan Ganesh	Supreme, Los Angeles	May 7, 1914
Vamon, Ramachandra	Supreme, Erie County, N. Y.	June 1, 1921
Shelke, Ramchandra D.	U. S. District, Pittsburgh	Feb. 1, 1921
Ali, Mohammed	U. S. District, Detroit, Mich.	Apr. 19, 1920
Bourne, Duncan	Supreme, New York County, N. Y.	Oct. 5, 1917
Chovey, Paul P.	U. S. District, New Haven, Conn.	Sept. 23, 1918
Duke, Ishar Das	District, Gallatin County, Mont.	Feb. 5, 1919
Kahn, Ali Mohammed	U. S. District, San Francisco	July 16, 1918
Khan, James Rulha	Common Pleas, Bergen County, N. J.	July 2, 1918
Sabgal, Gofind Ram	U. S. District, San Francisco	May 10, 1920
Singh, Jaginder	U. S. District, San Francisco	Mar. 16, 1920
Singh, Sohn	Supreme, Fresno County, Calif.	Aug. 20, 1919
Kokatnur, Vaman Ramachandra	Supreme, Erie County, N. Y.	June 1, 1921
Sharma, Thakur Dev	Circuit, Detroit, Mich.	Oct. 27, 1917
Thacker, Nainsinh L.	U. S. District, New York, N. Y.	Sept. 11, 1917

Whereas certain of said naturalizations have been canceled by judicial proceedings since February 19, 1923, and certain of them are threatened with cancellation in cases now pending and in certain of them cancellation has been denied and in certain of them no cancellation proceedings have been instituted; and

Whereas there is need of a uniform rule of law relating to such cases: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the naturalizations aforesaid are hereby ratified and confirmed and the persons aforesaid are declared to be citizens of the United States, and no woman citizen of the United States shall be deemed to have lost her citizenship by reason of her marriage to any of said persons.

The CHAIRMAN. The committee has met this morning pursuant to request of Senator Reed of Pennsylvania, to take testimony he desires to submit upon the joint resolution introduced by him December 7, 1926, providing the ratification and confirmation of the naturalizations of certain persons of the Hindu race.

I desire in the beginning of the hearing to put in evidence, first, a letter to me from W. W. Husband, Second Assistant Secretary of the Department of Labor, dated November 18, 1926, and various inclosures which came with that letter; a letter from the honorable Chief Justice William H. Taft to the Secretary of Labor, Hon. James J. Davis, dated October 19, 1926; another, a letter dated October 18, 1926, to the honorable Chief Justice, from Doctor Das, one of the principal petitioners in the particular matter; another letter dated October 26, 1926, to the Secretary of Labor, from Raymond F. Crist, Commissioner of Naturalization; and also a list of naturalized Hindus who are affected by the joint resolution, which is presented to me by the Department of Labor.

Do you wish these communications read at the moment, gentlemen?
Senator KING. I think we had better have them read.

(The chairman thereupon read the correspondence referred to above, which is here printed as follows:)

DEPARTMENT OF LABOR,
Washington, November 18, 1926.

CHAIRMAN SENATE COMMITTEE ON IMMIGRATION,
Washington, D. C.

MY DEAR MR. CHAIRMAN: The Chief Justice of the United States has brought to the attention of the department the case of Taraknath Jogendranath Das, a Hindu who was naturalized in the United States district court at San Francisco on June 9, 1914, and refers to him in connection with other Hindus who were naturalized prior to the decision of the Supreme Court of the United States on February 19, 1923, in the case of United States of America, appellant, v. Bhagat Singh Thind.

In this communication the Chief Justice expresses the belief that the situation called upon Congress to right the matter, and that the admission of a few Hindus would not at all break down the rule of rigid exclusion, further expressing the view that there might well be special legislation on the subject to meet a real injustice. These cases were brought to the attention of the Chief Justice by Mr. Alfred Martin, a member of the Society for Ethical Culture.

The Chief Justice has signified that he has no objection to a copy of his letter being sent to you for your consideration; accordingly a copy of it is attached hereto, together with its inclosure. A memorandum from the file of the Bureau of Naturalization relating to Mr. Das has been submitted to the department by the Commissioner of Naturalization, of which the inclosed is a copy. A partial list of the names of Hindus who were naturalized during the period from September 26, 1906, to the date of the decision of the Supreme Court, adverse to Hindus, is also inclosed. The list contains the names of those Hindus who have come to the attention of the Bureau of Naturalization and against whom suits have been instituted to set aside their citizenship. Those cases where the suits are still pending are separately shown from those where the suits have resulted in the cancellation of the certificates of naturalization. Included in the list are the names of some soldiers who served in the American forces during the World War who are Hindu origin but as to whom no suits to cancel their citizenship have been instituted.

Cordially yours,

W. W. HUSBAND,
Second Assistant Secretary.

SUPREME COURT OF THE UNITED STATES,
Washington, D. C., October 19, 1926.

MY DEAR MR. SECRETARY: Mr. Alfred Martin, a gentleman of the highest standing whom I have known for a great many years, and a member of the Society for Ethical Culture, has talked with me with reference to the injustice that he conceives to have been done to Dr. Taraknath Das, a Hindu who took out his first papers of naturalization in this country in 1908, and when in 1914 he applied for his naturalization certificate, the examiner contested his right to become an American citizen. The matter was carried into court, and United States Judge Dooling, of the United States District Court in San Francisco, held that the applicant was entitled to a certificate, which was issued to him. Since that time he has traveled and has received passports and has married an American-born woman. Now, by our decision, at the instance of the Government, it is held that such certificates are void, because under the law there was no authority to grant a certificate to anyone but a white person and that Hindus do not come within that description. There are about 40 Hindus who received certificates, and who, acting on the assurance that they had become American citizens, have lost the citizenship of Great Britain and are really without a country and without allegiance to any government. It would seem to me that such a situation calls upon Congress to right the matter and that the admission of a few Hindus would not at all break down our rule of rigid exclusion. There might well be special legislation on the subject to meet a real injustice. Doctor Das has called on me and has asked me to give him an opportunity to be heard by the heads of the departments whose advice and wishes in the matter Congress would be certain to consult. I have therefore given to Doctor Das a letter of introduc-

tion to you, with the hope that some time, at his instance, you may be able to receive him for a few minutes and talk the matter over with him.

With very best wishes, my dear Mr. Secretary.

Sincerely yours,

WM. H. TAFT.

HON. JAMES J. DAVIS,
Secretary of Labor.

P. S.—I am inclosing herewith a copy of a letter I have received from Doctor Das.

HOTEL LAFAYETTE.

Washington, D. C., October 18, 1923.

HON. WILLIAM H. TAFT,
Chief Justice United States Supreme Court,
Washington, D. C.

DEAR SIR: You know of my case as presented to you by Mr. Martin. However, I take the liberty of giving you further details.

I was born in India and came to the United States of America in 1906. I took out my first paper of naturalization in 1908. In 1914, when I applied for my naturalization certificate, the United States naturalization examiner contested my right to become an American citizen. The case was heard before United States Justice Dooling, of United States District Court at San Francisco Calif., and the verdict was in my favor. I took my oath of allegiance to the United States of America and was granted a naturalization certificate, while the United States authorities evidently accepted the judgment as final, because they did not take an appeal. Since then I was thrice granted United States passports to travel in Europe and Asia, as an American citizen; and I have married an American-born woman. Now, the United States authorities hold that I was never an American citizen "abinitio," because according to the decision of Justice Sutherland of the Supreme Court rendered in re United States v. Thind (February 19, 1923), I was naturalized illegally, as a high-caste Hindu, not being a "white person," as ineligible to American citizenship. According to the British law governing nationality, I can not revert to British citizenship automatically, because I voluntarily gave up my allegiance to the British Crown, when I took my oath of allegiance to the United States of America. Thus I am rendered a stateless person. My American-born wife has, according to the United States authorities, lost her American citizenship and she is also rendered stateless.

While I speak of our present unfortunate position, let me say that it is typical of 40 or more Hindus who were naturalized. In asking for a relief measure, I am not pleading for my individual case, but for all who are rendered stateless by the application of the decision of Justice Sutherland, mentioned above.

I have been told by you, Hon. Charles E. Hughes, Hon. Justice Stone, Hon. Senator Borah, and others, that justice demands that some kind of relief measure should be passed by the Congress by which the group of Hindus who were naturalized before the decision of Justice Sutherland and their American wives should retain their American citizenship and be not rendered stateless.

It is quite possible that some Congressman or Senator will be willing to introduce a "relief bill," but I feel that before any such attempt be made one should know whether the administration will favor such a measure. It is needless to add that I do not advocate any measure which will be contrary to the United States Government's immigration and naturalization policy; and I regard that it will be wiser still if the Secretary of Labor, through the Solicitor of the Department of Labor, will be willing to outline a bill which will be acceptable to the administration and at the same time will extend "full relief" to those once naturalized American citizens and the American women who married those Hindus who were naturalized before February 19, 1923.

Thanking you for your kind interest in your present difficulty, I remain,

Very respectfully yours,

TARAKNATH DAS.

OCTOBER 26, 1926.

The SECRETARY OF LABOR
(Through the Chief Clerk).

I beg to bring to your attention the case of Mr. Taraknath Jogendranath Das, who was naturalized by the United States District Court at San Francisco on June 9, 1914, and whose naturalization is now being attacked in the United States District Court for the Southern District of New York as having been illegally procured, Mr. Das being a Hindu and racially ineligible for naturalization. (United States v. Thind, 261 U. S. 204.)

Mr. Das arrived in the United States on July 12, 1906, declared his intention in Seattle on February 8, 1908, and on January 10, 1912, petitioned for naturalization at Coquille, Oreg. That petition was denied for want of a certificate of arrival.

Throughout much of his life in the United States, Mr. Das has attended universities, assisted Hindu students to enter the United States, and has been active among them. At one time he was in the Immigration Service at Vancouver. He was then publishing a paper, Free Hindusthan. This paper was one of political reform, "an organ of freedom," and proved embarrassing to the Immigration Service. The immigrant inspector demanded his resignation or the discontinuance of the publication. Mr. Das stated that he chose to resign.

In 1911, the British ambassador confided in this Government that Mr. Das was reported as attempting to accelerate his naturalization for the purpose, it was believed, to visit India at the time of the proposed visit of King George in the thought that in case of arrest it would be advantageous to claim American citizenship.

The United States attorney at San Francisco represented the Government at the hearing when naturalization occurred. All the facts then in the possession of the bureau were placed in his possession. Consequently, the court had a full knowledge of his activities so far as they were known to the Government and its granting a citizenship constituted a finding of his attachment to the principles of the Constitution notwithstanding the revolutionary activities with which he had been charged.

During the war, Mr. Das was one of 31 persons charged with plotting to violate the neutrality of the United States. In the testimony he was accused of having maintained a safe deposit vault filled with bomb manuals and other works on revolutionary moves in India. The manuals, it was stated, were originally secured from a group of Russian anarchists and contained formulæ for making bombs and "explosive papers," and the proper placing of such contrivances. The trial which had been designated the famous Hindu revolution case occurred in the same court where Mr. Das secured naturalization and terminated in a shooting affray in the court room, two of his associates being killed. Mr. Das was found guilty of conspiracy to set on foot a military expedition in violation of our neutrality laws and sentenced to a term of 22 months' imprisonment. The name of Mr. Das appears in the accompanying list of Hindus under the heading "Cancellation cases pending." This list has been prepared at the instance of Senator Reed, of Pennsylvania, to be transmitted to him.

The foregoing is communicated to you because of its bearing upon legislation upon the subject in case the department should consider commenting upon it.

RAYMOND F. CRIST,
Commissioner of Naturalization.

List of naturalized Hindus

Name	Court admitting	Date	Court canceling	Date	Bureau file
Abdul, Hassan	U. S. District, New Orleans	June 13, 1916	U. S. District, New Orleans	Apr. 30, 1924	1375-C-666788
Ali, John Mohammed	U. S. District, Detroit, Mich.	June 27, 1921	U. S. District, Detroit, Mich.	Dec. 7, 1925	1525-C-1621908
Bagai, Vaishno Das	U. S. District, San Francisco	Mar. 7, 1921	U. S. District, San Francisco	May 5, 1925	245-C-1505240
Bahatta, William	Common pleas, Somerset County, Pa.	Apr. 10, 1916	U. S. District, Philadelphia, Pa.	Jan. 11, 1924	2831-C-577850
Chand, Deir	U. S. District, Los Angeles	Aug. 8, 1919	U. S. District, Los Angeles	Jan. 11, 1926	246-C-1208408
Dev. Jagat Bondhu	U. S. District, Tampa	Feb. 14, 1916	U. S. District, Tampa	Aug. 26, 1924	432-C-5623553
Dolla, Abha	U. S. District, Savannah	May 14, 1909	Not canceled (deceased).		494-P-3
Fieldbrave, Theodore	U. S. District, Philadelphia	May 5, 1919	U. S. District, Los Angeles	Aug. 2, 1924	2770-C-986459
Gandhi, Jaswant Rai	U. S. District, Detroit	June 29, 1917	U. S. District, Detroit	Dec. 7, 1925	1525-C-783624
Gherwal, Rakha Singh	U. S. District, Portland, Oreg.	June 19, 1922	U. S. District, Portland, Oreg.	Dec. 2, 1924	2725-C-164984
Gokhale, Shankar Laxman	Superior, Schnecktady	Nov. 18, 1919	U. S. District, Albany, N. Y.	Aug. 12, 1926	2325-C-1299581
Hamid, Abdul	U. S. District, New Orleans	Mar. 20, 1908	U. S. District, New Orleans	May 29, 1924	1375-C-69505
Hesh, Sasi Kumir	U. S. District, Pittsburgh	June 15, 1920	U. S. District, Pittsburgh	Sept. 15, 1924	2774-C-1284691
Houssain, Bellal	U. S. District, New Orleans	Mar. 20, 1908	U. S. District, New Orleans	May 3, 1924	1375-C-69504
Muck, Noorul	U. S. District, Houston, Tex.	Nov. 6, 1917	U. S. District, Houston, Tex.	Feb. 8, 1924	3115-C-807407
Khan, John Bazater	U. S. District, Pittsburgh	Jan. 7, 1922	U. S. District, Pittsburgh	Sept. 5, 1924	2774-C-1465609
Manee, Diwan Singh	U. S. District, San Francisco	Mar. 6, 1916	U. S. District, San Francisco	June 8, 1926	245-C-6346200
Mandal, Tulsa Ram	U. S. Superior, Fresno County, Calif.	Dec. 29, 1921	U. S. District, Los Angeles	Nov. 22, 1923	356-C-1656728
Mandel, Sant Ram	U. S. District, San Francisco	June 10, 1920	U. S. District, San Francisco	June 1, 1925	245-C-1336239
Mattu, Bishen Singh	do	Aug. 1, 1921	do	Dec. 11, 1925	245-C-1577441
Mondul, Abdul Goffor	District, Galveston, Tex.	Feb. 9, 1909	Not canceled (deceased).		3213-C-36961
Mondul, Abdul Motlib	do	June 5, 1912	U. S. District, Galveston	Jan. 14, 1924	3213-C-196542
Mondul, Abdul Ganie	do	Dec. 6, 1916	do	do	3213-C-708020
Mondul, Boksh Bohman	U. S. District, New Orleans	Oct. 3, 1916	U. S. District, New Orleans	Apr. 30, 1924	1375-C-666835
Mozumdar, Ashay Kumar	U. S. District, Spokane, Wash.	June 30, 1913	U. S. District, Los Angeles	Dec. 18, 1923	3600-C-35278
Puri, Ram Nath	Supreme, San Francisco	Sept. 7, 1916	U. S. District, San Francisco	Dec. 9, 1925	284-C-663468
Sarkar, Dhirendoa Kumar	Superior, New York County, N. Y.	Feb. 9, 1923	U. S. District, New York City	Jan. 9, 1924	2307-C-179442
Singh, Amer	District, Boxelder County, Utah	May 21, 1921	U. S. District, Salt Lake City	Feb. 9, 1924	3402-C-863389
Singh, Baden	District, Cassia County, Idaho	Mar. 27, 1922	U. S. District, Boise, Idaho	Dec. 23, 1924	700-C-1141483
Singh, Bhan	District, Boxelder County, Utah	Mar. 13, 1922	U. S. District, Salt Lake City	Feb. 9, 1924	3402-C-863397
Singh, Charley Sher	do	July 5, 1918	Not canceled (deceased).		3402-C-863356
Singh, Didar	do	Jan. 8, 1923	U. S. District, Salt Lake City	Feb. 9, 1924	3402-C-1837612
Singh, Dusandha	U. S. District, Portland, Oreg.	Sept. 15, 1921	U. S. District, Tacoma, Wash.	Sept. 23, 1923	2725-C-1545452
Singh, Ga..ga	U. S. District, Los Angeles	Jan. 9, 1920	U. S. District, Los Angeles	Nov. 2, 1925	246-C-1301757
Singh, Jiwan	U. S. District, Portland, Oreg.	Dec. 16, 1920	U. S. District, Portland, Oreg.	May 20, 1925	2725-C-1516671
Singh, Mohan	U. S. District, Los Angeles, Calif.	Apr. 21, 1919	U. S. District, Los Angeles, Calif.	Mar. 21, 1924	246-C-967237
Singh, Narain	District, Cassia County, Idaho	Mar. 27, 1922	U. S. District, Boise, Idaho	Dec. 23, 1924	700-C-1141484
Singh, Puna	District, Boxelder County, Utah	Dec. 27, 1920	U. S. District, Salt Lake City, Utah	Sept. 8, 1924	3402-C-863381
Singha, Baxi Kishan	Superior, Cook County, Ill.	June 14, 1918	U. S. District, Chicago, Ill.	Mar. 15, 1925	751-C-908977
Sucheron, Walter James	Supreme, New York County, N. Y.	Mar. 10, 1924	Supreme, New York County, N. Y.	Apr. 22, 1924	2307-C-1940018
Sud, Nawak Chad	Superior, San Francisco, Calif.	Jan. 27, 1921	Superior, San Francisco, Calif.	Sept. 28, 1926	284-C-1514760
Sulaiman, Mohammed	U. S. District, Chicago, Ill.	Dec. 8, 1919	U. S. District, Chicago, Ill.	June 15, 1925	730-C-1297692
Thind, Bhagat ¹	U. S. District, Portland, Oreg.	Nov. 18, 1920	U. S. District, Portland, Oreg.	June 26, 1926	2725-C-1076936
Tom, C. S. (Channon Singh)	District, Boxelder County, Utah	Mar. 13, 1922	U. S. District, Salt Lake City, Utah	Feb. 9, 1924	3402-C-863396
Willis, John	U. S. District, Pittsburgh, Pa.	Sept. 12, 1922	U. S. District, Pittsburgh, Pa.	May 2, 1925	2774-C-1831596

¹ U. S. Supreme Court passed on this case.

Cancellation cases pending

Name	Court admitting	Date	Bureau file
Alexander, Qamar-ud-din.....	Common pleas, Atlantic County, N. J.	May 31, 1916	2186-C-655671
Bains, Unrao Singh.....	United States district, San Francisco	Mar. 5, 1917	247-C-683172
Bose Sudhindra.....	District, Johnson County, Iowa	Feb. 19, 1917	1056-C-733304
Das, Rajani Kanta.....	United States district, Chicago, Ill.	Dec. 1, 1920	730-C-1452520
Das, Tarakanath J.....	United States district, San Francisco	June 9, 1914	245-C-462502
Mahamad, Amirhaidas.....	Supreme, New York County, N. Y.	Aug. 25, 1921	2307-C-1441817
Mollan, Abdul Rub.....	Circuit, Orange County, Ind.	Sept. 26, 1918	946-C-29626
Mukerji, Prafulla C.....	United States district, Pittsburgh, Pa.	Nov. 4, 1920	2774-C-1437400
Pal, Barbari Ram.....	Common pleas, Paterson, N. J.	Sept. 27, 1916	2201-C-682658
Pandit, Sakharan Ganesh.....	Superior, Los Angeles	May 7, 1914	265-C-443063
Vamon, Ramachandra.....	Supreme, Erie County, N. Y.	June 1, 1921	2291-C-1570052
Shelke, Ram Chandra.....	United States district, Pittsburgh	Feb. 1, 1921	2774-C-1448532

Soldier cases in which cancellation proceedings have not been instituted

Name	Court admitting	Date	Bureau file
Ali, Mohammed.....	U. S. District, Detroit, Mich.	Apr. 19, 1920	1525-C-1242763
Bourne, Duncan.....	Superior, New York County, N. Y.	Oct. 5, 1917	2307-C-855810
Chovey, Paul P.....	U. S. District, New Haven, Conn.	Sept. 23, 1918	391-C-817735
Duke, Ishar Das.....	District, Gallatin County, Mont.	Feb. 5, 1919	1998-C-1134504
Khan, Ali Mohammed.....	U. S. District, San Francisco	July 16, 1918	245-C-937640
Khan, James Budha.....	Common pleas, Bergen County, N. J.	July 2, 1918	2187-C-975461
Sahgal, Cofind Ram.....	U. S. District, San Francisco	May 10, 1920	245-C-1336119
Singh, Jaginder.....	do	Mar. 16, 1920	245-C-1292946
Singh, Sohan.....	Supreme, Fresno County, Calif.	Aug. 20, 1919	256-C-1194274
Balsara, Bhicaji Franji (Parsee).....			2258-C-113506

The CHAIRMAN. The United States Supreme Court rendered a decision, in which it canceled certain certificates of naturalization, and upon the specific ground there stated. The Chief Justice says in reference to that decision:

Now, by our decision, at the instance of the Government, it is held that such certificates are void, because under the law there was no authority to grant a certificate to anyone but a white person and that Hindus do not come within that description.

Senator KING. Let me ask right there whether the persons referred to are the ones included in the bill itself?

The CHAIRMAN. Yes, sir. I understand that the resolution of Senator Reed contains specifically the names of those submitted by the department.

Senator KING. I would not agree with that statement that the fact that they had applied for citizenship here and their application was purely abortive, against the law, that they would have lost citizenship in Hindustan or any other country.

Senator REED. If they took the oath of allegiance here, whether it resulted in naturalizing—

Senator KING. He stated they applied for a naturalization certificate.

Senator WILLIS. It states they were naturalized, 69 of them, and had to take the oath of allegiance, and that would destroy their former citizenship, of course.

Senator KING. I doubt it.

Senator REED. Had completed their naturalization prior to the Third case.

The CHAIRMAN. One of the points, I take it, upon which this resolution will be passed, if passed at all, would be that these people have foresworn allegiance to the country of their birth and are now left by our action without any country at all.

Senator KING. I see, but I do not agree with that proposition.

The CHAIRMAN. Do you not take that position?

Senator KING. Suppose that a Chinese should go before some ignorant clerk, and the clerk should admit him or the judge should admit him, and he foreswore allegiance to China and asserted his allegiance to the United States.

Senator REED. It depends upon the law of the country of his first domicile.

Senator KING. I do not think he would lose his Chinese citizenship.

Senator REED. Neither do I, Senator; and if a Japanese did it and went through complete naturalization in this country and took a whole stack of oaths it would not change his Japanese allegiance in the least.

Senator KING. Not at all. But they have a dual citizenship.

Senator REED. But under the laws applying these people all could foreswear allegiance to British citizenship.

The CHAIRMAN. We better be certain on that, but I have had the view stated by Senator Reed. So far as Britain is concerned, if they foreswore allegiance, Britain does not hold them to a subsequent allegiance to Britain. So far as Japan is concerned, there is a dual citizenship, so that no foreswearing of allegiance relieves a Japanese of his Japanese obligations, according to the Government of Japan.

Senator REED. So that this case is the exact opposite of the case of the Japanese.

Senator KING. However, I would not assent to the proposition so broadly stated by you, Senator Reed, and by the chairman, that where our statute does not permit a Hindu to obtain citizenship, we inadvertently, improperly, or through misinterpretation of the law gave them citizenship, it appears that he would not by reason of that fact lose British or Hindu citizenship. But I will say this, so far as I am concerned, my actions, whatever I shall take finally in this matter, would not be affected by that consideration at all. I am treating this case just as if he had lost his citizenship or had not lost his citizenship; it is wholly immaterial to me in this case.

Senator REED. May I at this point put into the record the section of the British statute which applies to this case?

The CHAIRMAN. Yes, sir.

Senator KING. Yes, I would be glad to have it.

Senator REED. Under the British nationality and status of aliens act, of 1914, it is provided in section 13, that:

British subjects who when in foreign State and not under disability, by obtaining a certificate of naturalization or by any other voluntary and formal act become naturalized therein, shall thenceforth be deemed to have ceased to be a British subject.

The CHAIRMAN. Let me say this, so there will be no misunderstanding about naturalization: I am making no definite assertion concerning the law. I was inclined to believe the law, and I am inclined to believe the law to be as stated by the senator from Pennsylvania. But I see very clearly the distinction that is made by the senator from Utah.

Senator KING. Yes.

The CHAIRMAN. That there was no naturalization.

Senator KING. A purely abortive act.

The CHAIRMAN. And that being no act at all, therefore the citizenship has never been lost, and I confess a perplexity in respect to that particular matter.

Senator KING. It was against the law to naturalize.

The CHAIRMAN. You claim nothing is done. Among these papers that are submitted is the letter of October 26, to the Secretary of Labor. I read it a moment ago to the senator from Utah, but to you, who have just come in, perhaps it should be presented, too.

Senator WILLIS. Just state the substance.

The CHAIRMAN. This is the record of the principal petitioner, Doctor Das, who sits at my left here, and is best stated in the words of the letter which I will run very hastily through, so that you may understand:

(The chairman thereupon again read the letter referred to and which appears heretofore in this record.)

The CHAIRMAN. Now, Senator Reed, if you will call the witnesses.

Senator KING. Just one moment. Before we get to this record I should be very glad to know how many, if any, aside from Doctor Das and those for whose benefit this bill is being presented, were defendants in that case.

The CHAIRMAN. I confess I do not know.

Senator KING. We will get that in the record before we get through.

The CHAIRMAN. All right.

Senator COPELAND. Just one moment, Senator. For the sake of accuracy, I observe in five places the name of the court is given as the Superior Court of New York. Of course, it is the supreme court.

Senator REED. I think the committee will agree that that may be amended?

The CHAIRMAN. Surely.

Senator REED. The list as submitted by the Bureau of Naturalization gave the abbreviation "Sup.," and the Government printer in printing the bill understood it to mean "Superior."

Senator COPELAND. I move that in the five places, which I will indicate to the stenographer, that the name be changed to "Supreme."

The CHAIRMAN. There being no objection, it will be so ordered.

Now, Senator Reed, if you will proceed and present the witnesses as desired.

Senator REED. Yes; may I precede that with a statement that the names given in the joint resolution are all of the 66 names submitted by the Commissioner of Naturalization, except the last one in the list, which is not included, because he did not give us the court or the date of naturalization, and I did not want to include any name, while we are not that sure that naturalization had been completed before the Third decision.

May I also say I have added three names at the end of the list, beginning with Doctor Kokatnur, because it appears, although they were not known to the Bureau of Naturalization, they are wholly within the principle and should have been in his list.

The CHAIRMAN. The one omitted is numbered 67 on the list submitted by the department, Bhicaji Franji-Zalsara (Parsee), not instituted. I do not know what that means.

Senator KING. Haven't instituted suit to cancel, I suppose.

The CHAIRMAN. Oh, I see. Thank you, sir.

Senator REED. Also I think in this case I ought to say that the necessity for this joint resolution arises from the decision of the United States Supreme Court in the case of the United States *v.* Thind, which is found in 261 U. S., page 204, and decides in substance that a high-caste Hindu of full Indian blood, born in India, is not a "white person within the meaning of divided statutes 2169 relating to the naturalization of aliens."

Senator KING. Are all these high white castes?

Senator REED. They are all Hindus, and all that I have seen appear to be cultivated high-caste persons; I am not an authority on the caste.

Senator KING. You used the word "high caste," and I was wondering.

Senator REED. Thind was a high caste, a man of education.

The CHAIRMAN. I will say to the committee for the committee's information that a recent decision was rendered by the Circuit Court of Appeals for the District of California in the case of one Pandit. Have you the case, Senator?

Senator REED. Yes.

The CHAIRMAN. All right; put that case in.

Senator REED. Perhaps it would be helpful if I would explain the Pandit case a little further. In the Thind case it appeared that Thind had been granted a certificate of citizenship against the objection of the naturalization examiner of the United States. Subsequently a bill of equity was filed by the United States, seeking the cancellation of the certificate on the ground that he was not a "white person." That bill was prosecuted on that ground canceling the naturalization, and Thind lost his case.

Since then by the decision of the Circuit Court of Appeals in the Ninth Circuit in the case of United States *v.* Pandit, it was held that on a similar objection, based on similar grounds trying to revoke a similar certificate of naturalization, relief ought not to be granted because, in effect, the United States was guilty of laches, and had taken no appeal from the original naturalization proceedings. The opinion is not long, and with the chairman's permission we will put it in the record now.

The CHAIRMAN. I had wired California for it, but it has not yet arrived.

(The document referred to is as follows:)

In the United States Circuit Court of Appeals for the Ninth Circuit. The United States of America, appellant, *v.* Sakharam Ganesh Pandit, appellee. No. 4938

UPON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

Before Gilbert and Rudkin, circuit judges, and Neterer, district judge:

Suit under section 15 of the naturalization act, June 29, 1906 (sec. 4373, C. S.), was commenced June 23, 1923, to cancel a certificate of naturalization issued to the defendant on the 7th day of May, 1914. Naturalization is alleged to have been "illegally procured" in that defendant was at all times a high-caste Hindu of full Indian blood. The defendant answered by denial and set up a number of affirmative defenses all of which except *res adjudicata* or *estoppel* by judgment were stricken on motion of the United States. At the trial the court found the

defendant to be a high-class Hindu of the Brahman caste, and of full Indian blood, that he has a status of high social standing in his native country of India; that he attended in India the Pathashala (orthodox Sanskrit University) in Benares, India, and had conferred upon him at Dgarwar, in 1904, the degree of Mahamahopadhyaya (Ph. D.). That at the hearing the United States appeared by the examiner of the Bureau of Naturalization, United States Department of Labor, and contested the defendant's right to naturalization upon the same ground upon which cancellation is sought, cross-examined the defendant and his witnesses, filed a brief in support of his objection to the naturalization of the defendant and when judgment in favor of the defendant was rendered the "examiner" made a full report in writing to the "United States Government authorities at Washington," that nothing was done thereafter "to change, modify, or reverse the said judgment."

That the defendant on the faith of such judgment entered upon the study of law and was on December 20, 1917, after examination by the "bar examiners of the State of California," admitted to practice in the courts of the State of California, and was thereafter admitted to practice in the district courts of the United States and in this court; that he is a member in good standing in all such courts; that he was appointed by the Governor of California to the office of notary public, from which he is receiving some income; that he has acquired a home in Los Angeles of the value of \$15,000; that he married a white woman born in the State of Michigan, a citizen of the United States, and resides with his wife in his home; that he is the eldest in his father's family and was entitled to inherit the family home of \$30,000 value, together with other properties in his ancestral home valued at from \$100,000 to \$250,000. That his wife had entered 320 acres of land in Imperial Valley, Calif., upon which she had spent \$1,500 in reclamation and since marriage he has spent \$500 additional for such purpose; that if defendant's certificate is canceled his wife will become an alien, lose her right to the land; that defendant will lose his notarial commission and be deprived of his right to practice law in the State courts as that rests upon citizenship, and a like loss of the Federal license to practice; that he has by becoming a citizen lost his inheritance in the old country and his social status.

The defendant in his petition for naturalization gives Los Angeles as his residence; occupation, lecturer and teacher; place of birth, Ahmedabad, India; emigrated to the United States from Southampton, England, and renounced allegiance to George V, King of Great Britain and Ireland. Upon the record a clear issue of fact was raised. The United States and the defendant had their day in court. The question of fact was distinctly put in issue and directly determined by a competent court having jurisdiction. The court after timely deliberation said, "I am, therefore, of the opinion that the petitioner has succeeded in establishing beyond all reasonable doubt that he is a 'free white person' within the meaning of the naturalization act. He will therefore be admitted to citizenship." From a decree dismissing the case the Government appeals.

Samuel W. McNabb, United States attorney, and Donald Armstrong, assistant United States attorney, both of Los Angeles, attorneys for appellant.

F. E. Millikin, Lucius K. Chase, and S. G. Pandit, all of Los Angeles, and C. E. S. Wood, of San Francisco, attorneys for appellee.

Neterer, district judge:

This court in *Akhay Kumar Mozumder v. United States* (299 Fed. 240), reviewed decree of cancellation of certificate, and in *United States v. Siem* (299 Fed. 582), reviewed decree denying cancellation, both actions brought under section 15 of the naturalization act. The question of *res adjudicata* was not presented or considered in either case. The cumulative remedy provided by sections 11 and 15 in *ex parte* cases, *United States v. Thind* (261 U. S. 204), has not been considered by this court or the Supreme Court with relation to final judgments or effect on *res adjudicata* where the court had jurisdiction and the United States appeared. In the *Thind* case the action in equity was begun within the time in which an appeal could be prosecuted and the effect was in the nature of appeal. No point was made as to procedure or as to *res adjudicata*. It would scarcely be contended that the intent of the Congress was to grant a new trial, except in *ex parte* cases where a final judgment is entered, when the law provides a remedy enforceable in the courts according to the regular course of legal procedure and the remedy pursued and a status decreed. The Supreme Court in *Tutum v. United States* (70 Law Ed. 455), said:

"Whenever the law provides a remedy enforceable in the courts according to the regular course of legal procedure and that remedy is pursued, there arises a

case within the meaning of the Constitution, whether the subject of the litigation be property or status. A petition for naturalization is clearly a proceeding of that character."

The judgment being final in a proceeding according to the regular course of law, the giving of section 15 unlimited scope would in effect grant a new trial at the Government's election; and as to that the court in *De Gastellux v. Fairchild* (15 Pa. 18, 20), said:

"If anything is self-evident in the structure of our Government, it is that the legislature has no power to order a new trial, or to direct the court to order it, either before or after judgment. The power to order new trials is judicial; but the power of the legislature is not judicial. It is limited to the making of laws; not to the exposition or execution of them. The functions of the several parts of the Government are thoroughly separated, and distinctly assigned to the principal branches of it, the legislature, the executive, and the judiciary, which, within their respective departments, are equal and coordinate."

The issue in the trial court was clearly an issue of fact. The defendant asserted a status, "free white person," within the meaning of the naturalization act. This status the court determined as a question of fact in considering the evidence presented and after the issue was fully briefed and argued. The court erred in its conclusions. " 'Erroneous' means deviating from the law. * * * Courts often speak of erroneous rulings, and always as meaning such as deviate from or are contrary to the law, but the term 'erroneous' is never used by courts or law writers as designating a corrupt or evil act." (*Thompson v. Doty*, 72 Ind. 386 at 388). It means having power to act, but error in its exercise. (*Matter of N. Y. Catholic Protectors*, 8 Hun. (N. Y.) 91, 196; see also *Chemung Nat. Bank v. Elmira*, 53 N. Y. 58; *Tiedt v. Carstensen*, 61 Iowa 365.)

The question of res adjudicata was raised in *Johannessen v. United States* (225 U. S. 227). The court at page 238 said:

"The foundation of the doctrine of res adjudicata, or estoppel by judgment, is that both parties have had their day in court." (2 Black Judgments, secs. 500, 504.)

The general principle was clearly expressed by Mr. Justice Harlan, speaking for this court in *Southern Pacific Railroad Co. v. United States* (168 U. S. 1, 48).

"That a right, question, or fact distinctly put in issue and directly determined by a court of competent jurisdiction as a ground of recovery can not be disputed in a subsequent suit between the same parties or their privies." And then said:

"Sound reason, as we think, constrains us to deny to a certificate of naturalization, procured ex parte in the ordinary way, any conclusive effect as against the public."

The court in this decision recognized the doctrine of res adjudicata, except in ex parte cases, applicable to a naturalization hearing. In *Tutum v. United States* (70 L. Ed. 455) and *Moritz Neuberger v. United States*, Justice Brandeis, at page 559, said:

"In passing upon the application the court exercises judicial judgment."

In *Mutual Benefit Life Insurance Co. v. Tisdale* (91 U. S. 238, 245) the court said:

"This certificate is, against all the world, a judgment of citizenship, from which may follow the right to vote and hold property."

It is thus conclusively established by the Supreme Court that a judgment granting a certificate of naturalization is a final judgment. The correctness of the findings to support the judgment does not affect it. (*Milne v. Dund*, 121 U. S. 525.) And it is conclusive as to all media concludendi; and can not be impeached by showing that it was based on mistake of law. (*Fauntleroy v. Lum*, 210 U. S. 230; *American Express Co. v. Mullins*, 212 U. S. 311.)

In disposing of the issues in the several cases the Supreme Court did give expression to general principles of law and to the duty and power of courts or the meaning of provisions of the act. The point here did not even lurk in the record, nor was it brought to the court's attention and what was said was obiter dictum, and, as said by Justice Sutherland in *Webster v. Fall* (266 U. S. 507), can not constitute a precedent. (See also *New v. Oklahoma*, 195 U. S. 252; *Taft, Weller & Co. v. Mensuri*, 222 U. S. 114; *Wolff Packing Co. v. Industrial Court*, 267 U. S. 552.)

In *Ozawa v. United States* (260 U. S. 178), a Japanese was denied admission by the district court. On appeal to this court the question of eligibility of the applicant was certified to the Supreme Court and the court answered in the negative. In *United States v. Thind* (261 U. S. 204) a high-caste Hindu was admitted to citizenship over the objection of the United States and a bill in

equity was filed within 60 days seeking cancellation and on appeal to this court after decree and on certification to the Supreme Court by appropriate questions affecting the applicant's qualifications the issue was determined. The question of res adjudicata was not raised. In *Tutun v. United States* (70 L. Ed. 455) the only issue was whether an order or naturalization is a final order from which an appeal will lie, and the court said: "In passing upon the application the court exercises judicial judgment." Chief Justice Taft in *North Carolina Railroad v. Story* (268 U. S. 288, 292) said:

"Coming now to the merits, it may be conceded that the first judgment against the company in favor of the administrator, however erroneous it was in view of the causes of *Missouri Pacific Railroad v. Ault* (256 U. S. 554), and *North Carolina Railroad Co. v. Lee, administrator* (260 U. S. 16), not having been appealed from, was res adjudicata."

By the same token, the judgment granting naturalization to the defendant, the right to citizenship having been distinctly put in issue, the United States appearing and contesting, and the issue directly determined by a court of competent jurisdiction, not having been modified or reversed, can not now be disputed.

The judgment is affirmed.

(Indorsed:) Opinion. Filed November 1, 1926. F. D. Monckton, clerk. By Paul P. O'Brien, deputy clerk.

Senator KING. Has that been rendered since the decision of the Supreme Court of the United States?

Senator REED. It has been decided since the Third case, and it is my impression that it does not mention the Third decision.

Senator KING. I wonder if they were unfamiliar with the Third decision. I do not mean to criticize the Circuit Court of Appeals for the Ninth Circuit, but the distinction between this and the Third case seems to me to be particularly thin. [Laughter.]

The CHAIRMAN. They understood the decision. They reached the conclusion there is nothing wrong and there is nothing legally erroneous with the second decision or anything at variance with the first.

Senator KING. I was about to observe that if, for instance, a Chinese or Japanese were to have obtained citizenship 20 or 30 years ago, I do not think you could plead laches against the Government, and if the statute did not authorize under any circumstances the naturalization of Chinese, Japanese, or Hindus, no lapse of time would give validity in violation of the act. However, I would have very great sympathy with the last decision.

Senator REED. Of course, we all would. It appears by the letter of the Bureau of Naturalization that similar bills of equity have been filed and have been prosecuted to final decree, from which it is now too late to appeal, canceling the naturalization of more than 50 persons that are named in the joint resolution. As to those persons the Pandit decision, even if sustained by the United States Supreme Court, can furnish no relief.

Senator KING. I agree with you.

Senator REED. Because it is too late for them to appeal. May we first hear from Doctor Gokhale?

STATEMENT OF L. S. GOKHALE OF SCHENECTADY, N. Y.

Senator REED. Spell your name for the stenographer.

Mr. GOKHALE. G-o-k-h-a-l-e.

Senator KING. What is your first name?

Mr. GOKHALE. The initials are S. L. and the full name is Gokhale.

Senator REED. Where do you live, Doctor.

Mr. GOKHALE. At present I am not a doctor. I have not received a degree, and technically I am not a doctor.

Senator REED. Very good. Where do you live?

Mr. GOKHALE. I live in Schnectady at present.

Senator REED. What is your employment?

Mr. GOKHALE. Magnetic engineer, in charge of magnetic research.

Senator REED. For what company?

Mr. GOKHALE. The General Electric Co.

Senator REED. How long have you been employed by them?

Mr. GOKHALE. I was employed in 1912, March.

Senator REED. When were you naturalized?

Mr. GOKHALE. 1920.

Senator REED. The record as we have it is November 18, 1919.

Mr. GOKHALE. That was the date when the application was presented. I got my citizenship on the 7th of May.

Senator REED. 1920?

Mr. GOKHALE. 1920. I brought a photostat of the certificate.

Senator REED. We will not need that. Are a you university graduate?

Mr. GOKHALE. Yes. I have taken two certificates. The degree of M. A. in the University of Calcutta.

Senator REED. You took a degree twice in the University of Calcutta?

Mr. GOKHALE. Yes, sir.

Senator REED. Are you married, Doctor?

Mr. GOKHALE. Yes, sir.

Senator REED. Is your wife a Hindu or American?

Mr. GOKHALE. Hindu.

Senator REED. Does she live with you in America?

Mr. GOKHALE. Yes; she is with me in Schenectady now.

Senator REED. Have you children?

Mr. GOKHALE. I have five children.

Senator REED. Where were they born?

Mr. GOKHALE. Three were born in this country and two were born in India.

Senator REED. Do you own a house?

Mr. GOKHALE. Yes, sir.

Senator REED. Where?

Mr. GOKHALE. In Schenectady.

Senator REED. Will you have any objection to stating the degree of success you have had in your business career? I do not want to ask you your salary, but I should like the committee to know your position.

Mr. GOKHALE. I do not think I can state that, because when I left India I left with what might be called a black mark.

Senator REED. Why?

Mr. GOKHALE. I came here and started in as a laboratory assistant, and have gradually risen to the position of research engineer in magnetics. My principal contribution to science has been reduction of a law that had not been accepted by the scientific authorities, and I have proven that there was an error both in the measurement and in theoretical development, and I have succeeded in substituting another law, which has now been accepted. I have a letter from the physicist of the Bureau of Standards, Mr. Sanford, who has now

changed his views on that point, and he says that he has surrendered his previous views and accepted my views instead.

Senator REED. Were you charged with any political offense before you left India?

Mr. GOKHALE. I was never charged, but I have reason to believe I was strongly suspected.

Senator REED. Have you been guilty of any anti-British activities since you reached this country?

Mr. GOKHALE. I escaped entirely, and some years afterwards it seemed that the British Government also changed their minds, because I was invited once more to India to take charge of the entire college of which I was only a professor before my first dismissal.

Senator KING. I suppose you were dismissed because you were suspected of some anti-British sentiment?

Mr. GOKHALE. I was permitted to read the Indian Government files when I was appointed the second time and while I was suspected to have been guilty of inciting sedition among the students, but the municipal officers stated that they never found anything seditious; therefore, there was no basis for their suspicion. That is the police report.

Senator REED. That is all the questions I have to ask you, Doctor.

Senator KING. Doctor, do you know any of these gentlemen whose names are mentioned in the resolution under consideration?

Mr. GOKHALE. I know some of them; I know Doctor Kokatnur.

Senator REED. He is here in the room?

Mr. GOKHALE. He is here. I do not know others, because I am a man of retired habits. I happen to be not generally acquainted with any, except as I become acquainted with them in the course of my business.

Senator KING. Do you know of charges against any of the persons mentioned in this joint resolution, other than Doctor Das?

Mr. GOKHALE. I could not answer that. I am not generally acquainted with anybody.

Senator KING. I said do you know of any charges against any of the persons mentioned in this joint resolution, other than Doctor Das?

Mr. GOKHALE. I do not know of any.

Senator KING. Those with whom you are acquainted, are they men of good character?

Mr. GOKHALE. I know one man. I think he is of good character. I do not know of others. I know Doctor Kokatnur. He has a good character, to my knowledge.

Senator KING. Do you think that there is anything in the habits, traditions, mental idiosyncracies—if I may be permitted to use that expression—or the psychology of the Hindus that would forbid them assimilating our democratic civilization and becoming good American citizens?

Mr. GOKHALE. I do not know that. On the contrary, I could give some facts that would prove the other way. Some Hindus have held in British India positions of the highest responsibility, from the governor down. They have been governors of Provinces. In the Parliament there are three people from India. They are not Hindu in the strict sense, but Hindus in the sense in which we understand the word here. Three of them have occupied positions in the British

Parliament, and one peculiarity is that they have represented three different parties, from one extreme to the other, showing that they can adapt themselves to the environment they fall into. They might be extreme radicals, they might be extreme conservatives, or they might be moderates.

Senator COPELAND. And Lord Sinha?

Mr. GOKHALE. He is not a lord.

Senator REED. He is secretary of state for India.

Mr. GOKHALE. Yes; and he is a Hindu.

Senator KING. May I ask just one other question? Would the system of caste that prevails in India affect the attitude of the Hindus in the United States toward each other or toward Americans?

Mr. GOKHALE. Not Hindus, because they generally have a different view of caste than the uneducated, who follow tradition.

Senator REED. Doctor, may I ask what church, if any, you and your family attend?

Mr. GOKHALE. I was for two years a member of the First Congregational Church of Schenectady, and I was in charge of the Bible class. I was teacher of the Bible class. The minister of the church was one of my pupils. And in spite of the fact that I have not formally accepted religion, I am still a Hindu.

Senator REED. How about your wife and children?

Mr. GOKHALE. They have not studied religion; they simply followed tradition. The children are not old enough to formulate any opinion, and Mrs. Gokhale does not know enough of the language to study the Bible in old English. She has read it from what I told her.

Senator WILLIS. One other question: Your children learned the English language, did they?

Mr. GOKHALE. One of them is in the Union College, and I expect he will be an engineer in six months more.

Senator WILLIS. You do not, from what you say, speak the English language in your home.

Mr. GOKHALE. No; not in the home.

Senator REED. Do all of the children speak English?

Mr. GOKHALE. Only two of them are of age. The girl speaks English, but not very well.

Senator REED. You have left me in complete doubt about the other four.

Mr. GOKHALE. Two of them are 3 months old, twins, and one 3 years.

The CHAIRMAN. Is there any society, association, or lodge of Hindus in this country?

Mr. GOKHALE. Not to my knowledge. As I said, I am a man of retired habits, and outside of science I have no interest.

Senator REED. That is all. Thank you, Doctor.

Senator KING. Mr. Chairman, I am compelled to leave. The special committee on investigation of Democrats and Republicans—

Senator REED. Republicans?

Senator KING (continuing). Who may have made improper expenditures in the recent senatorial elections, meets at 11 o'clock, and it is a special meeting, and I am compelled to be present. I am very sorry I shall have to leave. I shall leave my vote with Doctor Copeland.

The CHAIRMAN. I do not imagine that we are disposed to enter upon legislation at the instant, are we?

Senator COPELAND. Not unless the committee is all of a mind.

The CHAIRMAN. I am anxious to ascertain the views, before a determination of this matter, of the California Joint Immigration Committee upon this subject, merely that it may be a part of the record and that the attitude of that committee may be understood.

Senator COPELAND. The chairman is referring to the pending matter?

The CHAIRMAN. Yes. The letter that I have here from Mr. V. S. McClatchy is in opposition to this resolution. I wired him to send me a copy of the Pandit decision. It is unnecessary now, because that has been put in the record. But he wired me as well, and I submitted what communications I have had to Senator Reed, that he would send me the opinion of the attorney general of the State of California and of the Joint Immigration Committee of California, which consists not only of those who were interested in immigration problems but of the American Legion, the farm organizations, the chambers of commerce, the civic organizations, and the various other associations there, all of which are in accord on the general policy of administration. Now, when that arrives I want to submit it and make it a part of the record, and I want to call attention to the fact that I had expected it to be here this morning.

(The correspondence referred to is as follows:)

CALIFORNIA JOINT IMMIGRATION COMMITTEE,
San Francisco, Calif., November 30, 1926.

HON. HIRAM W. JOHNSON,
Chairman Senate Immigration Committee,
United States Senate, Washington, D. C.

MY DEAR HIRAM: In reply to your letter November 25, just received, discussing the case of certain Hindus granted naturalization prior to the decision of the United States Supreme Court in the Thind case, and suggesting that as an apparent gross injustice has been done, you would have no objection to remedial congressional action if thereby the present Japanese situation would not be interfered with:

In response to your suggestion that my views of the situation be sent you this is written.

Our committee has already instructed Attorney General Webb and myself to draw up a statement for each of the Immigration Committees of Congress urging the defeat of Senator Copeland's bill, 4505, which incidentally declares Hindus of high caste eligible for citizenship, and outlining the committee's reason therefor. That statement will be ready within a few days and will go to you at once.

So far as the injury or injustice which may be suffered by 40 or 50 Hindus from the present demand of the Bureau of Naturalization that their certificates of naturalization be canceled is concerned, it would appear that there is little occasion for alarm on their part in view of the recent decision of the United States circuit court of appeals and the personal opinion of Attorney General Webb that such decision will be upheld as good law. In the accompanying copy of my letter of this date to Mr. Hugh White Adams, of the Immigration Restriction League of New York, you will find briefly, but I hope clearly, set forth my reasons for this view. It is probably true of all or most of the Hindus referred to, as it is said to be in the case of Dr. Taraknath Das, that while his application for naturalization was contested on behalf of the United States by the naturalization examiner, no appeal from the decision of the court was taken. In that case the courts will probably decide, as did the San Francisco circuit court, that the act of the court granting naturalization must stand so far as the rights of the particular individual are concerned.

As we understand it, this would not in any way conflict with permanent bar to Hindus in the future under the present naturalization statutes and the interpretation thereof by the United States Supreme Court.

If I am right in this matter as to the facts and as to the conclusion, there would seem to be a happy way out without special congressional action to which there might be more or less objection and which might prove a source of embarrassment in the future.

I am sending this letter off hurriedly by air mail in order that you may temporarily hold up if you will any special action until I can submit the matter to Attorney General Webb for such suggestion and advice as he may offer.

If you have it and can send me a copy thereof I would like to have the list of Hindus naturalized between September, 1902, and the Supreme Court decision, 1923, referred to in the letter from W. W. Husband, Second Assistant Secretary of the Department of Labor, November 18.

Sincerely yours,

V. S. McCLATCHY.

NOVEMBER 20, 1926.

Mr. HUGH WHITE ADAMS,
New York City.

MY DEAR MR. ADAMS: In answer to your letter of November 19, inquiring as to the particulars of the Pandit decision and the significance it carries:

The United States Circuit Court of Appeals at San Francisco decided in effect that Pandit, a high-class Hindu, had been granted naturalization in 1913 by the superior court of San Bernardino County in this case, a court of competent jurisdiction, on application made by him in good faith and without any misrepresentation of the facts; that the United States Government, properly represented, had opposed the action at the time but had taken no appeal from the decision; that it has therefore lost any right to reopen the case at this late date (the suit for cancellation of the citizenship papers was brought in the United States District Court of Southern California in 1923); and that the decision of the court below must stand * * * And this, notwithstanding the decision of the United States Supreme Court in 1923 (to which the San Francisco court, however, makes no reference) in the case of Shagat Thind, a high-caste Hindu, to the effect that a Hindu, regardless of caste, belongs to one of the brown races and therefore is not eligible for naturalization under the Federal law.

State Attorney General U. S. Webb, who is a member of our committee, inclines to the opinion that the San Francisco decision will be held to be good law; that Pandit will be able to retain his American citizenship, though granted in violation of the United States statute on naturalization as finally interpreted by the United States Supreme Court; and that other Hindus who have been granted naturalization (of whom there are perhaps 100) will be able to retain that privilege unless the United States representative at the time of the proceedings took an appeal from the court's decision.

So far as concerns future cases, however, and the stand of the Hindu as a candidate for citizenship generally, the case offers no cause for concern under the present statute, since in the future no court will be likely to grant naturalization to a Hindu in the face of the United States Supreme Court decision; and even should it do so the naturalization certificate would be canceled on appeal to a higher court.

There is a movement in Congress, however, to make high-caste Hindus eligible for naturalization, and Senator Copeland introduced a bill (S. 4505) for that purpose just prior to the summer recess of Congress. The California Joint Immigration Committee offered a protest against passage of such a measure at the time and within a few days will send on to the Immigration Committee in each House a more formal document, giving reasons for its objections thereto. It is hoped that you will induce your organization, the Immigration Restriction League, to take similar action; and with that end in view a copy of this committee's formal protest will be sent you.

Sincerely yours,

V. S. McCLATCHY, *Secretary.*

Senator REED. It will not be necessary to have a special meeting to put that in the record?

The CHAIRMAN. By no means. I will submit it by duplicates to all of you, so far as that is concerned.

Senator KING. As I understand, Mr. Chairman, all of these organizations of which you have spoken are opposed to this legislation?

The CHAIRMAN. So I gathered from the wire and from the letter I have received from Mr. McClatchy, who is executive officer of the association.

Senator REED. Is it correct, Mr. Chairman, that they do not oppose this for what we want it, but rather because it may set in motion what would be a precedent, in their judgment?

The CHAIRMAN. Exactly. They feel that if we undertake this sort of legislation we will be in the attitude of doing likewise in respect to many others who may be concerned. And while you are on that subject, in order that you may know, I have no objection to reading the telegram from Mr. McClatchy. [Reading.]

Hon. HIRAM W. JOHNSON,
Chairman Senate Immigration Committee,
Washington, D. C.

After conference with Attorney General Webb the California Joint Immigration Committee urges that Congress do nothing in the Hindu case pending determination of law as laid down in San Francisco Pandit decision. Suggests that the Das case is on parallel lines with the Pandit case and also perhaps with other cases of Hindu naturalization. That this decision is affirmed furnishes solution for the problem now presented without intervention by Congress. That the cases of Japanese naturalization in Hawaii probably offer similar features. That if Congress should by special act recognize these illegal Hindu naturalizations it would establish unfortunate precedent and demand would doubtless be made for similar action in the Japanese cases. That such formal breaches in the naturalization barrier if made by Congress must in time encourage further exceptions and consequent disregard of the principle involved. And that the present and future of the nation should be carefully considered when in conflict with the interest or desire of individual aliens. See detail in letter this date.

V. S. McCLATCHY, *Secretary.*

Senator COPELAND. Does the chairman know whether there are Japanese cases similar in any way to these?

The CHAIRMAN. Yes; similar. There are cases that have arisen in Hawaii, where naturalizations have been accorded Japanese, and where the naturalizations are such as may be illegal.

Senator COPELAND. Are there any other cases?

The CHAIRMAN. Hundreds.

Senator COPELAND. Would they be affected by this decision, by analogy?

The CHAIRMAN. By analogy I think they would be declared illegal. The distinction existing between the two is suggested by the Senator from Pennsylvania in this, that in their case a dual citizenship exists according to the law of the Japanese. They are not deprived of a right to a country, in that instance; in this instance, there being no dual citizenship, these particular Hindus are deprived.

Senator COPELAND. There would not be the same emotional appeal in the Japanese cases that we have here?

The CHAIRMAN. In my opinion, no; and would this establish a precedent for the admission of Japanese I should very vigorously and emphatically oppose it. But I do not think we would so take it. I certainly, personally, would not so accept it.

Senator REED. I should not.

The CHAIRMAN. Supplement what Senator King has said off the record, I am quite sympathetic with the undertaking of Senator Reed and with this resolution. But I want to be very, very clear before I do act upon it, that it can not be used under any circumstances as a

precedent for the admission of any considerable number of others who may assert themselves to be similarly situated.

Senator COPELAND. Mr. Chairman, is not that very well covered here by the bill?

The CHAIRMAN. Oh, I think the bill has done everything that it could to make it applicable alone to certain specific instances.

Senator COPELAND. Yes; that is the view I take.

Senator REED. We will put in a proviso to that effect, Senator, that it will not affect any other cases.

Senator WILLIS. That would not amount to anything.

Senator COPELAND. It would determine the spirit of the committee that presented the matter.

Senator WILLIS. But when people come here subsequently and state analogous cases the mere fact that we said, "This is not to be a precedent," would be waved aside.

The CHAIRMAN. I will state for the record that what worried me was the suggestion that had come to me that somebody in the House was going to tack onto this resolution the Japanese-Hawaiian naturalizations.

Senator COPELAND. I dare say there will be an effort made to tack on some other naturalizations.

The CHAIRMAN. There might; and that I do not want to occur. I am saying that to the committee, because I just received a note from Senator Harris expressing the hope that we would not vote upon the measure to-day. I simply say that because the note has just been received.

Senator COPELAND. I am perfectly clear myself, Mr. Chairman, that we are acting in good faith on a bill presented by the Senator from Pennsylvania, and what we are doing here applies to citizens mentioned in that bill and to nobody else, and I would not think it wise, an appropriate or proper thing to add to this bill, either here or on the floor of the Senate, any other persons than those named here, because we are giving consideration only to those cases which have particular merit, and which appealed to our sympathy.

The CHAIRMAN. Yes, sir. That is the attitude on which we are all acting, Senator.

Senator WILLIS. I call attention to this, Mr. Chairman—I think the chairman has stated very clearly my view on this thing; this general situation rather appeals to me, but it must be made exceedingly clear, before I could support this bill, that it can not be used in trying other cases. Now, I can think of cases not quite analagous to this, but I can see them coming if this shall become law; that here will be the case of somebody else pretty soon who did not quite complete his naturalization proceedings. It is not the same as this; I understand that; and I understand the difference. He has not thereby given up British citizenship. But that appeal will be made; and I want it pretty distinctly understood that if we do this, this is all we are going to do on this line, and not use it as a precedent for other naturalizations.

The CHAIRMAN. I am very glad to hear the Senator from Ohio state what he has in that regard, because I think that the attitude of all of us, too. I know that Senator Reed maintains that attitude.

Senator REED. That is in exact accordance with my views.

Mr. GOKHALE. The starting point with this is said to be the decision of the Supreme Court. There are two decisions of the Supreme Court; one in the Ozawa case. In the Ozawa case the Supreme Court decided that there are what might be called three racial differences: One, those that are not eligible to citizenship, of which there can be no doubt; the second, those who are positively eligible and of which there is no doubt, and the point is they are in what we call the doubtful zone. The case of the Japanese falls in that positive noneligible zone, and therefore we take it for granted they are without jurisdiction, and therefore abinitio void. In the case of the Hindus, their case falls in that doubtful zone, and each case must be decided as it comes along. That is the decision of the Supreme Court.

Senator REED. Thank you very much, Doctor.

Mr. GOKHALE. Then, on this point further, the Supreme Court also added, what we now hold, that the Hindus are ineligible, and so on. The word "now" is to be emphasized.

According to that the Supreme Court does not seem to have intended to apply the decision retroactively, but in interpreting the law in the subsequent cases the lower district courts and the Circuit Court of Appeals seem to have taken a different view. This is the cause of all this controversy. These are the facts.

Mr. TARAKNATH DAS. May I say one word on that point? It will not take but one minute.

The CHAIRMAN. All right. We might go ahead with the examination of this gentleman, Senator.

STATEMENT OF TARAKNATH J. DAS, OF NEW YORK CITY

The CHAIRMAN. Give your name, residence, and occupation to the reporter, if you please.

Mr. DAS. My name is Taraknath J. Das.

Senator REED. Where do you live, Doctor?

Mr. DAS. New York is my permanent residence: 102 West Seventy-fifth Street.

Senator REED. You have an apartment there?

Mr. DAS. Yes.

Senator REED. Are you married?

Mr. DAS. Yes.

Senator REED. When were you married?

Mr. DAS. I was married in 1924, and my wife is here.

Senator REED. Just answer the questions, please, and we will get along quicker. When were you naturalized?

Mr. DAS. I was naturalized in 1914.

Senator REED. That was 10 years before your marriage?

Mr. DAS. Yes.

Senator REED. What was your wife's name before you married her?

Mr. DAS. Mary K. Morse.

Senator REED. Where was she born?

Mr. DAS. She was born in South Carolina, but lived most of the time in New York.

Senator REED. Was she of American parentage?

Mr. DAS. Her people came in 1700 to this country.

Senator REED. From what land?

Mr. DAS. England.

Senator REED. So that her ancestors had been Americans since 1700?

Mr. DAS. Yes.

Senator REED. Have you any children?

Mr. DAS. No.

Senator REED. What is your occupation?

Mr. DAS. I am a publicist and educator.

Senator REED. Have you graduated from a college?

Mr. DAS. I graduated from the University of Washington, at Seattle, Wash., and was offered a fellowship in political science and economics. Then I took my master's degree in political science and economics from the same institution in 1911; and I also was given the degree of University Teachers' Certificate. Then I attended the University of California for three semesters, under the direction of Doctor Barrows, the head of the political science department. I was a candidate for a doctor's degree. Then I studied some in Berlin University.

Senator REED. Did you receive a doctor's degree?

Mr. DAS. I received a doctor's degree in international law and international relations from the school of foreign service, Georgetown, in 1924.

Senator REED. Then you studied for the foreign service?

Mr. DAS. Yes.

Senator REED. Where; Georgetown?

Mr. DAS. Georgetown University.

Senator REED. Were you at one time in the United States Immigration Service?

Mr. DAS. Yes; I was.

Senator REED. For how long?

Mr. DAS. One year.

Senator REED. What languages do you speak, Doctor?

Mr. DAS. Well, I was employed for the Hindu language.

Senator REED. I asked what languages do you speak.

Mr. DAS. I speak Japanese, Hindustanish; I understand German and have a reading knowledge of French.

I wanted to say that in the Ozawa case which was mentioned, the cases of Mozumdar, Thind, and Singh, were cited by the Supreme Court on the ground that these people were Caucasians, and they were Hindus; that is, Japanese were not Caucasians and Mongolians were not Caucasians, and the Caucasians were entitled to citizenship, to emphasize that point. The Hindu cases were cited that indirectly the Supreme Court held that the decisions in those very cases were certainly right; otherwise the Supreme Court could not cite a decision which they think that it is not right.

The CHAIRMAN. Doctor, I have put in evidence here a letter from the Bureau of Naturalization to the department concerning your activities. If there is any explanation you wish to make of it or anything you wish to say in respect to that letter, which you have heard read twice here this morning, you are welcome to speak it.

Mr. DAS. First of all, to the fullest of my knowledge, I never committed any offense against the United States Government, con-

sciously, so far as my knowledge is concerned; and to prove that I voluntarily came back from Japan to face the charge, when I came to know that a conspiracy charge was put against me.

Secondly, as I have mentioned before, I never had any manual for bombs or a safe-deposit box whatsoever.

Thirdly, I want to say I had no knowledge whatsoever regarding the so-called charge of my going back to India at the time of King George's visit to India. It is an absolute fabrication on the part of people who have given that information.

Fourthly, I want to say this, that if the exorbitant bill of \$25,000 for each charge was not put up, or rather was not fixed by the court, that means it would have required \$100,000 in property, or \$50,000 in cash, for bail. I would have appealed my case up to the Supreme Court and vindicated my position that I was never guilty. And most competent lawyers in New York and others have gone through the record of the case, and they think that it would not have stood five minutes before the Supreme Court; and it was the war mania that actuated me at that time—I was not at all in this country; I did not know any one of these parties about whom they mentioned.

Senator REED. You mean codefendants?

Mr. DAS. Codefendants, because I was not at all a member of any organization; and so far as my character is concerned, when I got my citizenship the professors of the university, including Doctor Barrows, Professor Reed, who was the head of the department of municipal research, Professor Poe, and others appeared before the court. And also when I entered the Georgetown University, because I believed in a frank presentation of the position, I presented the whole facts before the faculty before I wanted their admission to start my life as a scholar and carry on my work.

Georgetown University and its faculty held a meeting and admitted me as a student, and after I finished my departments the whole problem was threshed out again by the faculty, because giving a degree of the highest character that an American university gives is not merely dependent upon educational efficiency, but moral character comes first, and it was threshed out and they decided that I should be given a degree; and President Coolidge handed me the degree when I got it in 1924, and I was the first one to have that honor from that institution.

Now, other things: I went personally to Mr. Crist and others, and talked about it; and Mr. Crist said that "Our department has nothing against you so far as individuals are concerned." And about my character here I want to say you can inquire from Dr. James Brown Scott, of the Carnegie Foundation, who was my professor in international law and international relations.

I saw Mr. Crist and Mr. Crist said that the Department of Labor has nothing officially against me as an individual; if there is anything, it is in the Department of Justice. So I went to see the Attorney General personally, and could not see the Attorney General. So I saw the Assistant Attorney General, Mr. Meyer, and assistant Mr. Watson, and we had a talk. They got the files of the investigation department, and they said "We have nothing particularly against you, excepting if any other department wishes to start a proceeding canceling your citizenship, we are like a machine, we are bound to do it."

Then I presented the whole matter to Senator Reed. Gentlemen, I want to tell you this, that I do not want to jeopardize your bill, because if you think I am a menace to the United States and my character is such that I should not be admitted to citizenship, I do not want other people to suffer. So I personally went to Senator Reed, and told him the whole story; and then he had the opportunity to investigate, and possibly he has done that thoroughly, and he put my name on the list; and I want to tell you, then, that if I am excluded from this list that I am penalized particularly of all the 65 persons, for no fault of mine, because I sometimes, and even now, think the people of India should better their positions; and that is my crime.

The CHAIRMAN. Doctor, whatever may have been the facts in the case the result of it was that you were convicted and you were sentenced to 20 months in the penitentiary?

Mr. DAS. Yes.

The CHAIRMAN. You paid the price, did you not, and you served your sentence?

Mr. DAS. I did.

Senator WILLIS. Where?

Mr. DAS. At Leavenworth; and I was given four months for good conduct; and not only that, when I was in the penitentiary the British Consul General wanted me to be deported, and asked the United States Government to start a suit against me, so that I would be deported; and the United States authorities did, to satisfy the British authorities and when the case came before Judge Bennett, the very judge who sentenced me, he exonerated me and threw out the case, because he said, "That can not be done."

Senator REED. Because you are an American citizen?

Mr. DAS. Because I am an American citizen; and not only that, they wanted to cancel my citizenship so that they would be able to deport me, and the judge refused to cancel my citizenship, because I never acquired my citizenship illegally or fraudulently.

The CHAIRMAN. What would be the effect of you being deprived of citizenship and sent back to India?

Mr. DAS. Well, it will all depend on the mercy of Great Britain, and there are instances in the past where several persons were hanged. And Senator Reed mentioned that covers this country and covers England, but I beg to differ with the Senator and wish to inform this committee that the British Government has full right to put any person in prison for an indefinite period and send them to forts and confine them for indefinite periods, without giving any trial whatsoever, for the safety of the Empire.

Senator REED. That practice is still in effect?

Mr. DAS. That practice is still in effect.

Senator REED. Doctor, I meant to ask you, what is your religion?

Mr. DAS. I believe in the fatherhood of God and brotherhood of man. I belong to the United Christian Church in New York City.

Senator REED. You are a Christian?

Mr. DAS. Well—

Senator COPELAND. That is Doctor Holmes' church?

Mr. DAS. Yes.

Senator COPELAND. You and Mrs. Das attend that church?

Mr. DAS. Mrs. Das and I attend that church, but I am a member in that church, and I participated in their educational department.

Not only that, I was the first person to organize what they call "adult education" movement in that church in the last 40 years.

The CHAIRMAN. What I was seeking to arrive at was this, if the decision of the Supreme Court be applied to you—I am speaking of your own case personally now——

Mr. DAS. Yes, sir.

The CHAIRMAN. And you were deprived of your citizenship and subsequently deported would your fate be doubtful?

Mr. DAS. Not knowing what is in the mind of the British Government and knowing this fact, that they will stoop down to such a dirty deal to make such a report that I was going to India at the time of the coronation of King George, when I was a candidate for my master's degree in the University of Washington, I feel my fate will be very doubtful.

Senator WILLIS. When were you in the Immigration Service?

Mr. DAS. 1907.

Senator WILLIS. When did you leave it?

Mr. DAS. 1908.

Senator WILLIS. You were in about a year, then?

Mr. DAS. I left from Canada; that means I was stationed in Vancouver.

Senator WILLIS. What was the circumstance concerning your separation from the service?

Mr. DAS. The circumstance of the separation was simply this, Senator: A boatload of Hindus came in, and they were examined at the rate of six a minute, and they were regarded thus, that they were physically disqualified, suffering from contagious disease; and these Hindus' cases were taken up by a local attorney for \$10 apiece to defend them, and they wanted to find a Hindu interpreter and they did not find any competent one. So they asked the United States authorities if they would lend me to be court interpreter, and I interpreted them, and it resulted in the reversing of the decision of the British Columbia immigration authorities, and those people were allowed to land; and that incensed them.

The CHAIRMAN. Incensed who?

Mr. DAS. The British immigration authorities, because the court of British Columbia said that they didn't perform their duty; they inspected them at the rate of six a minute, and held they were ineligible; and then later on I was publishing a paper called "Free Hindustan," as was mentioned, and it was a simple statement that India some day should have a Republic; and I did that, and if it is a crime I plead guilty before you.

The CHAIRMAN. Well, Doctor, I am not questioning what you say, but you were in difficulties with the British immigration officials and then with our immigration officials, and they always have been wrong. It does not make any difference so far as this hearing is concerned, but what is it—is there anything we ought to know, or anything that you ought to say or anything you want to say as to why those differences arose? Is it temperament with the immigration officials or is it temperament with you, or is it because of the views you express, or what?

Mr. DAS. I have never had any difficulty with the American immigration authorities.

The CHAIRMAN. Did they not ask that you cease your connection with the Immigration Department?

Mr. DAS. No; they asked me that I should stop publishing that paper.

The CHAIRMAN. I see.

Mr. DAS. And I think I entered the civil service, not that I came here to this country for a job. But I took the civil service, and I stood first. I took California University work for a year, and then I was offered a scholarship in Vermont about the same time in the Norwich University. And so the question of my writing came before them. I said "All right; I will resign and go to my college."

Senator REED. They objected to your writing for the magazines?

Mr. DAS. Yes.

Senator REED. And said you had either to quit writing or quit the service, and you just chose to quit the service?

Mr. DAS. I went to my college.

Senator COPELAND. If you had quit writing you could have stayed in the service if you chose?

Mr. DAS. That was never told me in that way.

Senator COPELAND. How did you understand that, that he had the choice of staying in the service or giving up his writing?

The CHAIRMAN. If he ceased his activities he could stay in the service.

Mr. DAS. I myself resigned and went to the Norwich University, because I was offered a scholarship; and there are many appointed who give up the service.

Senator REED. We are trying to find the reason, but you do not answer responsively. Why did you leave the service? Were you forced out?

Mr. DAS. Not that I know of.

Senator COPELAND. How was it put to you, Doctor: what was said to you? I assume that the British Government was uncomfortable because of your writings about "Free Hindustan"?

Mr. DAS. Yes.

Senator COPELAND. And that brought it to the attention of our authorities and there was some communication either in writing or language to you, stating that you should what?

Mr. DAS. I do not exactly remember if it was in writing, but it may be somebody suggested that I stopped the publishing of the paper.

Senator WILLIS. Some official of the United States?

Mr. DAS. Local official of the United States.

Senator WILLIS. You have no writing to that effect at all?

Mr. DAS. No, I do not remember; I do not think so.

Senator COPELAND. Does the record say anything about that—the record presented?

The CHAIRMAN. The record presented, in my recollection, says that he was told either to cease his activities or to resign, and he chose to resign.

Senator WILLIS. Let us have that cleared up just now.

The CHAIRMAN. All right. Let us read the particular portion and then proceed.

Senator WILLIS. I think it is important to know, since he is a prominent man, just what the facts are concerning this point.

The CHAIRMAN (reading):

This paper was one of political reform, "An Organ of Freedom," and proved embarrassing to the Immigration Service. The immigrant inspector demanded his resignation or the discontinuance of the publication. Mr. Das stated that he chose to resign.

Senator REED. Is that correct?

Mr. DAS. I was told—I think—I do not exactly remember, but I think I was told to stop the paper.

Senator COPELAND. Or resign?

Mr. DAS. I do not think that was mentioned to me; and I myself voluntarily resigned, because I was at the same time offered a scholarship in the Norwich University of Vermont.

Senator Copeland. There is no difference of opinion, then; at least the record we have come from our immigration authorities, the letter you read, Mr. Chairman?

The CHAIRMAN. Yes, sir.

Senator COPELAND. And the statement is made there that he should stop the paper or resign?

The CHAIRMAN. And he chose to resign.

Senator COPELAND. And he chose to resign. So, so far as our people were concerned, they were satisfied to have him continue in the service, provided he did not give offense to the British Government?

The CHAIRMAN. I assume that is so. What is the situation at present? Do you know whether complaints have been made respecting your activities or not?

Mr. DAS. I have no activities.

The CHAIRMAN. You have no activities?

Mr. DAS. I have no activities excepting my studies. Since I came out from the penitentiary, and this question of deportation and my citizenship was decided by the Labor Department. I have no activities politically whatsoever. I am a student. I devote my time to study. I got my doctor's degree, and, in fact, if I have any activities it is mostly in the form which is helpful to the United States Government.

The CHAIRMAN. Are you a member of any Hindu society or organization or association?

Mr. DAS. No organization whatsoever, excepting as I subscribe to Hindu students' magazine—students' movements.

Senator COPELAND. Is Doctor Holmes familiar with all these incidents in your life?

Mr. DAS. Oh, yes; in fact, the Georgetown University completely knows it.

Senator COPELAND. I am speaking now about Doctor Holmes in New York, your pastor.

Mr. DAS. Yes; and Doctor Randall.

The Chairman. That is all, so far as I am concerned.

Senator Reed. That is all, Doctor.

STATEMENT OF P. C. MUKERJI, PITTSBURGH, PA.

Senator REED. Please state your full name.

Mr. MUKERJI. My name is P. C. Mukerji.

Senator REED. Where do you live, sir?

Mr. MUKERJI. In Pittsburgh.

Senator REED. What is your occupation?

Mr. MUKERJI. I am assistant chief chemist of the Carnegie Steel Co., Homestead works.

Senator REED. How long have you had that employment?

Mr. MUKERJI. That employment I have had about five years.

Senator REED. Before that, what was your occupation?

Mr. MUKERJI. I was just a chemist and metallurgist.

Senator REED. With the same company?

Mr. MUKERJI. With the same company.

Senator REED. How long have you worked for the Carnegie Steel Co?

Mr. MUKERJI. Fifteen years.

Senator REED. When did you come to America?

Mr. MUKERJI. In 1906.

Senator REED. When were you naturalized?

Mr. MUKERJI. In 1920.

Senator REED. Are you married?

Mr. MUKERJI. No.

Senator REED. You are a bachelor?

Mr. MUKERJI. Yes, sir.

Senator REED. Do you own the house in which you live?

Mr. MUKERJI. No; I live in an apartment.

Senator REED. Are you a college graduate?

Mr. MUKERJI. Yes; I graduated from the University of Pittsburgh.

Senator REED. With what degree?

Mr. MUKERJI. Bachelor of science.

Senator REED. Have you taken any other degrees?

Mr. MUKERJI. No; I have not.

Senator REED. What languages do you speak?

Mr. MUKERJI. Besides English?

Senator REED. Besides English.

Mr. MUKERJI. Hindustani, Bengalese; I can read and write German.

Senator REED. Can read and write German?

Mr. MUKERJI. Yes; I studied German.

Senator REED. Are you a member of any church in this country?

Mr. MUKERJI. I am not a member; but I attend the Unitarian Church.

Senator REED. Are you a member of any Hindu societies?

Mr. MUKERJI. Yes; I am a member of the Hindustan Association, a student organization throughout the country.

Senator REED. Is that political in its activities?

Mr. MUKERJI. No, not at all; it is a school organization, a scientific organization, connected with all the different colleges in the country.

Senator COPELAND. Is it the same as all other associations of students which are common in the universities?

Mr. MUKERJI. Yes; of the same character.

Senator COPELAND. German and French, etc.?

Mr. MUKERJI. Yes.

Senator COPELAND. It has no political functions?

Mr. MUKERJI. Not at all.

Senator COPELAND. For mutual and social benefits?

Mr. MUKERJI. Yes.

Senator COPELAND. And discussion of things of common interest?

Mr. MUKERJI. Yes; mostly of college journal, or sometimes we have professors of economy and of history lecture on economics or historical subjects. It is mostly of a social order.

Senator COPELAND. Does this organization maintain rooms or quarters or houses in various places?

Mr. MUKERJI. Depending on the circumstances. I understand New York has one and the International House, similar to the Columbia University. In Pittsburgh the Carnegie Institute of Technology has given us rooms to hold meetings in.

Senator COPELAND. Since you speak of the University of Pittsburgh, this organization is recognized by the university authorities?

Mr. MUKERJI. Yes.

Senator COPELAND. And they understand its activities?

Mr. MUKERJI. Yes.

Senator COPELAND. And are in harmony, apparently, with its objects?

Mr. MUKERJI. Yes. I could say that there is 75 per cent of our meetings which have been addressed by university professors. We are going to hold our convention during the Christmas week, and the chancellor of the university, Mr. Bowman, is going to preside on one evening and Doctor Baker, the president of the Carnegie Institute, is going to preside at the other.

Senator REED. I have no further questions.

Mr. MUKERJI. I have certain testimonials from the Carnegie Steel Co.

Senator REED. I do not believe that is necessary.

The CHAIRMAN. I think it unnecessary, but if the Senator wishes—

Senator REED. I do not think it is necessary to increase the records with those. The best testimonial is that they have kept you in that position, which they would not have done if you were not satisfactory.

Mr. MUKERJI. Here is a letter from the assistant general superintendent [handing paper to Senator Reed].

Senator REED. I do not think you need to put testimonials of that sort in.

The CHAIRMAN. Not unless you wish it.

Senator REED. I think that is all.

Mr. MUKERJI. I have been a member of different scientific organizations, such as the American Chemical Society, for the last 10 years, and the Western Pennsylvania Engineering Society.

The CHAIRMAN. How long did you say you had been in this country, please?

Mr. MUKERJI. About 20 years.

The CHAIRMAN. Have you in that period revisited India?

Mr. MUKERJI. No; I have not.

Senator REED. This is your permanent home, is it?

Mr. MUKERJI. Yes.

Senator REED. Do you intend to stay here the rest of your life?

Mr. MUKERJI. Yes.

Senator REED. That is all. I will now call Doctor Kokatnur.

STATEMENT OF V. R. KOKATNUR, PITTSBURGH, PA.

Senator REED. Please spell your name for the reporter.

Mr. KOKATNUR. K-o-k-a-t-n-u-r.

Senator REED. Your initials are V. R.?

Mr. KOKATNUR. V. R.

Senator REED. Where do you live, Doctor?

Mr. KOKATNUR. I live in New York.

Senator REED. What is your occupation?

Mr. KOKATNUR. Consulting chemical engineer.

Senator REED. Are you a college graduate?

Mr. KOKATNUR. Yes, sir.

Senator REED. What college did you graduate from?

Mr. KOKATNUR. I graduated from Bombay University with bachelor of science degree, master of science from the Univeristy of Minnesota, doctor of philosophy also from the University of Minnesota.

Senator REED. When did you come to America?

Mr. KOKATNUR. 1912, August.

Senator REED. When were you naturalized?

Mr. KOKATNUR. 1921.

Senator COPELAND. I notice you are an honor man, from this key you wear.

Mr. KOKATNUR. Yes, sir. The Phi Beta Kappa key.

Senator REED. Are you married?

Mr. KOKATNUR. Yes, sir.

Senator REED. Whom did you marry?

Mr. KOKATNUR. A girl from the Minnesota University.

Senator REED. An American girl?

Mr. KOKATNUR. An American girl.

Senator REED. Do you live in an apartment, or have you your own house?

Mr. KOKATNUR. I live in an apartment.

Senator REED. Have you children?

Mr. KOKATNUR. Yes.

Senator REED. How many?

Mr. KOKATNUR. One.

Senator REED. How old?

Mr. KOKATNUR. Three and a half years old.

Senator REED. What have been your religious connections, Doctor, since you came to America?

Mr. KOKATNUR. I attended the University Unitarian Church philosophical society and my wife attends the Methodist Church.

Senator REED. Doctor, can you give us anything that will indicate the comparative success that you have had in your profession in this country?

Mr. KOKATNUR. I came here as a graduate student in 1912; entered the University of California for one year, and then came to the University of Minnesota, where I was awarded a student assistantship; and in 1914 I was awarded master of science degree in chemistry

and geology. I was elected to the Sigma Psi, an honorary scientific society; was also awarded the only fellowship in the chemistry department in Minnesota, called the Shevlen Fellowship. In the history of that fellowship no foreigner was ever before awarded it.

The next year I was appointed research assistant to Dean George B. Frankforter School of Chemistry. The year after, that is, in 1916, I was awarded the degree of doctor of philosophy. In 1916 and 1917, I had a combined position as research assistant to Doctor Frankforter, and also a teaching assistant, and I had charge of teaching chemistry to the sophomores, junior, and senior students.

Senator COPELAND. In the University of Minnesota?

Mr. KOKATNUR. Yes, sir; I applied at least three or four times to various departments after the declaration of war by the United States—to the Chemical Warfare Service, Ordnance Department, Bureau of Mines, and Civil Service. The National Defense Society, I believe, and American Chemical Society advised all the chemists not to enlist, and I was rejected as a volunteer in any of these departments because I was not a citizen at that time; and I was advised by the American Chemical Society and the National Defense Society or association, I am not sure, to enter a war-essential industry. So, in 1917, I went to Niagara Falls and was employed in the Mathieson Alkali Works, and Niagara Alkali Co., in the production of collodion gas, and the research and war gases.

I have here a number of letters from the War Department testifying to the work I did during the war on war gases. The first thing I did when I came to Niagara Falls—in this country, during the war they used some varnish for airplanes. It was called by the name of "airplane dough." Two companies had tried to make this particular solvent for this airplane dough and had failed.

In less than five months, that is, from 1917, August, to December, 1917, I not only developed a successful process for the manufacture of this particular solvent, but a plant was erected to make this compound in large quantities.

Senator COPELAND. Where?

Mr. KOKATNUR. In Niagara Falls, and it was so used during the war, at least for the first few months, for the airplane dough; and one of the compounds is still being used by the Chemical Warfare Service, in the production of what they call toxic smokes.

I also developed entirely new poisonous mustard gases; and I sent samples of at least three of these new gases to the War Department.

I also developed a new chlopicrin or tear gas.

At the end of the war the conviction was growing on me that the country which gave me an education was worth fighting for, and so I applied for naturalization. In 1921 I was naturalized. From 1921 up to this day I have had a dozen or more patents pending in the United States, Germany, England, France, and Canada; and I do not want to go into too many details, but that is my property.

I also developed at the end of the war, when this country was suffering from the lack of dyestuffs—Germany was not sending any dyestuffs, and the most important dyestuffs was called the vat dyestuffs, and I made those dyestuffs in this country for the first time, not only equal to the German dyestuffs, but superior in quality and in cheapness.

This was done while I was in the employ of the National Analine & Chemical Co., or what is now known as the Allied Dye & Chemical Co., I think.

I went to sell explosives to the du Pont Co., in Wilmington. I had a number of processes for making carbolic acid. I am at present negotiating with the Bakelite Co.

Senator COPELAND. Have you been employed at any time by Mr. Metz?

Mr. KOKATNUR. No, never; I do not know him. Since then I have developed a process for the manufacture of machine embroidery.

The CHAIRMAN. I think we may concede your technical qualifications, and I do not believe it is necessary to go into them.

Senator REED. All I am desirous of bringing out is that these 69 men include a larger number of talented people than the 69 people taken at random through the country.

The CHAIRMAN. Yes.

Senator REED. I think it is very clear that he is one of them.

Mr. KOKATNUR. Thank you.

Senator REED. We are very much obliged.

Mr. KOKATNUR. If you wanted any of these letters—

Senator REED. I do not think it is necessary. You did develop some war gases which were actually used in battle by the American Army?

Mr. KOKATNUR. Yes, sir. At present I am also a commissioned officer in the Chemical Warfare Service.

Senator REED. You still hold a commission in the Reserve Corps?

Mr. KOKATNUR. In the Reserve Corps.

Mr. GOKHALE. If I am permitted, I made a mistake. I said I had no activities. I came here in 1912, and while I was doing my scientific work there was one political activity in which I was interested, and I started working along that line. The question that interested me most was the question of unemployment, and we organized a little society called the Sociology Club in Schenectady, of which I was appointed expositor.

Senator COPELAND. There were others in those societies of Hindus?

Mr. GOKHALE. Yes.

Senator COPELAND. Was Mayor Hylan of the New York society?

Mr. GOKHALE. Oh, not New York society; and I will show in just what relation we came with him. It is not a socialist club, it is a sociology club.

Senator REED. You are a member of that club?

Mr. GOKHALE. I am.

Senator REED. Is that club still active?

Mr. GOKHALE. It is not active now.

Senator REED. It was active in sociological work?

Mr. GOKHALE. It was active in sociological work. There was a charge brought against me during naturalization that I had taken activity in matters socialistic and bolshevistic literature, and that is what came to my mind just now. That was the charge against me, and the facts concerning it I thought I ought to have clear.

Senator REED. Very good; but even if guilty, it does not seem to be of the slightest importance.

The CHAIRMAN. So far as the charge is concerned, when it comes to naturalization you were on just the same basis?

Mr. GOKHALE. Yes, sir.

STATEMENT OF T. D. SHARMAN, OF DETROIT, MICH.

Senator REED. What is your full name?

Mr. SHARMAN. T. D. Sharman.

Senator REED. Mr. Sharman, where do you live?

Mr. SHARMAN. I live in Detroit.

Senator REED. What is your profession?

Mr. SHARMAN. I am a realtor, a member of the real-estate board, active member; and this letter from the Governor of Michigan I would like you to read, if you don't mind [exhibiting letter to the committee]. The governor has known me a long time and he just gave me the letter.

Senator REED. When did you come to the United States?

Mr. SHARMAN. In 1906.

Senator COPELAND. That is Governor Grosbeck?

Mr. SHARMAN. Yes, sir.

Senator REED. I do not think it is necessary to put the whole letter in. The governor says:

Mr. Sharman has been a citizen and resident of Detroit for the last 10 years, has made splendid progress in the real-estate world, and is a good example of Hindus who have made good citizens.

Do you own your own home in Detroit?

Mr. SHARMAN. Oh, yes; I own lots of property.

Senator REED. You own lots of property?

Mr. SHARMAN. Yes, sir.

Senator REED. When were you naturalized, Mr. Sharman?

Mr. SHARMAN. In 1917.

Senator REED. Were you in the military service during the war?

Mr. SHARMAN. No, I was employed by the General Motors and I was—before I was supposed to go the war stopped so I could not go; my time didn't come.

Senator REED. Were you married at that time?

Mr. SHARMAN. Oh, yes, 1916.

Senator REED. Was your wife an American?

Mr. SHARMAN. Oh, yes; she is here in the room.

Senator REED. You have been successful in your work there, have you?

Mr. SHARMAN. Very much.

Senator COPELAND. If he were not successful he would be a real-estate man, not a realtor. [Laughter.]

Mr. SHARMAN. That is right.

Senator REED. What have been your church connections, if any?

Mr. SHARMAN. I go to the Unitarian Church.

Senator REED. Does Mrs. Sharman go to the Unitarian Church, too?

Mr. SHARMAN. Well, she goes; but she is not a member; she attends.

Senator REED. Have you voted?

Mr. SHARMAN. Oh, all the time, up to this time. My citizenship was never questioned. I never knew anything happened. And, moreover, I want to suggest this, that being in the realty business I was notary and since that time I have notarized hundreds of deeds, mortgages, land contracts, and so on; and I want to suggest, what

would be the consequence to these legal documents if anything happened?

Senator REED. What college, if any, did you go to?

Mr. SHARMAN. I didn't go to a college here, but I took a business course in my line, real estate.

Senator COPELAND. In Detroit?

Mr. SHARMAN. Well, yes.

Senator REED. I would just have the committee see two or three ladies. Mrs. Das, come around, please.

STATEMENT OF MRS. T. J. DAS

Senator REED. You are the wife of Doctor Das, who testified here before?

Mrs. DAS. Yes.

Senator REED. Where were you born?

Mrs. DAS. Columbia, S. C.

Senator REED. Have you ever been in India?

Mrs. DAS. No, never.

Senator REED. What would be the effect upon your status, if you know, of the cancellation of your husband's naturalization?

Mrs. DAS. I should be rendered an alien.

Senator REED. Have you applied for a passport?

Mrs. DAS. I have.

Senator REED. Has it been granted or refused?

Mrs. DAS. Refused.

Senator REED. On what ground?

Mrs. DAS. That I am not a citizen.

Senator REED. Not a citizen of any place?

Mrs. DAS. Yes.

Senator REED. That you lost citizenship by marriage?

Mrs. DAS. By my marriage to my husband, because an alien ineligible to citizenship. But my husband, if I may say—I contest that; I refuse to admit that, because I married my husband as an American citizen, with his naturalization papers, and he still holds naturalization papers. His citizenship has not been canceled.

Senator REED. But at least that is the position taken by the Board of Passport Control?

Mrs. DAS. Yes; by Mr. Kellar.

Senator REED. I have nothing more.

The CHAIRMAN. If you please, what was the date of your marriage?

Mrs. DAS. The 5th of May, 1924.

The CHAIRMAN. Thank you. That is all, Mrs. Das.

Senator REED. Mrs. Sharman.

STATEMENT OF MRS. T. D. SHARMAN

Senator REED. You are the wife of Mr. Sharman, who testified a few moments ago?

Mrs. SHARMAN. Yes.

Senator REED. Where were you born, Mrs. Sharman?

Mrs. SHARMAN. Born in Brooklyn, N. Y.

Senator REED. Your parents were Americans?

Mrs. SHARMAN. My father was a naturalized Scotchman; my mother was an American.

Senator REED. And you have always lived in America?

Mrs. SHARMAN. I have never left the country.

Senator REED. You have never been in India?

Mrs. SHARMAN. No.

Senator REED. What was the date of your marriage?

Mrs. SHARMAN. August 16, 1916. I have been married nearly 11 years; and Mr. Sharman was to be shortly a citizen when I married him, because, of course, he intended to live in America always, and he loves America and we never doubted but what we were citizens. We lived along without any question all these years.

Senator REED. Have you had occasion to apply for a passport?

Mrs. SHARMAN. No; I have never left the country.

Senator REED. You have had no difficulty with the passport bureau?

Mrs. SHARMAN. No.

Senator REED. I have no other questions. Thank you very much, Mrs. Sharman.

That is all, Mr. Chairman.

The CHAIRMAN. When would you gentlemen wish to meet again?

Senator WILLIS. Mr. Chairman, it may be that I shall have to request time for a very brief hearing upon this bill. I am somewhat embarrassed about it. Some one wired me from Cincinnati and wanted to be advised about the time of this hearing.

The CHAIRMAN. If you will tell me when, I will be glad to arrange it for you.

Senator WILLIS. It escaped my notice.

The CHAIRMAN. If you deem it to be essential, Senator, if you will notify us we can call the committee together and dispose of the bill.

(After further informal discussion.)

The CHAIRMAN. The committee, then, without objection, will stand adjourned until 10.30 Wednesday next.

(Whereupon, at 12 o'clock m., the committee adjourned to meet Wednesday, December 15, 1926, at 10.30 o'clock a. m.)